



Fiscal Year 2018-2019 Strategic Priorities

Office of
Civil Rights





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Director's Note

Since joining the North Carolina Department of Transportation (NCDOT) Office of Civil Rights (OCR), my team has worked to conduct an analysis of our programs to ensure we are moving the state forward.

We are committed to creating pathways to opportunities and ensuring that North Carolina businesses, NCDOT customers and employees have equal access and opportunity to participate in transportation programs without facing unlawful discrimination. We achieve our mission by providing training and technical assistance through statewide outreach to help our stakeholders in complying with federal and state laws and regulations that prohibit discrimination on the basis of race, color, national origin, disability, age and, in certain circumstances, genetics, sex and religion.

We want to support not just compliance, but also business enterprises that can create jobs for North Carolinians. We want to provide great customer service to our stakeholders and support the NCDOT team in the construction and maintenance of our infrastructure.

In the winter of 2017, OCR hosted both internal and external strategic planning sessions to understand the challenges of our stakeholders and identify potential solutions based upon our strengths and weaknesses, external threats and opportunities through a program analysis review. This strategic priority document reflects a summary of the program focus for 2018 and beyond.

We hope you will join OCR in supporting NCDOT's vision of becoming a national leader in providing innovative transportation solutions and opportunities for North Carolina business owners.

Shelby M. Scales

Office of Civil Rights Director

Leadership Team

Shelby Scales
Director

Christy
Thaxton

Business Opportunity & Workforce Development (BOWD)

The BOWD program works with businesses that have been historically underutilized such as those owned by minorities, women and the disabled by providing support services including counseling, training and assistance in finding available capital.

Benny
Sloan

Business Enterprise (BE) Certifications

The BE program ensures non-discrimination against disadvantaged businesses wanting to work with state agencies that receive federal funding for transportation projects.

Mark
Whisenant

Americans with Disabilities Act (ADA)

The ADA program responds to requests for reasonable accommodations, not limited to public meetings, identifying resources and ensuring that appropriate ADA/504 compliance reviews are completed.



Lisa Wilson

Small Business Enterprise (SBE) Program

The SBE Program enables smaller businesses the opportunity to participate in department contracts and provides support for small, professional services firms to compete against others that are comparably positioned in their industries and markets.

Adrian Atkinson

Utilization & Compliance

The Utilization & Compliance Unit directs the statewide administration of NCDOTs guidelines, policies and programs related to utilization (contract bid), DBE and EEO compliance.

Shantray Dickens

Title VI Non-Discrimination Program

This program monitors compliance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws which prohibit discrimination on the basis of race, color, national origin, limited English proficiency, income status, sex, age or disability in NCDOT programs and activities and its sub-recipients and contractors.

John Eley

Equal Employment Opportunity (EEO) Program

The Internal EEO program administers NCDOT's affirmative action/equal employment opportunity programs. These include monitoring workforce representation, investigating discrimination complaints, conducting workforce analysis and identifying underrepresented groups to recruit.

Michael Gerald

On-the-Job Training (OJT) Program

The OJT Program provides minorities, women and disadvantaged individuals who have been historically underrepresented in highway construction with one-on-one training to ensure that a competent workforce is available in all phases of the highway construction industry and works to increase participation of such groups.

Goals & Priorities

We have set laser-focused program goals and priority objectives that address challenges while creating new opportunities for the department and our stakeholders.



Priority Objectives

Our department's priority objectives include improving project delivery, enhancing economic competitiveness, improving mobility and reducing congestion, improving the condition and appearance of our highways and, most importantly, improving safety. Meeting these objectives will take strong teamwork and partnerships.

The Office of Civil Rights (OCR) supports NCDOT's mission and vision through the following priority objectives:



Performance Accountability & Transparency

Performance accountability and transparency guides the execution of our priority objectives, a key principle established from the top of our organization down to all staff. OCR will work with our divisions to ensure that NCDOT's programs, projects and services comply with federal and state law, and are delivered on schedule and within budget. To achieve this, OCR will focus on providing training and technical assistance to division staff and stakeholders. We will also improve our business operation to ensure greater efficiency. Finally, we will look to technology upgrades of our system and establish a knowledge network to improve our internal operations and customer service.



