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INTRODUCTION

This document will serve as the 2017 Annual Update to the North Dakota Department of Transportation (NDDOT) five-year EEO/Affirmative Action Plan. The current plan is effective from 2014 through 2018. The entire five year plan can be found at:


This annual update includes data and narratives with regard to the 2016 Workforce Analysis, applicant flow, and a variety of updated statistics. It also contains goals for 2017. Some information from 2017 is included for clarity, but the Update is intended to report EEO matters from calendar year 2016.

Please Note: Only sections with updated information appear in this Annual Update, so numbering of sections may not be sequential.

Civil Rights Division

The NDDOT Civil Rights Division (CRD) is responsible for the following programs:

- Title VI/Nondiscrimination and ADA Program
- Internal EEO/Title VII Program, including AAR Program
- Workplace Investigations Program
- Disadvantaged Business Enterprise (DBE) Program, Including Supportive Services
- Contractor Compliance Program
- OJT Program, including Supportive Services
- Labor Compliance Program, including LCPtracker
PART I – FORMS AND POLICIES

NDDOT Organizational Chart (Updated 9-2017)
Civil Rights Division Chart (Updated 3-2017)

CIVIL RIGHTS DIVISION
ORGANIZATIONAL CHART
March 2017

DIRECTOR
Ramona Bernard
328-2576

ADMINISTRATIVE ASSISTANT
Sheila Kittan
328-2563

CIVIL RIGHTS PROGRAM ADMINISTRATOR
Amy Conlin
328-3116
Disadvantaged Business Enterprise (DBE)
DBE Supportive Services
On-the-Job Training (OJT)
OJT Supportive Services

CIVIL RIGHTS PROGRAM ADMINISTRATOR
Gail Brown
328-2505
Title VII - Internal Equal Employment Opportunity
Contractor Compliance
Labor Compliance

CIVIL RIGHTS PROGRAM ADMINISTRATOR
Paula Messmer
328-2578
Title VII Non-Discrimination and ADA
Environmental Justice (EJ)
Limited English Proficiency (LEP)
Workplace Investigation
ND DEPARTMENT OF TRANSPORTATION
POLICY NUMBER: 1.2
EQUAL EMPLOYMENT OPPORTUNITY

| DIVISION | Human Resources | ORIGINAL DATE | 9-61-1976 | REVISED/REVIEWED DATE | 5-01-2017 |

SCOPE: This policy applies to all employees, applicants for employment, and all divisions, districts, and offices of the North Dakota Department of Transportation.

POLICY
The Department Director is committed to and supports Equal Employment Opportunity (EEO) so that no employee or applicant for employment will be discriminated against because of race, color, religion, sex, age, national origin, or person with disability, genetics, sexual orientation, political opinion or affiliation, status with regard to marriage or public assistance, or participation in lawful activity off the Department’s premises during non-working hours which is not in direct conflict with the essential business-related interests of the Department.

The Department is committed to an Affirmative Action Program that details the efforts, goals, and timetables to overcome the effects of past discrimination of minorities and women. The Affirmative Action Program is a goal-setting program with measurement and evaluation factors similar to other major Department programs. The program assures equal opportunity in all employment practices, including but not limited to, recruitment, placement, advertising or solicitation for employment, training during employment or selection for training (including apprenticeship); rates of pay or other forms of compensation; promotions, transfers, demotions, lay-offs, or terminations, recognition or awards, or any related function.

The responsibility for implementing the Department’s Affirmative Action Program is assigned to the Civil Rights Division Director. However, all management staff shares in this responsibility and will be assigned specific tasks to assure that compliance is achieved. The responsibility for positive affirmative action in the discharge of the Affirmative Action Program, including performance reviews of managers and supervisors in such functions, will be expected of and shared by all management staff. The performance by managers and supervisors will be evaluated by the success of the Affirmative Action Program in the same way their performance is evaluated by the success of other Department programs. The Department Director believes that successful achievement of EEO goals will provide benefits to the Department through comprehensive utilization and the development of underutilized human resources.

Employees and applicants for employment have the right to file complaints alleging discrimination with the Department. Anyone who believes that he or she has been discriminated against should contact either the Civil Rights Division Director or any Department Affirmative Action representative. The Civil Rights Division Director may be reached by calling 701-328-2576 or TTY: 711 or 1-800-366-6888.
ND DEPARTMENT OF TRANSPORTATION
POLICY NUMBER: 20.1

COMPLAINTS/GRIEVANCES – FILING PROCEDURES

<table>
<thead>
<tr>
<th>DIVISION</th>
<th>Human Resources</th>
<th>ORIGINAL DATE</th>
<th>02-01-1980</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>REVISED/REVIEWED DATE</td>
<td>12-13-2016</td>
</tr>
</tbody>
</table>

SCOPE: This policy applies to all employees regardless of status and may apply to applicants for employment.

POLICY

It is the policy of the Department to provide a means to have complaints/grievances heard and resolved at the level of supervision most directly associated with the complaint/grievance.

These internal grievance and appeal procedures serve as a supplement to the Administrative Rules in North Dakota Administrative Code chapters 4-07-20, 4-07-20.1 and 4-07-20.2 and provide a complete process for all matters either appealable or not appealable to Human Resource Management Services (HRMS).

An employee of the Department may file a work-related complaint or grievance by following the procedures outlined in this policy. If the complaint or grievance is not appealable to HRMS, the decision of the Department Director is final.

Employee Responsibilities:

The Department’s internal grievance procedure applies to all Department employees. Employees are responsible for complying with the procedures in this chapter and all additional procedures required by North Dakota Administrative Code for filing a complaint/grievance.

Prior to implementing the formal grievance or complaint procedure, an employee may first consult with the Human Resources Division (HRD), the Civil Rights Division (CRD), or an Affirmative Action representative (AAR).

An employee may be assisted by a representative of his or her own choosing at any point in the process.

Employer Responsibilities:

Supervisors and managers must make a good faith effort to resolve an employee complaint/grievance at their level. They must attempt to provide a fair and reasonable resolution to employee complaints/grievances within a reasonable time period. The immediate supervisor may wish to confer with the next higher level supervisor in the process of resolving the issue.
Updated Forms

Complaint or Grievance of Employer Action (Updated 8-2016)

COMPLAINT/GRIEVANCE OF EMPLOYER ACTIONS
North Dakota Department of Transportation, Human Resources
SFN9983 (8-2016)

PART I - COMPLAINANT/GRIEVANT INFORMATION
(Complete all items, see NDDOT Personnel Policy 20.1 for filing procedures.)

