

State of Alaska
FY2006 Governor's Operating Budget

Department of Transportation/Public Facilities
Equal Employment and Civil Rights
Component Budget Summary

Component: Equal Employment and Civil Rights

Contribution to Department's Mission

Enhance the operations of the department through the promotion, monitoring and support of Title VI Programs such as the External Equal Employment Opportunity (ExEEO) Program, the Disadvantaged Business Enterprises (DBE) Program, and the On-The-Job Training (OJT) Program in the transportation construction industry.

Core Services

This component is responsible for the following programs that have been developed and implemented in accordance with specific federal regulations:

- Three affirmative action programs (DBE, ExEEO, and OJT) that provide opportunities which otherwise would not normally exist within the construction arena. These programs apply to contractors and subcontractors working on USDOT-assisted projects.
- Two non-discrimination programs (Title VI of the Civil Rights Act of 1964 [Title VI] & Americans with Disabilities Act of 1990 [ADA]), which ensure equal treatment by the department with respect to its dealings with the public in all phases of operation.
- Two support services programs that provide assistance to contractors and the public in understanding and participating in the DBE and OJT Programs.
- A contract compliance program that monitors, enforces contractor compliance, and assists with construction related affirmative action programs.

FY2006 Resources Allocated to Achieve Results

FY2006 Component Budget: \$795,000	<table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Personnel:</td> </tr> <tr> <td>Full time</td> <td style="text-align: right;">10</td> </tr> <tr> <td>Part time</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">11</td> </tr> </table>	Personnel:		Full time	10	Part time	1	Total	11
Personnel:									
Full time	10								
Part time	1								
Total	11								

Key Component Challenges

Work continues with the Department of Labor to encourage local hire when viable and appropriate. New policy and procedures will be developed to better address local hire on USDOT-assisted construction in rural communities. This effort has been sanctioned by FHWA and FAA and is funded by an FHWA grant. The department is also working with the Denali Commission staff to ensure that there is no duplication of efforts so we can build on the efforts of each other. At the same time, training and employment opportunities in rural areas are being identified that may provide multiple benefits such as heavy equipment training that can be used for road/airport construction as well as water and sewer, tank farm development and landfill development.

The DBE program continues to generate increased activity in the area of administrative appeals and reconsideration of construction bids to ensure DBE firms are given an equal opportunity for work on these projects. This activity requires adequate financial resources to competently administer. Additional legal and training expenses may be incurred as a result of these DBE program changes.

New regulations are anticipated for airport concessionaires in FFY2005 and additional departmental efforts are anticipated to implement these regulations.

The Civil Rights Office must ensure there is no disruption in service during the construction season as a result of meeting federal DBE requirements. Some changes in federal regulations have occurred and more are coming that will result in increased reporting requirements. Those changes include maintenance of a bidder's list, and operation of the Unified Certification Program in cooperation with other Alaska recipients of USDOT assistance, additional review of financial statements and the need for increased legal assistance.

Revision of the department's Title VI Program is required to comply with FHWA current orders and guidance. Adequate funding is needed to ensure this assurance is met. A new Title VI Officer and Specialist will require significant training to competently implement this program.

Significant Changes in Results to be Delivered in FY2006

None.

Major Component Accomplishments in 2004

- Continued an FHWA annual grant program, in partnership with Alaska Department of Labor and Workforce Development and the Alaska Native Council on Education and Training (ANCET), to increase Alaska Native rural employment on ADOT&PF projects by these actions:
 1. Facilitated the implementation of five post award conferences where local employment and training issues were discussed;
 2. Worked with the Tanana Chiefs Conference to identify potential projects for local employment in Northern Region;
 3. Participated in two FHWA tribal roads scanning projects to determine how to facilitate more effective use of BIA and ADOT&PF funds to build and maintain roads in tribal communities.
- Fully implemented the Civil Rights Office newsletter and the Annual Unified Certification Program meeting. This fulfills our DBE supportive service obligations under our FHWA funding agreement. The annual meeting resulted in a cooperative effort to hold annual DBE goal meetings jointly, collectively reducing costs.
- Began regular, scheduled training of DOT&PF staff and other interested parties in the elements of Title VI compliance for ADOT&PF projects. In this same effort, began reviewing environmental documents to ensure compliance with Title VI and Environmental Justice requirements.
- Completed two detailed investigations of ADOT&PF contractors with allegations of job discrimination based on gender to ensure compliance with the department's FHWA grant assurance.

Statutory and Regulatory Authority

- 49 CFR, Parts 21, 23 & 26
- 41 CFR, Part 60
- 23 CFR, Parts 200 & 230
- 29 CFR, Part 16.30
- 28 CFR, Part 35
- Section 504 of the Rehabilitation Act of 1973
- Title VI of the Civil Rights Act of 1964
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Orders
 - 11246 - Equal Employment Opportunity
 - 12898 - Environmental Justice
 - 13166 - Limited English Proficiency
 - 13175 - Tribal Consultation
- DOT Order 5301.1 - Department of Transportation Programs, Policies, and Procedures Affecting American Indians, Alaska Natives, and Tribes

- FHWA Order 6640.23 - FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Contact Information
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Equal Employment and Civil Rights Component Financial Summary

All dollars shown in thousands

	FY2004 Actuals	FY2005 Management Plan	FY2006 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	600.1	695.3	721.9
72000 Travel	15.9	21.6	21.6
73000 Services	26.6	33.0	33.0
74000 Commodities	18.1	18.5	18.5
75000 Capital Outlay	0.0	0.0	0.0
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	660.7	768.4	795.0
Funding Sources:			
1004 General Fund Receipts	242.5	221.9	228.4
1007 Inter-Agency Receipts	6.1	8.2	8.5
1061 Capital Improvement Project Receipts	412.1	538.3	558.1
Funding Totals	660.7	768.4	795.0

Estimated Revenue Collections

Description	Master Revenue Account	FY2004 Actuals	FY2005 Management Plan	FY2006 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Interagency Receipts	51015	6.1	8.2	8.5
Capital Improvement Project Receipts	51200	412.1	538.3	558.1
Restricted Total		418.2	546.5	566.6
Total Estimated Revenues		418.2	546.5	566.6

**Summary of Component Budget Changes
From FY2005 Management Plan to FY2006 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2005 Management Plan	221.9	0.0	546.5	768.4
Adjustments which will continue current level of service:				
-FY 05 Bargaining Unit Contract Terms: GGU	1.4	0.0	4.4	5.8
-FY06 Cost Increases for Bargaining Units and Non-Covered Employees	5.1	0.0	14.2	19.3
-Adjustments for Personal Services Working Reserve Rates and SBS	0.0	0.0	1.5	1.5
FY2006 Governor	228.4	0.0	566.6	795.0

**Equal Employment and Civil Rights
Personal Services Information**

Authorized Positions		Personal Services Costs		
	<u>FY2005</u> <u>Management</u> <u>Plan</u>	<u>FY2006</u> <u>Governor</u>		
Full-time	10	10	Annual Salaries	485,786
Part-time	1	1	COLA	7,292
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	264,806
			<i>Less 1.48% Vacancy Factor</i>	<i>(11,184)</i>
			Lump Sum Premium Pay	0
Totals	11	11	Total Personal Services	746,700

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant	1	0	0	0	1
Administrative Clerk I	1	0	0	0	1
Equal Employ Officer II	4	0	0	0	4
Equal Employ Officer III	3	0	0	0	3
Statistical Technician II	1	0	0	0	1
Trans Planner II	1	0	0	0	1
Totals	11	0	0	0	11