Increase Diversity Spending

OCR will focus on increasing the overall diversity spending for the department and establish pathways to opportunity for North Carolina businesses to thrive and comply with the law. Program managers will conduct targeted outreach and education initiatives to improve diversity spending. We'll also work with division and modal leadership to increase pathways for firms to engage and contract opportunities in the following areas:

- **Professional Services**
- **Construction (DBE, WB, MB), Federal or State funded**
- **Maintenance (SBE, WB, MB = DBE April 2018)**

Program Thematic Goals

The Office of Civil Rights (OCR) has conducted a complete analysis of its programs (detailed later in this document). Several emerging themes were identified across programs that will help support the priority objectives of NCDOT and OCR including:

-  **Community Outreach & Engagement**
-  **Training & Technical Assistance**
-  **Technology**
-  **Business Operation & Efficiency**

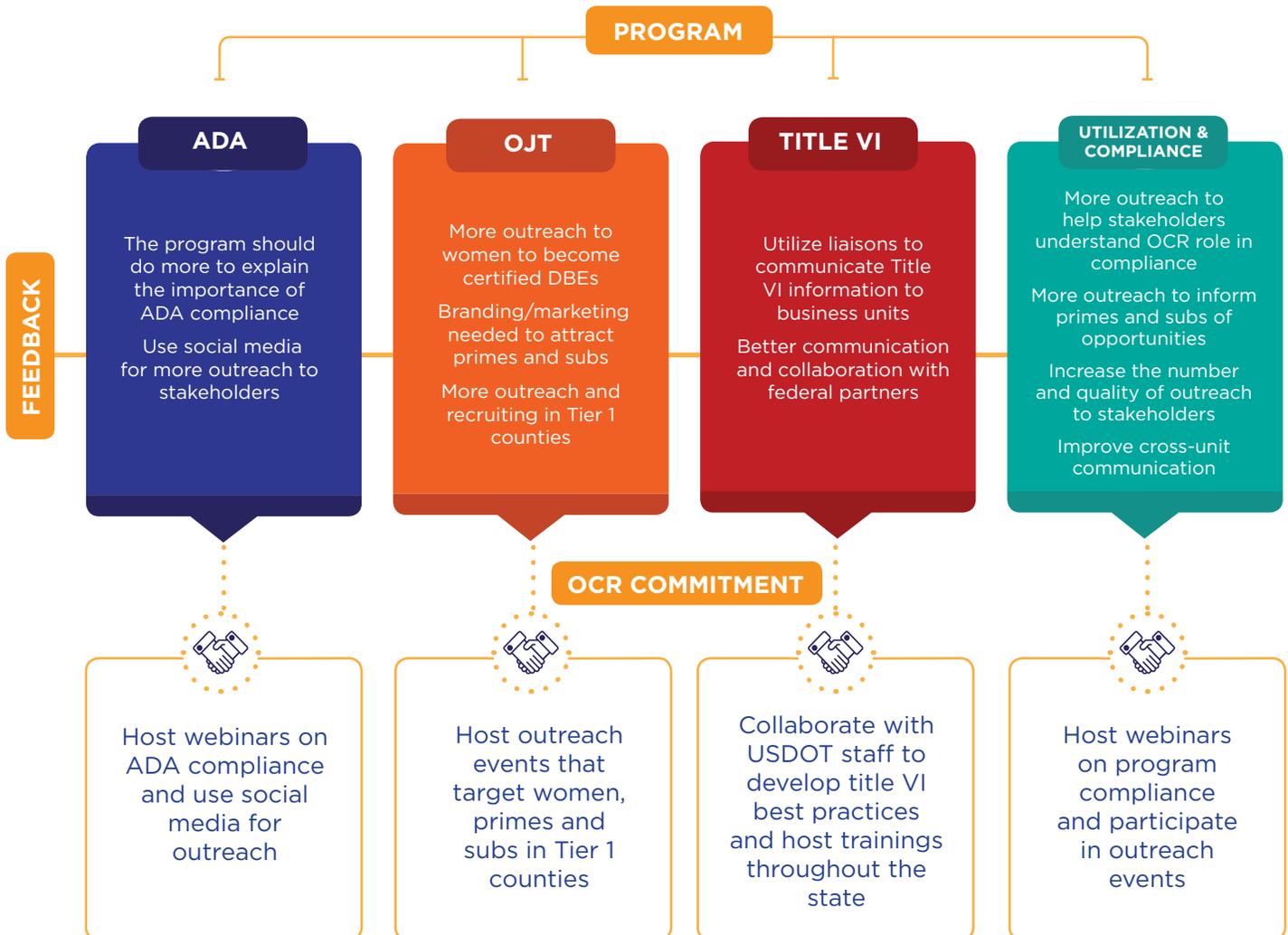
This section will highlight key recommendations from OCR program managers and stakeholders based upon their program analysis for 2018 and beyond.