<table>
<thead>
<tr>
<th>Complainant’s or Grievant’s Name</th>
<th>Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division or District</td>
<td>Work Unit or Section</td>
</tr>
<tr>
<td>Complainant’s or Grievant’s Address</td>
<td>City</td>
</tr>
<tr>
<td>Home Telephone</td>
<td>Work Telephone</td>
</tr>
<tr>
<td>Status (Check all that apply)</td>
<td>Regular</td>
</tr>
</tbody>
</table>

PART II - TYPE OF COMPLAINT OR GRIEVANCE IDENTIFICATION (Check either A or B)

A. Complaint/Grievance of employer action: (Check at least one)
   - Termination
   - Suspension without pay
   - Demotion
   - Forced Relocation
   - Reduction in force

B. Complaint/Grievance of employment discrimination, retaliation, or reprisal because of: (Check at least one)
   - Race
   - Color
   - Religion
   - Sex
   - Age
   - National Origin
   - Genetics
   - Workplace Harassment
   - Physical or mental disability
   - Political opinions or affiliations
   - Status with regard to marriage or public assistance
   - Participation in lawful activity off the Department’s premises during non-working hours which is in direct conflict with the essential business-related interests of the Department
   - Retaliation from filing a complaint, providing evidence or testimony on behalf of someone filing a complaint, acting as a whistle blower, or refusing to perform an illegal act.

PART III - COMPLAINT OR GRIEVANCE AND SOLUTION
On attached paper, provide the following required information:
1. State the specific complaint or grievance and the date the action or incident occurred.
2. State the specific solution sought to resolve the issue.
3. List attached documentation.

PART IV - SIGNATURE
Complainant’s or Grievant’s Signature | Date

PART V - ACKNOWLEDGEMENT (This is to acknowledge receipt of your complaint or grievance.)
NDDOT Director’s or Representative’s Signature | Date
## COMPLAINT/GRIEVANCE OF NON-EMPLOYER ACTIONS

North Dakota Department of Transportation, Human Resources
SFN 60738 (8-2016)

### Employee/Agency Identification

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Employee Title</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>ZIP Code</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Telephone Number</th>
<th>Division / District</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Employee Status (check all that apply)</th>
<th>Classified</th>
<th>Non-classified</th>
<th>Probationary</th>
<th>Regular</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Immediate Supervisor</th>
<th>Title</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Second Level Supervisor</th>
<th>Title</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Appointing Authority</th>
<th>Director, NDDOT</th>
</tr>
</thead>
</table>

### State Specific Complaint/Grievance (Attach additional sheets if necessary.)

### Explain what action (remedy) you seek to resolve your complaint/grievance. (Attach additional sheets if necessary.)

### Employee Signature

<table>
<thead>
<tr>
<th>Date</th>
</tr>
</thead>
</table>
PART II - CONTRACTOR COMPLIANCE

I. Organization and structure

A. NDDOT EEO Coordinator (External) and staff support

Since the filing of the 2016 Update, Civil Rights Admin. Amy Conklin moved to an administrator role and her duties were assumed by Sheila Kitzan, who also provides administrative support to the Construction Services Division. Amy Conklin assumed oversight of the DBE and OJT Programs in 2016, in anticipation of the retirement of Denise Spanjer in March of 2017.

B. District or Division Personnel

3. Describe training provided for personnel having EEO compliance responsibility.

The CRD published its yearly External Civil Rights Manual for use by construction personnel in January, 2016, and did live trainings for construction personnel in Bismarck, Minot, Grand Forks and Fargo from February 1-4, 2016. The Bismarck training was recorded so that it could be viewed by those who could not attend. All construction personnel are required to attend the training. Additionally, CRD did 7 webinar trainings on Labor Compliance/LCPtracker for contractors and 4 live trainings for engineers and support staff. CRD also did 3 “Lunch & Learn” seminars on LCPtracker for construction support staffs from May to July of 2016.

CRD Staff engaged in training this year as well:

CRD Director Ramona Bernard

Active Shooter Training 12/16/16
Defensive Driving 2/07/16
Transfer Knowledge before It Walks Out the Door 9/14/16
5 Levels of Leadership 6/20/16
Spring Safety Meeting 5/23/16
2016 DOT Civil Rights Sympos. 3/10/16
Dale Carnegie – Lead Meetings 1/27/16
Becoming a Person of Influence 1/26/16

Civil Rights Admin. Paula Messmer:

Dale Carnegie Lead/Facilitate Effective Meetings 1/20/16
FHWA Environmental Justice Webinars 1/25/16 and 6/4/16

New Data Tools for Supporting Analysis of
II. Compliance procedures

No Changes in this Area since filing of 2014-18 Plan.

III. Accomplishments

*Describe accomplishments in the construction EEO compliance program during the past fiscal year.*

A. Regular project compliance review program

<table>
<thead>
<tr>
<th>1. Number of compliance reviews conducted</th>
<th>11</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Number of contractors reviewed</td>
<td>11</td>
</tr>
<tr>
<td>3. Number of contractors found in compliance</td>
<td>11</td>
</tr>
<tr>
<td>4. Number of contractors found in noncompliance</td>
<td>0</td>
</tr>
<tr>
<td>5. Number of show cause notices issued</td>
<td>0</td>
</tr>
<tr>
<td>6. Number of show cause notices rescinded</td>
<td>0</td>
</tr>
<tr>
<td>7. Number of show cause actions still unresolved</td>
<td>0</td>
</tr>
<tr>
<td>8. Number of follow-up reviews conducted.</td>
<td>0</td>
</tr>
</tbody>
</table>
For 2016, NDDOT set a goal of 11 compliance reviews and did 11. For 2017, the NDDOT sets a goal of 10 compliance reviews.

There have been no other changes in this area since the filing of the 2014-18 Plan.

VI. Complaints

Identify the Federal-aid highway contractors that have had discrimination complaints filed against them during the past fiscal year and provide current status.

The NDDOT successfully dealt with a number of complaints against contractors in 2016.

The Department received 3 complaints from employees of a contractor on a federal-aid project. The contractor did an investigation and because of concerns as to the nature of the complaint, the Director appointed a Workplace Investigation Team from the NDDOT to conduct an investigation of the allegations. The WPI Team conducted in person interviews of complainants and of employees of the contractor and submitted a Report, which was accepted by the Director. Subsequently, the contractor was placed on a Voluntary Corrective Action Plan (VCAP), which will continue for a period of one year, provided there are no further allegations of discrimination or harassment.

