

State of Alaska FY2007 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 US Department of Transportation (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.

FY2007 Resources Allocated to Achieve Results		
FY2007 Component Budget: \$877,200	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. The Governor issued Administrative Order 226 in an effort to increase the number of people trained to work heavy equipment, which partially meets the goal of encouraging local hire. Additional policies and procedures will be needed to better address local hire on USDOT-assisted construction in rural communities. One of the unique challenges facing rural residents is the lack of a driver's license (because there is no local DMV) which inhibits that person's ability to obtain additional trade certification for at least a year. 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. Due to recent legal challenges in Washington state against WSDOT's DBE program implementation and the resulting US 9th Circuit Court decision (Western States Paving Decision) there will be additional expenses (both legal and administrative) to implement DBE program changes to comply with this decision.

New regulations for airport concessionaires were issued in FFY2005 and additional departmental efforts will be needed 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 that will result in increased reporting requirements. Those changes include maintenance of a bidder's list, reporting actual payments made by contractors to DBE firms, operation of the Unified Certification Program in cooperation with other Alaska recipients of USDOT assistance, additional review of complex financial statements and the need for increased legal assistance.

Continuing revision of the department's Title VI Program is required to comply with Federal Highway Administration (FHWA) current orders and guidance.

Significant Changes in Results to be Delivered in FY2007

No significant change anticipated.

Major Component Accomplishments in 2005

- 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 DOT&PF projects by these actions:
 1. Facilitated the implementation of 10 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.
- 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.
- Hosted two training sessions, one by Federal Aviation Administration (FAA) and one by FHWA, on Civil Rights Program changes and legal updates.
- Participated in an FHWA peer exchange with other western state DOTs and Municipal Planning Organizations (MPOs) to develop best practices document for implementing Title VI and environmental justice in transportation planning.

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

	FY2005 Actuals	FY2006 Management Plan	FY2007 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	685.5	763.9	813.2
72000 Travel	20.6	21.6	21.6
73000 Services	30.6	25.9	25.9
74000 Commodities	15.4	16.5	16.5
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	752.1	827.9	877.2
Funding Sources:			
1004 General Fund Receipts	223.3	235.1	251.1
1007 Inter-Agency Receipts	8.2	16.9	16.9
1061 Capital Improvement Project Receipts	520.6	575.9	609.2
Funding Totals	752.1	827.9	877.2

Estimated Revenue Collections

Description	Master Revenue Account	FY2005 Actuals	FY2006 Management Plan	FY2007 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Interagency Receipts	51015	8.2	16.9	16.9
Capital Improvement Project Receipts	51200	520.6	575.9	609.2
Restricted Total		528.8	592.8	626.1
Total Estimated Revenues		528.8	592.8	626.1

**Summary of Component Budget Changes
From FY2006 Management Plan to FY2007 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2006 Management Plan	235.1	0.0	592.8	827.9
Adjustments which will continue current level of service:				
-FY 07 Wage Increases for Bargaining Units and Non-Covered Employees	4.6	0.0	9.5	14.1
-FY 07 Health Insurance Cost Increases for Bargaining Units and Non-Covered Employees	0.5	0.0	1.2	1.7
-FY 07 Retirement Systems Cost Increase	8.5	0.0	17.6	26.1
Proposed budget increases:				
-Risk Management Self-Insurance Funding Increase	2.4	0.0	5.0	7.4
FY2007 Governor	251.1	0.0	626.1	877.2

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

Authorized Positions		Personal Services Costs		
	<u>FY2006</u> <u>Management</u> <u>Plan</u>	<u>FY2007</u> <u>Governor</u>		
Full-time	10	10	Annual Salaries	509,034
Part-time	1	1	COLA	14,142
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	303,902
			<i>Less 1.68% Vacancy Factor</i>	<i>(13,878)</i>
			Lump Sum Premium Pay	0
Totals	11	11	Total Personal Services	813,200

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