

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
Office of Government Relations  
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**To:** All CDOT Employees

**From:** Heidi Humphreys – DAS / Herman Stockinger – OPGR / Mary Frances Nevans - OPGR

**Re:** Policy Directive 600.0 Equal Employment Opportunity and Affirmative Action

**Date:** January 27, 2014

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Background Policy Directive 600.0 “Equal Employment Opportunity and Affirmative Action” updates current Policy Directive 600.0, “Equal Employment Opportunity and Non-Discrimination Policy” adopted June 18, 2008.

Rationale for Policy Directive Outlines CDOT’s general policy for all CDOT employees (including temporary employees and volunteers) and applicants with regard to compliance with Title VII of the Civil Rights Act of 1964 and Colorado Anti-Discrimination laws. It does not include CDOT’s obligations under Title VI, which are set forth in Policy Directive 604.0, “Non-Discrimination Policy,” overseen by the Civil Rights and Business Resource Center.

Individuals/Entities Impacted in Policy Directive The directive pertains to all CDOT employees (including temporary employees and volunteers) and applicants for employment. The directive identifies those protected classes under federal regulations and state law. It also requires compliance with the Genetic Information Nondiscrimination Act of 2008 (“GINA”), 43 U.S.C. § 2000ff, which prohibits the use of the improperly disclosed genetic information in hiring and promotion. It requires adherence to the Department of Regulatory Agencies (“DORA”) guidelines pertaining to Colorado Anti-discrimination Laws under § 24-34-401, *et seq.*, C.R.S.

Implementation The Division of Administrative Services (DAS), Employee Relations / Legal Office (ER/L) shall implement this directive. The Affirmative Action Officer shall oversee CDOT’s affirmative action compliance.

Effective Date January 22, 2014

Review Date On or before January 2019

<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>		<b>X POLICY DIRECTIVE</b> <input type="checkbox"/> <b>PROCEDURAL DIRECTIVE</b>
<b>Subject</b>		
<b>EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION</b>		<b>600.0</b>
<b>Effective</b> 1/22/14	<b>Supersedes</b> 06/18/08	<b>Originating Office</b> <b>Division of Administrative Services</b>

## I. PURPOSE

To ensure that no person, such as a member of the public, applicant, or employee, shall, on the grounds of race, color, religion, gender (including sexual harassment), sexual orientation as defined in § 24-34-401 (7.5), C.R.S., national origin, age, genetic information, political affiliation, organizational membership, veteran's status, disability, marriage to a co-worker, pregnancy, or because such person has opposed any unlawful discriminatory practice or other non-job related factor, be excluded from participation in, be denied the benefit of, or be subjected to discrimination or harassment in hiring or employment practices.

## II. AUTHORITY

Executive Director, § 43-1-105, C.R.S.

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e  
(<http://www.eeoc.gov/laws/statutes/titlevii.cfm>)

Rehabilitation Act, 29 U.S.C. § 791  
(<http://www.eeoc.gov/laws/statutes/rehab.cfm>)

Age Discrimination Act of 1975, 29 U.S.C. § 621  
(<http://www.eeoc.gov/laws/statutes/adea.cfm>)

The Equal Pay Act, 29 U.S.C. § 206(d)  
(<http://www.eeoc.gov/laws/statutes/epa.cfm>)

The Genetic Information Nondiscrimination Act, 42 U.S.C. § 2000ff  
(<http://www.eeoc.gov/laws/statutes/gina.cfm>)

The Civil Rights Act of 1991, 29 CFR 1614  
(<http://www.eeoc.gov/laws/statutes/cra-1991.cfm>)

§ 24-34-401, *et seq.*, C.R.S.

## III. APPLICABILITY

This directive applies to all divisions, branches, regions and offices of the Colorado Department of Transportation ("CDOT" or "Department") with regard to applicants and employees. For purposes of this Policy, "employees" includes all employees, including management level, as well as temporary employees, volunteers and applicants.

#### IV. POLICY

It is the policy of CDOT to provide equal opportunity in employment and to prohibit discrimination in employment based on the above mentioned factors.

CDOT supports the rights of employees to exercise all available rights under applicable civil rights laws and does not tolerate retaliation against employees who engage in a protected activity. Any employee or program issue related to this EEO policy should be addressed to the Regional Civil Rights Office, Employee Relations Legal (ER/L), or the Affirmative Action Officer.

#### V. IMPLEMENTATION PLAN

A. This Policy Directive shall be effective upon approval by the Transportation Commission.

B. It shall be implemented by the Affirmative Action Officer in the Office of Employee Relations / Legal at CDOT Headquarters.

#### VI. REVIEW DATE

This Policy Directive shall be reviewed on or before January 2019.

Herman J. Stokewicz III  
Secretary, Transportation Commission

1-22-14  
Date of Approval

**Resolution # TC-3126**

**Approved January 16, 2014**

**Adoption of Policy Directive 600.0 "Equal Employment Opportunity and Affirmative Action"**

**WHEREAS**, pursuant to § 43-1-106(8)(a), C.R.S., the Colorado Transportation Commission is charged with formulating general policy for the Colorado Department of Transportation ("CDOT"); and

**WHEREAS**, CDOT is required to comply with Title VII of the Civil Rights Act, 42 U.S.C. § 2000e, and related statutes as a recipient of federal funds from the U.S. Department of Transportation; and

**WHEREAS**, CDOT is required to comply with the Colorado Anti-Discrimination Laws under § 24-34-401, *et seq.*, C.R.S.; and,

**WHEREAS**, Policy Directive 600.0 seeks to fulfill the Federal Highway Administration's requirement to have a policy in place with regard to equal opportunity employment practices and prohibition of discrimination, which practices will be implemented through all phases of CDOT's Affirmative Action Plan; and,

**WHEREAS**, Policy Directive 600.0 updates and replaces Policy Directive 600.0, "Equal Opportunity and Non-Discrimination Policy" adopted on June 18, 2008; and

**WHEREAS**, updated Policy Directive 600.0 confirms CDOT's commitment to equal opportunity in employment and the prohibition of discrimination in employment.

**NOW THEREFORE BE IT RESOLVED**, the Commission herein adopts Policy Directive 600.00 "Equal Employment Opportunity and Affirmative Action."

*Norman J. Stockings III*

Transportation Secretary

1-22-14

Date