The Department received a complaint from a consultant engineer concerning harassing behaviors of employees of a subcontractor on a federal-aid project. The contractor removed the employees from the project immediately, conducted an investigation and took appropriate action to ensure that the behavior would cease immediately. The complainant reported that the behavior ceased.

The Department received a complaint concerning the actions of a driver for a subcontractor on a state project, but with a prime contractor that had other federal-aid contracts. The prime contractor investigated and directed that the employee in question (of a lower tiered subcontractor) not return to the project at any point. Upon further investigation, the employee did not return and no further complaints were received.

The NDDOT is aware of no other discrimination complaints against contractors during 2016.

VII. External training programs, including supportive services

B. Participation by women in construction training programs.

NDDOT had 27 trainees in skilled craft training programs during 2016. 13 were female and 14 were minority males. Of the 13 females, 7 were trained as operators, 4 were trained as Truck Drivers, 1 was trained as a Traffic Safety Supervisor and 1 was trained as a Qualified Testing Technician. Of 14 minority trainees, 8 trained as operators, 4 as truck drivers and 2 as concrete finishers. All 14 minority trainees were male. Of 14 minority males, 3 were Native American, 6 were Hispanic and 5 were African American.

NDDOT’s OJT Program does not include a training program in the laborer category.
of these female trainees completed training. 10 minority males completed training.

To follow is a chart of female and minority completions in the 2016 OJT Program:

<table>
<thead>
<tr>
<th>Sex/Race of Trainees</th>
<th>Equipment Operators</th>
<th>Truck Driver</th>
<th>Traffic Safety Supervisor</th>
<th>Concrete Finisher</th>
<th>Testing Technician</th>
</tr>
</thead>
<tbody>
<tr>
<td>Female Trainees</td>
<td>7</td>
<td>4</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Minority Male Trainees</td>
<td>8</td>
<td>4</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Total Trainees</td>
<td>15</td>
<td>8</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

1. Women and Minorities in External Workforce

For 2016, the following represents all participation of females in the external workforce:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total Workforce</th>
<th>Women in Workforce</th>
<th>2016 % of Women in Workforce</th>
<th>Benchmark as %</th>
<th>% (+) or (-) Benchmark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operator</td>
<td>523</td>
<td>29</td>
<td>5.5%</td>
<td>6.9%</td>
<td>-1.4%</td>
</tr>
<tr>
<td>Mechanic</td>
<td>38</td>
<td>0</td>
<td>0%</td>
<td>6.9%</td>
<td>-6.9%</td>
</tr>
<tr>
<td>Truck Driver</td>
<td>339</td>
<td>24</td>
<td>7%</td>
<td>6.9%</td>
<td>0.1%</td>
</tr>
<tr>
<td>Ironworker</td>
<td>2</td>
<td>0</td>
<td>0%</td>
<td>6.9%</td>
<td>-6.9%</td>
</tr>
<tr>
<td>Carpenter</td>
<td>20</td>
<td>0</td>
<td>0%</td>
<td>6.9%</td>
<td>-6.9%</td>
</tr>
<tr>
<td>Cement Mason</td>
<td>48</td>
<td>0</td>
<td>0%</td>
<td>6.9%</td>
<td>-6.9%</td>
</tr>
<tr>
<td>Electrician</td>
<td>15</td>
<td>0</td>
<td>0%</td>
<td>6.9%</td>
<td>-6.9%</td>
</tr>
<tr>
<td>Pipe Fitter</td>
<td>3</td>
<td>0</td>
<td>0%</td>
<td>6.9%</td>
<td>-6.9%</td>
</tr>
<tr>
<td>Painters</td>
<td>26</td>
<td>0</td>
<td>0%</td>
<td>6.9%</td>
<td>-6.9%</td>
</tr>
<tr>
<td>Laborer</td>
<td>707</td>
<td>64</td>
<td>9%</td>
<td>6.9%</td>
<td>+2.1%</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>1,721</strong></td>
<td><strong>117</strong></td>
<td><strong>6.8</strong></td>
<td><strong>6.9%</strong></td>
<td><strong>-0.1%</strong></td>
</tr>
</tbody>
</table>

The contract goal of 6.9% for women set by the Office of Federal Contract Compliance Programs (the OFCCP) is used here as a benchmark. North Dakota federal-aid highway contractors attained a female representation in their workforce of 6.8%, nearly meeting the benchmark goal. If supervisory, foremen and clerical employees are included, the female representation is 7.34%, surpassing the benchmark goal.
For 2016, the following represents all participation of minorities in the external workforce:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Total Workforce</th>
<th>Minorities in Workforce</th>
<th>2016 % of Minorities in Workforce</th>
<th>Benchmark as %</th>
<th>% (+) or (-) Benchmark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operator</td>
<td>523</td>
<td>68</td>
<td>13.0%</td>
<td>4.4% or lower</td>
<td>+8.6 or more</td>
</tr>
<tr>
<td>Mechanic</td>
<td>38</td>
<td>6</td>
<td>15.8%</td>
<td>4.4% or lower</td>
<td>+11.4 or more</td>
</tr>
<tr>
<td>Truck Driver</td>
<td>339</td>
<td>35</td>
<td>10.3%</td>
<td>4.4% or lower</td>
<td>+5.9 or more</td>
</tr>
<tr>
<td>Iron Worker</td>
<td>2</td>
<td>0</td>
<td>0%</td>
<td>4.4% or lower</td>
<td>-4.4 or less</td>
</tr>
<tr>
<td>Carpenter</td>
<td>20</td>
<td>5</td>
<td>25%</td>
<td>4.4% or lower</td>
<td>+20.6 or more</td>
</tr>
<tr>
<td>Cement Mason</td>
<td>48</td>
<td>29</td>
<td>60.4%</td>
<td>4.4% or lower</td>
<td>+56 or more</td>
</tr>
<tr>
<td>Electrician</td>
<td>15</td>
<td>0</td>
<td>0%</td>
<td>4.4% or lower</td>
<td>-4.4 or less</td>
</tr>
<tr>
<td>Pipe Fitter</td>
<td>3</td>
<td>0</td>
<td>0%</td>
<td>4.4% or lower</td>
<td>-4.4 or less</td>
</tr>
<tr>
<td>Painter</td>
<td>26</td>
<td>15</td>
<td>57.6%</td>
<td>4.4% or lower</td>
<td>+53.2 or more</td>
</tr>
<tr>
<td>Laborer</td>
<td>707</td>
<td>202</td>
<td>28.6%</td>
<td>4.4% or lower</td>
<td>+24.2 or more</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td><strong>1,721</strong></td>
<td><strong>360</strong></td>
<td><strong>20.9%</strong></td>
<td><strong>4.4% or lower</strong></td>
<td><strong>+16.5% or more</strong></td>
</tr>
</tbody>
</table>

North Dakota’s minority participation is greater than the OFCCP benchmark goal of 4.4% (or less) set in the contract special provisions. NDDOT acknowledges it has no authority to enforce OFCCP goals. They are used here only to provide a basis of comparison.

