



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

ORDER

DOT 1000.2B

5-22-89

Subject: EQUAL OPPORTUNITY POLICY

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1. PURPOSE. This Order establishes Department of Transportation (DOT) policy and assigns responsibilities to assure equal opportunity for all persons regardless of race, color, religion, sex, age, national origin, or handicap.
 2. CANCELLATION. DOT 1000.2A, Equal Opportunity Policy, dated December 14, 1968.
 3. AUTHORITIES.
 - a. Public Law 88-352, Title VI and Title VII of the Civil Rights Act of 1964, 42 USC 2000.
 - b. Public Law 92-261, Equal Employment Opportunity Act of 1972, 42 USC 2000e.
 - c. Public Law 93-112, Rehabilitation Act of 1973, 29 USC 701-796i.
 - d. Public Law 93-259, Fair Labor Standards Amendments of 1974, 29 USC 201-209.
 - e. Public Law 95-256, Age Discrimination Act of 1975, 42 USC 6101-6107.
 - f. Public Law 92-318, Title IX of the Education Amendments of 1972, 20 USC 1681.
 - g. Executive Order 11478, Equal Employment Opportunity in the Federal Government, August 12, 1969.
 - h. Executive Order 11625, October 14, 1971. Requires Federal executive agencies to develop comprehensive plans and programs to encourage minority business enterprises.
 - i. Executive Order 12320, Historically Black Colleges and Universities, September 15, 1981.
 - j. Title 29 CFR, Part 1613, Equal Employment Opportunity in the Federal Government, October 1987.

DISTRIBUTION: All Secretarial Officers
All Operating Administrations

OPI: Departmental
Office of
Civil Rights

4. REFERENCES.

- a. Secretary of Transportation's Policy Statement on Civil Rights.
- b. Secretary of Transportation's Policy Statement on Sexual Harassment.
- c. DOT Order 1000.12, Implementation of the Department of Transportation Title VI Program, January 19, 1977.
- d. DOT Order 1000.8A, DOT Procedures for Processing Complaints of Discrimination in Employment Practices, July 10, 1976.
- e. Office of Personnel Management and Equal Employment Opportunity Commission regulations, procedures, and guidelines on equal employment opportunity.

5. BACKGROUND. The Department's equal opportunity responsibilities have their basis in all of the aforementioned authorities, and especially in the Civil Rights Act of 1964 and Executive Order 11478. These and all other related acts, laws, executive orders, regulations, policies, instructions, and guidelines (of the Office of Personnel Management, the Department of Labor, the Department of Justice, the Equal Employment Opportunity Commission, and the Department of Transportation) provide, promote, and encourage equal employment opportunity for all qualified persons employed or seeking employment within the Federal Government without discrimination because of race, color, religion, sex, age, national origin, or handicap. They direct that positive and affirmative measures be taken to assure equal employment opportunity; expand and strengthen the efforts to promote full equality of opportunity; assure equal opportunity for benefit from Government services; and ensure compliance with equal opportunity laws by any program or activity receiving Federal financial assistance.

6. POLICY. Equal opportunity for all employees and applicants for employment regardless of their race, color, religion, sex, age, national origin, or handicap is DOT's policy. Every employee and representative shall perform all official actions affirmatively and in full accord with the spirit and letter of the Constitution and applicable laws, orders, policies, and regulations to assure equality of opportunity for all persons and avoid even the appearance of discrimination because of race, color, religion, sex, age,

national origin, or handicap. Complaints of discrimination involving these issues shall be reviewed and processed promptly, fairly, and impartially. This policy covers:

- a. All Departmental employment practices including but not limited to recruitment, hiring, promotion, transfer, reassignments, training, benefits, and separation;
- b. Services rendered to the public;
- c. Operations of Federally assisted activities; and
- d. Other programs involving Departmental assistance, participation, or endorsement.