VIII. Disadvantaged Business Enterprise Program (DBE)

The Race Gender Conscious Special Provision was revised on February 8, 2016 and January 1, 2017 to reflect changes in federal regulation and guidance. The Race Gender Neutral Special Provision was revised on February 8, 2016 and January 1, 2017 to reflect changes in federal regulation and guidance.

Additionally, the NDDOT sponsored the Business Development program in order to assist participating businesses in developing the techniques and skills in writing their own business plan, along with financial and organizational training to maintain the process. These accomplishments were achieved by implementing a “Boot Camp” training, Advanced Leadership Courses (ALC), and one-to-one consulting. Nine participating DBE contractors went through the program and graduated.

XI. Liaison

Describe the liaison established by the State between public (State, county and municipal) agencies and private organizations involved in EEO programs. How is the liaison maintained on
Currently, sub recipient federal-aid projects are let by NDDOT and subject to the requirements of the Contractor Compliance Review Program. When a sub recipient’s prime contractor is selected for a compliance review, Civil Rights Division sends a notice of review letter to the prime contractor with a copy to NDDOT’s Assistant District Engineer. A representative of the city or county is invited to participate in the process, if applicable.

Additionally, NDDOT has developed a process to conduct Title VI reviews of sub recipients (Metropolitan Planning Organizations, cities, and counties). Title VI Specialists are responsible to conduct Title VI pre-award and post-award compliance reviews of their program area sub recipients.

Pre-award compliance reviews require applicants for federal financial assistance to identify all the components necessary to develop a Title VI Plan including EEO and ADA requirements. The Title VI Specialist provides one-on-one training and assistance to the applicant to develop their Title VI Program. The Title VI Sub Recipient Information web page provides templates and information for the development of Title VI, EEO, and ADA program documents. For pre-award, the Title VI sub recipient is required to submit their signed Title VI Assurances document, signed Title VI/Nondiscrimination and ADA Policy Statement, and the sub recipient Title VI Checklist. The Title VI Specialist reviews these documents for the pre-award compliance review.

Post-award compliance reviews require ten percent of sub-recipients to be audited or a minimum of one sub recipient per division or district must be reviewed annually. Sub recipients selected for post-award reviews are required to produce all the documentation of all the components of the sub recipient’s Title VI Plan. The Title VI Specialists conduct on-site reviews for post-award compliance.

NDDOT Title VI/Nondiscrimination and ADA Program has Review Selection and Procedures that are a step-by-step guidance from pre-award through post-award compliance including corrective action within specified timeframes.

During the period between January 1, 2016 and December 31, 2016, NDDOT had one division and no districts with sub recipients.

Local Government Division had a total of four sub recipients. These four sub recipients are the same every year. We have audited all of them previously so we know they have a Title VI/Nondiscrimination and ADA Program. New sub recipients or sub recipients from past years require the pre-award compliance review.

Sub recipients are randomly selected for annual reviews in the year in which the project is to be constructed or for funds used on other eligible activities. Ten percent of the available pool or a minimum of one review will be conducted in the year the project is constructed.
The Title VI Specialist conducted one Title VI review. This review was conducted on Grand Forks-East Grand Forks Metropolitan Planning Organization (GF-EGF MPO). Findings from this review were reviewed and approved by the Local Government Division Director prior to release to the entities for voluntary cooperative remedial efforts.

Title VI review criteria includes personnel employed, composition and selection of commission, council, committee, and boards, recruitment, and internal and external outreach. No overt discrimination issues related to services or benefits stemming from employment discrimination have been found in the review.

There were several findings with recommendations made as follows:

- **FINDING:** The MPO has a process in place for a member of the public to make requests for accommodations; however, the exposure of this information is limited. This is a repeat finding from the MPO’s 2013 audit.
  **RECOMMENDED CORRECTIVE ACTION:** The MPO needs to provide all efforts possible to allow the public to access their services and to also make requests for accommodations, if necessary. The MPO currently provides this information within their offices and also on their website. The MPO needs to expand that exposure to common areas of public access within both the Grand Forks and East Grand Forks City Hall buildings as the MPO maintains offices in both buildings.

- **FINDING:** The MPO has a Title VI and Nondiscrimination Program available for public use but exposure is limited to their website and directly outside MPO offices. This is a repeat finding from the MPO’s 2013 audit.
  **RECOMMENDED CORRECTIVE ACTION:** The MPO needs to provide all efforts possible to allow the public to access their services. The MPO currently provides this information within their offices and also on their website. The MPO needs to expand that exposure to common areas of public access within both the Grand Forks and East Grand Forks City Hall buildings as the MPO maintains offices in both buildings.

- **FINDING:** The ACS data utilized by the MPO in their LEP plan for the Four-factor analysis is based off 2006-2010 data. The US Census website has 5-year ACS data available for years 2010-2014.
  **RECOMMENDED CORRECTIVE ACTION:** As part of the MPO’s yearly review of their Title VI Program an analysis of most recent ACS data should be completed as well.

- **FINDING:** As part of the MPO’s Title VI compliance, annual training of employees needs to occur within each reporting period. The MPO did not provide employee training during the reviewed period.
  **RECOMMENDED CORRECTIVE ACTION:** The MPO has to provide Title VI training to its employees for the reporting period. This training will not serve as the training for the new reporting period, only as a completion to the previous period.
• **FINDING:** The MPO is using old forms containing outdated language. There are newer versions available for their use on the NDDOT website.

**RECOMMENDED CORRECTIVE ACTION:** The MPO needs to update all of their forms to contain the proper language and procedures.

These recommendations have been implemented.

**PART III– NDDOT INTERNAL EEO**

**I. ORGANIZATION AND STRUCTURE**

**A. EEO/Affirmative Action Officer**

Civil Rights Division Director, Ramona Bernard is the Internal EEO/Affirmative Action Officer.

**B. Specific programs to eliminate discriminatory barriers, achieve goals and encourage promotions**

**Educational Grant Program**

- 3 Grant Students
  - 1 Nonminority Female – Graduated May 2016
    - Declined Employment Offer June 2016
  - 1 Nonminority Female – Graduates May 2017
    - Declined Employment Offer Nov. 2016
  - 1 Nonminority Male – Graduates Dec. 2017

**TRAC**

Administration of the TRAC Program was assumed by Jennifer Einreim, a Professional Engineer in the Design Division. TRAC participated in the following in 2016:

- Roughrider Educational Services Program – Mar. 16, 2016
- Minot High School Career Fair – Nov. 1, 2016

**Tribal MOAs**

- The NDDOT had discussions with Turtle Mountain Community College. The issue is currently pending with leadership with tribe.
- The NDDOT had discussions with Sitting Bull College about MOA, with no definite action to report.
- The NDDOT has approached Nueta Hidatsa Sahnish College, but with no response to date.

**Recruitment Fairs**

- North Dakota State University – Feb. 11, 2016
- University of North Dakota – Feb. 12, 2016
• North Dakota State College of Science – Feb. 12, 2016
• Minnesota State Community & Technical College Career Fair – Feb. 16, 2016
• Bismarck State College – Feb. 25, 2016
• Sitting Bull Community College – Mar. 4, 2016
• United Tribes Community College – Mar. 23, 2016
• Job Service North Dakota Williston Job Fair – Sept. 7, 2016
• University of North Dakota – Sept. 27, 2016
• North Dakota State University – Sept. 28, 2016
• Bismarck State College – Sept. 29, 2016
• United Tribes Community College – Oct. 19, 2016
• Aaron Murra & Joe Wagner Presentations
  o North Dakota State University American Society of Civil Engineers Club Nov. 17, 2016
  o North Dakota State University Institute of Transportation Engineers

**Staff Involvement with Boards and Commissions**
• American Council of Engineering Companies – Workforce & Recruitment Task Force
• Bismarck-Mandan Junior Achievement
• Bismarck-Mandan Leadership Alumni Association
• Bismarck-Mandan Leadership Program – 2nd Chance Project
  o Project geared towards helping previous criminal offenders find and retain gainful employment
• Bismarck-Mandan Young Professionals
  o Ambassador Team
  o Professional Development Team
• Central Dakota Human Resource Association (CDHRA)
• Central Dakota Human Resource Association (CDHRA) - President
• North Dakota Association of Talent Development
• North Dakota Consensus Council – Community Innovation Grant Review Team
• North Dakota Department of Commerce - Recruiters Network
• North Dakota Department of Transportation - Title VI Specialist
• North Dakota Society for Human Resource Management State Council – Diversity Director
• North Dakota Society for Human Resource Management State Council – Membership Director
• North Dakota Society for Human Resource Management State Council – CDHRA President
• North Dakota State Rehabilitation Council Member
• North Dakota State Rehabilitation Council Member – Resources Committee Chair
• North Dakota TREND Grant Consortium Industry Advisory Council
  o Bismarck State College
  o Sitting Bull College
  o Turtle Mountain Community College
  o Williston State College
• United Tribes Technical College – Commercial Drivers’ License/Heavy Equipment Operation Advisory Board
• United Tribes Technical College – Computer Information Specialist Advisory Board
• University of Mary Employer Advisory Board
• West Region Transportation Workforce Center Member
C. Progress on Action items from the 2014 EEO/AA Plan

Transportation Institute (NSTI) Program.

Proposed Action:

The Department will provide support to the first National Summer Transportation Institute in North Dakota in July of 2017. It is hoped that the program will be a success and that this will lead to expansion and increased funding in the years to come.

Result: The Department supported the SOW filed by the Engineering faculty at the University of North Dakota, and the Program received $20,000.00 in federal funding from FHWA. Subsequently, the organizers reported that they were unable to secure the 15 applications to attend necessary to support the program, and intended to cancel.

Further Proposed Action: The Department will support any further applications for the National Summer Transportation Institute and will be more “hands on” in assisting in the recruitment of attendees through the TRAC program or otherwise.
II. MARKET AND WORKFORCE ANALYSIS

A. State Population

Total North Dakota State Population by Race as of 2010 (Census Bureau):

<table>
<thead>
<tr>
<th>Race</th>
<th>Population</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>White Alone</td>
<td>605,449</td>
<td>90%</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>36,591</td>
<td>5.4%</td>
</tr>
<tr>
<td>Black</td>
<td>7,960</td>
<td>1.2%</td>
</tr>
<tr>
<td>Asian</td>
<td>6,909</td>
<td>1.0%</td>
</tr>
<tr>
<td>Native Hawaiian</td>
<td>320</td>
<td>&lt;0.5%</td>
</tr>
<tr>
<td>Some Other Race</td>
<td>3,509</td>
<td>0.5%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>11,853</td>
<td>1.8%</td>
</tr>
<tr>
<td><strong>Total Population</strong></td>
<td><strong>672,591</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

B. NDDOT Workforce, by Race and Sex

<table>
<thead>
<tr>
<th>EEO-4 Category</th>
<th>FEMALE</th>
<th>MALE</th>
<th>Grand Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admin Support</td>
<td>AMIND</td>
<td>OTHER</td>
<td>WHITE</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>3</td>
<td>67</td>
</tr>
<tr>
<td>Officials/Admin</td>
<td>23</td>
<td>23</td>
<td></td>
</tr>
<tr>
<td>Professionals</td>
<td>4</td>
<td>4</td>
<td>81</td>
</tr>
<tr>
<td>Service/Maintenance</td>
<td>8</td>
<td>8</td>
<td>15</td>
</tr>
<tr>
<td>Skilled Craft</td>
<td>1</td>
<td>1</td>
<td>56</td>
</tr>
<tr>
<td>Technicians</td>
<td>1</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Grand Total</td>
<td>6</td>
<td>8</td>
<td>254</td>
</tr>
</tbody>
</table>

21
1. Minority Workers at NDDOT – Percentage of NDDOT Workforce

![Graph showing the percentage of minority workers at NDDOT from 2014 to 2017.]

2. Effect of Reduction of Size of Workforce on Female/Minority Workforce

Due to budget considerations, the NDDOT put a number of positions “On Hold” status in 2016 and early 2017. These positions became vacant due to resignations, transfers and retirements. This allowed the Department to reduce funding and “give back” funding where positions could be left unfilled. The effect of 23 positions place on “Hold” status was evaluated for purposes of this Update. A review of data showed that the reductions in the size of the NDDOT workforce did not effect either the minority workforce numbers (which actually increased – see above) or the female workforce numbers, which held steady.

![Bar chart showing the demographics of NDDOT workforce for Jan-16 and Jan-17.]