7. RESPONSIBILITIES.

- a. Departmental Officials. Each Departmental official is responsible for advancing equal opportunity. He or she shall:

- (1) Assure that every form of discrimination is eliminated in accordance with this policy;
- (2) Implement in an affirmative manner all applicable equal opportunity program responsibilities;
- (3) Consider and record the effectiveness of staff supervisors in fulfilling their responsibilities under this policy; and
- (4) Promote the full spirit and intent of this policy among employees and representatives of the Department.

- b. Departmental Director of Civil Rights. The Departmental Director of Civil Rights reports directly to the Secretary and acts for and represents the Secretary in all equal opportunity matters. The Departmental Director of Civil Rights serves as the Department's Equal Employment Opportunity Officer and Title VI Coordinator. The Departmental Director of Civil Rights also serves as the primary focal point in the Office of the Secretary for administering the Departmental Historically Black Colleges and Universities Program. He or she shall develop and recommend to the Secretary such directives,

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programs, and procedures as may be required to assure full and affirmative implementation of this policy and Federal equal opportunity programs. The Departmental Director of Civil Rights shall periodically evaluate and report to the Secretary on the application and effectiveness of this policy throughout the Department.

- c. Office of the Secretary. The Assistant Secretary for Administration shall exercise personal leadership in establishing and carrying out a continuing affirmative program designed to promote equal opportunity in every aspect of personnel policy and practice. Sufficient resources shall be provided to administer an affirmative and effective equal opportunity program. Officials and operating staff responsible for carrying out equal employment opportunity programs must meet and continue to meet established qualification requirements. The Assistant Secretary for Administration serves as the OST Equal Employment Opportunity Officer.
- (1) Director of Personnel (OST). The Director of Personnel, OST, shall recommend policy and develop programs and procedures to promote equal opportunity in DOT employment and to assure full and affirmative implementation of this policy in the Department's personnel and training programs, practices, and working conditions.
- (2) Director of Acquisition and Grant Management (OST). The Director of Acquisition and Grant Management, OST, shall promote and enforce equal opportunity in the procurement programs and practices of the Department.
- d. Office of Inspector General. The Inspector General shall exercise personal leadership in establishing and carrying out a continuing affirmative program designed to promote equal opportunity in every aspect of personnel policy and practice. Sufficient resources shall be provided to administer an affirmative and effective equal opportunity program. Officials and operating staff responsible for carrying out equal employment opportunity programs must meet and continue to meet established qualification requirements. The

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Assistant Inspector General for Policy, Planning and Resources serves as the IG Equal Employment Opportunity Officer.

- e. Administrations. The Heads of Operating Administrations shall assure full and affirmative implementation of equal opportunity in all areas of their jurisdiction. They shall exercise personal leadership in establishing and carrying out a continuing affirmative program designed to promote equal opportunity in every aspect of personnel policy and practice. Sufficient resources shall be provided to administer an affirmative and effective equal opportunity program. They shall maintain an Equal Employment Opportunity Officer and a Title VI Coordinator for their organizations. Principal officials, such as Directors of Civil Rights and EEO Officers, and operating staff, such as Federal Women's Program Managers and Equal Employment Specialists, responsible for carrying out equal employment opportunity programs, must meet and continue to meet established qualification requirements.

8. CONTACTS WITH OTHER AGENCIES AND ORGANIZATIONS.

- a. The Departmental Director of Civil Rights, as the Equal Employment Opportunity Officer and Title VI Coordinator, shall be the principal DOT representative in contacts with other Government agencies, commissions, committees, and organizations on matters to assure equal opportunity throughout the Department.
- b. The above designation does not preclude contacts with agencies, commissions, committees, and organizations by the Inspector General, Operating Administrations and other DOT elements as required in the conduct of day-to-day activities. All contacts predicated on or resulting in significant equal opportunity developments must be coordinated with the Departmental Director of Civil Rights.

FOR THE SECRETARY OF TRANSPORTATION:



Melissa J. Allen
For the Assistant Secretary
for Administration