[22]
# NDDOT 2016 WORKFORCE UTILIZATION

<table>
<thead>
<tr>
<th>Job Category</th>
<th>Total Work Force</th>
<th>MALES</th>
<th>FEMALES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Non minority</td>
<td>American Indian</td>
</tr>
<tr>
<td>Officials-Administrators</td>
<td># Workforce</td>
<td>74</td>
<td>51</td>
</tr>
<tr>
<td></td>
<td>% in Category</td>
<td>68.9%</td>
<td>0.00%</td>
</tr>
<tr>
<td></td>
<td>% of Availability</td>
<td>---</td>
<td>0.6%</td>
</tr>
<tr>
<td></td>
<td>% Utilization</td>
<td>---</td>
<td>-0.6%</td>
</tr>
<tr>
<td></td>
<td>Significantly Underutilized (Y/N)</td>
<td>---</td>
<td>N</td>
</tr>
<tr>
<td></td>
<td># Needed to Reach Parity</td>
<td>---</td>
<td>&lt;1</td>
</tr>
</tbody>
</table>

| Professionals             | # Workforce      | 261    | 157    | 2     | 13 | 81  | 4  | 4 |
|                           | % in Category    | 60.2%  | 0.8%   | 5.0%  | 31.0% | 1.5% | 1.5% |
|                           | % of Availability | ---   | 1.0%   | 1.6%  | 22.0% | 1.5% | 1.0% |
|                           | % Utilization    | ---    | -0.2%  | +3.4%  | +9.0% | 0%    | +0.5% |
|                           | Significantly Underutilized (Y/N) | --- | N | N | N | N | N |
|                           | # Needed to Reach Parity | --- | <1 | 0 | 0 | 0 | 0 |

| Technicians               | # Workforce      | 192    | 127    | 1     | 6  | 56  | 1  | 1 |
|                           | % in Category    | 66.1%  | 0.5%   | 3.1%  | 29.2% | 0.5% | 0.5% |
|                           | % of Availability | ---   | 0.4%   | 1.9%  | 33.0% | 0.1% | 0.06% |
|                           | % Utilization    | ---    | +0.1%  | +1.2%  | -3.8% | +0.4% | +0.44% |
|                           | Significantly Underutilized (Y/N) | --- | N | N | Y | N | N |
|                           | # Needed to Reach Parity | --- | 0 | 0 | 7 | 0 | 0 |

| Administrative Support    | # Workforce      | 76     | 4      | 0     | 1  | 67  | 1  | 3 |
|                           | % in Category    | 5.3%   | 0.00%  | 1.3%  | 88.2% | 1.3% | 3.9% |
|                           | % of Availability | ---   | 0.04%  | 0.04% | 90.05% | 1.6% | 1.30% |
|                           | % Utilization    | ---    | -0.04% | +1.26% | -1.8% | -0.03% | +2.6% |
|                           | Significantly Underutilized (Y/N) | --- | N | N | N | N | N |
|                           | # Needed to Reach Parity | --- | <1 | 0 | <1 | <1 | 0 |

| Skilled Craft             | # Workforce      | 386    | 359    | 9     | 3   | 15  | 0  | 0 |
|                           | % in Category    | 93.0%  | 2.33%  | 0.82% | 3.89% | 0.00% | 0.00% |
|                           | % of Availability | ---   | 2.20%  | 0.31% | 2.07% | 0.06% | 0.05% |
|                           | % Utilization    | ---    | +0.13% | +0.51% | +1.85% | -0.06% | -0.05% |
|                           | Significantly Underutilized (Y/N) | --- | N | N | N | N | N |
|                           | # Needed to Reach Parity | --- | 0 | 0 | 0 | <1 | <1 |
Note: Where Underutilization is less than 1 whole person, no hiring goal will be set, such that a notation of “<1” in the above chart will not result in the setting of a hiring goal.

### III. HIRING GOALS

The Utilization Analysis was done with the 2010 US Census Data from the American Community Survey (ACS). A weighted analysis of all pertinent job titles at the NDDOT was done and hiring goals were set any time this analysis showed a deficit at or near the equivalent of at least 1 worker.

A. Officials/Administrators

The NDDOT is at parity in the Officials/Administrators classification. The percentage of nonminority women employed by the NDDOT in this Classification (31%) far exceeds the parity figure (15.5%). Underutilization figures for minorities fall short of the equivalent of a whole worker in each category. No underutilization is noted in the Officials/Administrators classification and no hiring goals will be set.
B. Professionals

The NDDOT is at parity for nonminority females in the Professional classification. The percentage of nonminority women employed by the NDDOT in this classification (31%) far exceeds the parity figure (22%). No hiring goals will be set for nonminority females. The percentage of Other Minority males employed at the NDDOT (5%) far exceeds the market estimate (1.6%). Likewise, Other Minority females employed at the NDDOT (1.5%) exceed the market estimate (1%). American Indian males are just below parity (but less than a whole worker), while American Indian females are exactly at parity. No hiring goals will be set for the Professional Classification.

C. Technicians

The percentage of nonminority females in the NDDOT technician workforce (29%) is below the parity figure (33%). The NDDOT is underutilized by 7 nonminority females in the Technicians classification. This category remains the only significant underutilization in the NDDOT. The underutilization in the category centers on engineering techs, who make up 60% of the Technicians classification at the NDDOT. Despite the best efforts of management, the NDDOT has almost no nonminority female applicants for engineering tech positions. The data from the 2010 Census, available only for engineering techs as a whole, and not for civil engineering techs in particular, would predict that 1 in 5 applicants would be female. In fact, female applicants make up under 5% of applications. (See Note below.) The percentages of American Indian males, American Indian females, Other Minority males and Other Minority females are above parity. The Department will set a hiring goal of 2 nonminority females for 2017 in the Technicians classification.

Note: In 2017, the NDDOT Civil Rights Division (CRD) and Human Resource Division (HRD) will conduct an in-depth examination of Census data and other data used to project the availability of female workers in the Technicians classification. The Department has found that the expected ratio of female workers in applicant flow numbers has not been met over the last several years. The CRD/HRD Team (which will have a supervisor of Engineering Techs from Construction Services Division) will examine a variety of explanations and data and investigate other possible sources of data, both within the Census Data and from other sources. The examination of the data will involve a determination on whether the Department is using the appropriate data to project the availability of female Engineering Technicians and Surveyors. If the data used is found to not be appropriate or reliable, CRD and HRD will move to adopt more appropriate and accurate data. This process has just begun at the time of filing of this Update and the NDDOT expects to provide a report on this issue in the 2018 Update.

D. Administrative Support

The percentage of nonminority females in the NDDOT administrative support classification (88%) is statistically at parity (90%). The percentage of American Indian females (1.3%) is slightly below the parity figure (1.6%), but this falls below the whole person standard and is not statistically significant. Both other minority males and other minority females greatly exceed the parity figure. Native American males are .04% underutilized, but this result is not significant enough to set a hiring goal. The NDDOT is not significantly underutilized in the Administrative
Support classification and no hiring goal will be set.

E. Skilled Craft

The percentage of nonminority females in the NDDOT skilled craft workforce (3.89%) exceeds parity (2.1%). American Indian males (2.33%) exceed parity (2.2%). Other Minority males (0.82%) exceed parity (0.31%). American Indian females and Other Minority females are not significantly underutilized. No hiring goal will be set in the Skilled Craft classification.

F. Service Maintenance

The percentage of nonminority females in the NDDOT service maintenance workforce (23%) is above the parity figure (15.9%). American Indian females and Other Minority females are not significantly underutilized. American Indian males are 5.7% of the NDDOT service maintenance workforce, while parity is at 5.9% - no significant underutilization. Other Minority males are 2.9% in the Service Maintenance workforce with a parity of 5.7%, which indicates significant underutilization. A hiring goal of 1 Other Minority male worker will be set.
### Modified Five-year (2014-2018) Hiring Goals for Minorities and Women:

<table>
<thead>
<tr>
<th>Occupational Classifications</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amer. Indian</td>
<td>Other Min</td>
<td>White</td>
<td>Amer. Indian</td>
<td>Other Min</td>
</tr>
<tr>
<td><strong>Sex</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>M</td>
<td>F</td>
<td>M</td>
<td>F</td>
<td>F</td>
<td>M</td>
</tr>
<tr>
<td>Officials-Admins</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professionals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professionals</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professionals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professionals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technicians</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Admin Support</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Skilled Craft</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service-Maintenance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*The NDDOT will conduct a review of the availability of female engineering technicians in 2017, since the data used to project workforce availability are very different from female applicant flow for these positions. The NDDOT is concerned that this hiring goal, which has been in place since 2014, is based on bad data used for projections of available female engineering technicians. It is anticipated that a review of other available data will result in the lower market availability of nonminority female engineering technicians.*
## A. PROGRESS ON MINORITY AND FEMALE HIRING GOALS

<table>
<thead>
<tr>
<th>Occupational Group</th>
<th>Employment Figures 1-1-16</th>
<th>Employment Figures 1-1-17</th>
<th>Gain or Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>American Indian</td>
<td>Other Minority</td>
<td>White</td>
</tr>
<tr>
<td>Total</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>Officials-Administrators</td>
<td>77</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Professionals</td>
<td>262</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Technicians</td>
<td>203</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>79</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Skilled Craft</td>
<td>386</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>Service-Maintenance</td>
<td>40</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Paraprofessional</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Net Gain or Loss</strong></td>
<td>+4</td>
<td>-10</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Occupational Group</th>
<th>Minorities</th>
<th>Females</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>+/- % of Total Classification</td>
<td>+/- % Increase in # of Workers</td>
</tr>
<tr>
<td>Officials/Administrators</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Professionals</td>
<td>0.8%</td>
<td>+9.5%</td>
</tr>
<tr>
<td>Technicians</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>+1.5%</td>
<td>+25%</td>
</tr>
<tr>
<td>Skilled Craft</td>
<td>+0.3%</td>
<td>+9%</td>
</tr>
<tr>
<td>Service Maintenance</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Paraprofessional</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>
### IV. ADVERSE IMPACT

**A. Adverse Impact – New Hires and Promotions – Jobs Posted Internally and Externally**

Note: If use of the highest selection rate in a classification (1.0) would result in an expected hiring figure of 3 or fewer employees in any particular category, that category is deemed too small in which to make reliable adverse impact calculations. These categories are noted with (----).

<table>
<thead>
<tr>
<th>Job Category: Officials-Administrators</th>
<th>White Male</th>
<th>White Female</th>
<th>American Indian Male</th>
<th>American Indian Female</th>
<th>Other Minority Male</th>
<th>Other Minority Female</th>
<th>No Info</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Applicants</td>
<td>43</td>
<td>35</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Total Hires</td>
<td>2</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Selection Rate</td>
<td>4.65</td>
<td>8.57</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Ratio to Highest Rate</td>
<td>.54</td>
<td>1.0</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>4/5 Rule – 80% Base</td>
<td>&lt;80</td>
<td>&gt;80</td>
<td>---</td>
<td>---</td>
<td>---</td>
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*Adverse impact is noted for white males only.*

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*No adverse impact is noted.*

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*Adverse impact is noted for white males only.*
### Administrative Support

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No Adverse Impact is noted.

### Skilled Craft

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No Adverse Impact is noted.

### Service-Maintenance

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While Adverse Impact is noted for white males and other minority males, this is likely caused by an extremely high selection rate for white females and a very small other minority male applicant group.

### Paraprofessionals

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No Adverse Impact is noted.
B. Adverse Impact – Promotions Posted Externally Only

Some time ago, the NDDOT executive team made a decision to post most jobs both internally and externally at the same time. Division Directors and District Engineers would receive both internal and external applicants at the same time.
### C. Adverse Impact – Terminations

Note: If a subcategory within a classification included fewer than 5 individuals, no adverse impact computation was done in that subcategory due to inherent unreliability of such low numbers.

**Job Category: Officials-Administrators**

<table>
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*No Adverse Impact is noted.*

**Job Category: Professionals**

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*No Adverse Impact is noted.*

**Job Category: Technicians**

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*No Adverse Impact is noted.*
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No Adverse Impact is noted.

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No Adverse Impact is noted.

### Job Category: Service-Maintenance

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<td>&gt;80</td>
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</tr>
<tr>
<td>Adverse Impact</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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</table>

No Adverse Impact is noted.
### D. Adverse Impact - Training

**Job Category: Officials-Administrators**

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th></th>
<th>Other Minority</th>
<th></th>
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<td>Female</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Employees 12/31/15</td>
<td>51</td>
<td>23</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Available Training</td>
<td>68.92%</td>
<td>31.08%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Occurrence %</td>
<td>72.76%</td>
<td>27.24%</td>
<td>0</td>
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<tr>
<td>Training Rate</td>
<td>1.06</td>
<td>.88</td>
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</tr>
<tr>
<td>Ratio to Highest Rate</td>
<td>1.0</td>
<td>0.83</td>
<td>-----</td>
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</tr>
<tr>
<td>4/5 Rule – 80% Base</td>
<td>&gt;80</td>
<td>&gt;80</td>
<td>1.0</td>
<td>--</td>
<td>&gt;80</td>
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<tr>
<td>Adverse Impact (Y/N)</td>
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<td>N</td>
<td>N</td>
<td>N</td>
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</table>

*No Adverse Impact is noted.*

**Job Category: Professionals**

<table>
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<tr>
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<td>Female</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Employees 12/31/15</td>
<td>156</td>
<td>82</td>
<td>2</td>
<td>4</td>
<td>13</td>
<td>4</td>
</tr>
<tr>
<td>Available Training</td>
<td>59.77%</td>
<td>31.42%</td>
<td>0.77%</td>
<td>1.53%</td>
<td>4.98%</td>
<td>1.53%</td>
</tr>
<tr>
<td>Occurrence %</td>
<td>58.53%</td>
<td>28.40%</td>
<td>1.02%</td>
<td>1.63%</td>
<td>9.70%</td>
<td>0.72%</td>
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<tr>
<td>Training Rate</td>
<td>0.98</td>
<td>0.90</td>
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<td>--</td>
<td>1.95</td>
<td>--</td>
</tr>
<tr>
<td>Ratio To Highest Rate</td>
<td>1.0</td>
<td>0.91</td>
<td>--</td>
<td>--</td>
<td>1.0</td>
<td>--</td>
</tr>
<tr>
<td>4/5 Rule – 80% Base</td>
<td>&gt;80</td>
<td>&gt;80</td>
<td>--</td>
<td>--</td>
<td>&gt;80</td>
<td>--</td>
</tr>
<tr>
<td>Adverse Impact (Y/N)</td>
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<td>N</td>
<td>N</td>
<td>N</td>
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</table>

*No Adverse Impact is noted.*

**Job Category: Technicians**

<table>
<thead>
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<th>Other Minority</th>
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<tbody>
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<td>Female</td>
<td>Male</td>
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<td>Male</td>
<td>Female</td>
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<tr>
<td>Employees 12/31/15</td>
<td>125</td>
<td>56</td>
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<tr>
<td>Available Training</td>
<td>65.10</td>
<td>29.17</td>
<td>1.04</td>
<td>0.52</td>
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<tr>
<td>Occurrence %</td>
<td>60.75</td>
<td>31.40</td>
<td>1.41</td>
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<td>5.18</td>
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<td>Training Rate</td>
<td>0.923</td>
<td>1.08</td>
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<td>--</td>
<td>1.42</td>
<td>--</td>
</tr>
<tr>
<td>Ratio To Highest Rate</td>
<td>0.87</td>
<td>1.0</td>
<td>--</td>
<td>--</td>
<td>1.0</td>
<td>--</td>
</tr>
<tr>
<td>4/5 Rule – 80% Base</td>
<td>&gt;80</td>
<td>&gt;80</td>
<td>--</td>
<td>--</td>
<td>&gt;80</td>
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</tr>
<tr>
<td>Adverse Impact (Y/N)</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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</table>

*No Adverse Impact is noted.*
### Job Category: Administrative Support

<table>
<thead>
<tr>
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<th>Other Minority</th>
<th>American Indian</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>Employees 12/31/15</td>
<td>5</td>
<td>66</td>
<td>0</td>
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<tr>
<td>Available Training</td>
<td>6.58</td>
<td>86.84</td>
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</tr>
<tr>
<td>Occurrence %</td>
<td>3.08</td>
<td>92.31</td>
<td>0</td>
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<tr>
<td>Training Rate</td>
<td>0.47</td>
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<td>Ratio To Highest Rate</td>
<td>1.0</td>
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<td>4/5 Rule – 80% Base</td>
<td>&lt;80</td>
<td>&gt;80</td>
<td>&gt;80</td>
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<tr>
<td>Adverse Impact (Y/N)</td>
<td>Y</td>
<td>N</td>
<td>N</td>
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</table>

*Adverse Impact is noted for white males only.*

### Job Category: Skilled Craft

<table>
<thead>
<tr>
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<th>Other Minority</th>
<th>American Indian</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>Employees 12/31/16</td>
<td>360</td>
<td>15</td>
<td>9</td>
</tr>
<tr>
<td>Available Training</td>
<td>93.02%</td>
<td>3.88%</td>
<td>2.33%</td>
</tr>
<tr>
<td>Occurrence %</td>
<td>93.31%</td>
<td>3.34%</td>
<td>2.32%</td>
</tr>
<tr>
<td>Training Rate</td>
<td>1.0</td>
<td>0.86</td>
<td>1.00</td>
</tr>
<tr>
<td>Ratio To Highest Rate</td>
<td>1.0</td>
<td>0.86</td>
<td>1.0</td>
</tr>
<tr>
<td>4/5 Rule – 80% Base</td>
<td>&gt;80</td>
<td>&gt;80</td>
<td>&gt;80</td>
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<tr>
<td>Adverse Impact (Y/N)</td>
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<td>N</td>
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*No Adverse Impact is noted.*

### Job Category: Service-Maintenance

<table>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>Employees 12/31/16</td>
<td>24</td>
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<tr>
<td>Available Training</td>
<td>68.57</td>
<td>22.86</td>
<td>5.71</td>
</tr>
<tr>
<td>Occurrence %</td>
<td>72.37</td>
<td>19.74</td>
<td>3.63</td>
</tr>
<tr>
<td>Training Rate</td>
<td>1.06</td>
<td>0.86</td>
<td>--</td>
</tr>
<tr>
<td>Ratio To Highest Rate</td>
<td>1.0</td>
<td>0.82</td>
<td>--</td>
</tr>
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<td>4/5 Rule – 80% Base</td>
<td>&lt;80</td>
<td>&gt;80</td>
<td>--</td>
</tr>
<tr>
<td>Adverse Impact (Y/N)</td>
<td>N</td>
<td>N</td>
<td>N</td>
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*No Adverse Impact is noted.*
EEO Complaints

The Department received no complaints of discrimination this year.

**EEO COMPLAINTS:**

<table>
<thead>
<tr>
<th>#</th>
<th>Issue</th>
<th>Race</th>
<th>Gender</th>
<th>Race</th>
<th>National Origin</th>
<th>Status/Comments</th>
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<td>6</td>
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<td></td>
</tr>
</tbody>
</table>

**ISSUE:**
- Selection
- Promotion
- Work Assignment

**RACE:**
- W - White
- Al - American Indian
- B - Black
- API - Asian/Pacific Islander
- H - Hispanic
- 2+ - 2 or More

**STATUS/COMMENTS:**
- Position Statement Submitted to NDDOL
- Closed; No Discrimination Found
- Under Investigation
- Complainant Withdrew Complaint

**COMMENTS:**