Community Outreach & Engagement

The Office of Civil Rights (OCR) will improve its outreach process to educate, communicate and engage more effectively with stakeholders. There was a general sentiment expressed by stakeholders that the OCR programs were not well known or understood. Some of the comments were related to lack of communication from OCR to its stakeholders. There was also concern that OCR did not market its services well. As a result, OCR commits to more effective communication and will look to achieve the following:

- **Establish a social media presence and leverage technology to share information.**
- **Conduct a webinar/training on each of OCR’s programs and include on the NCDOT webpage.**
- **Host project-specific business outreach events of OCR’s external programs in coordination with division leadership.**

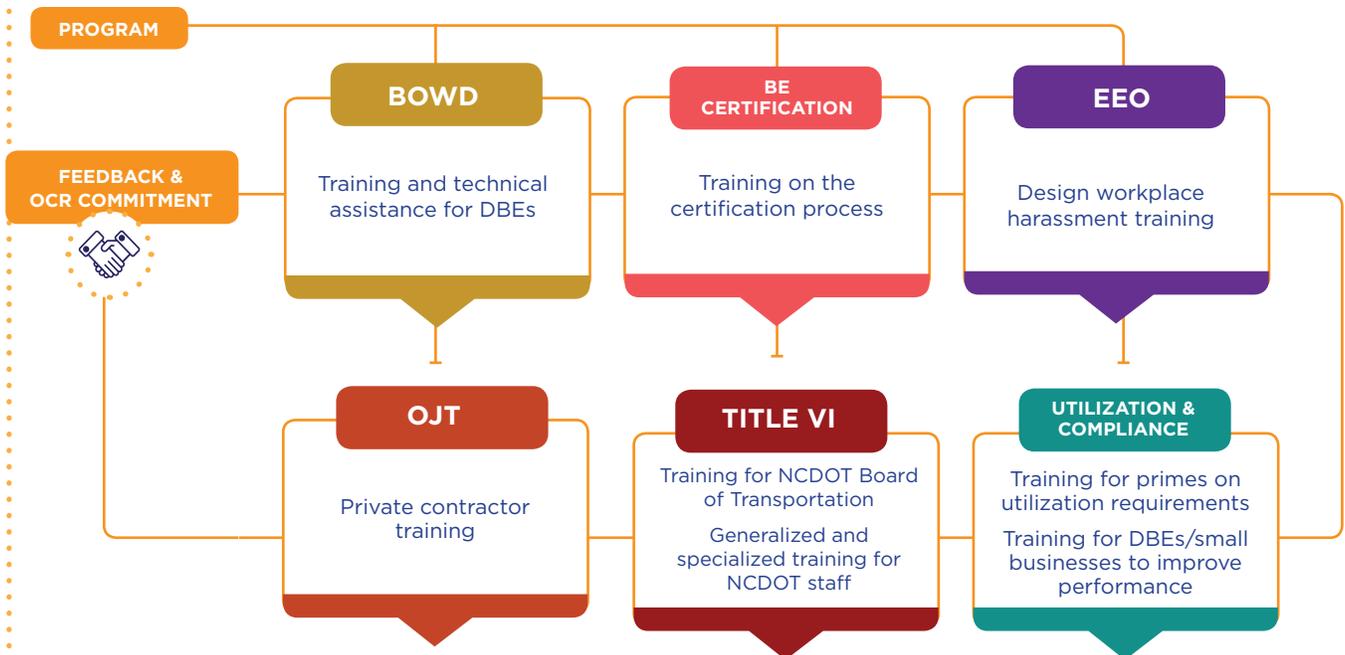




Training & Technical Assistance

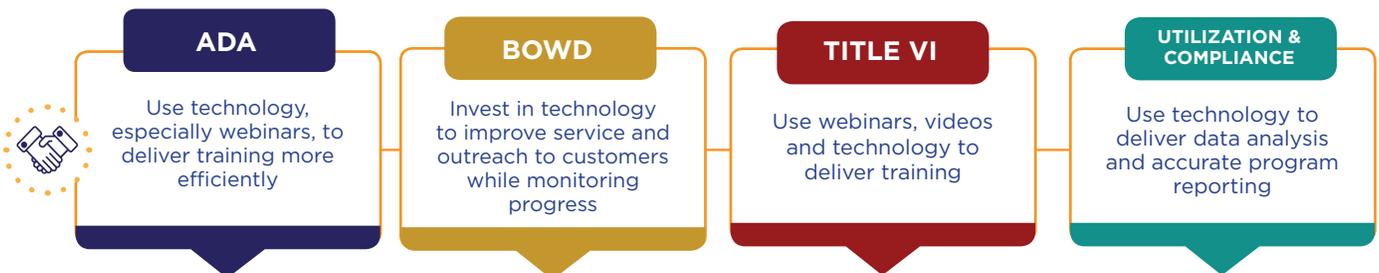
The Office of Civil Rights is prioritizing training and technical assistance for 2018. Based on both internal and external feedback, training was the most identified issue for both opportunities and threats. Specifically, the lack of training was considered a threat while the ability to develop and deliver training was also identified as an opportunity to increase awareness of OCR and its importance in delivering on NCDOT's mission.

The following departments identified training as a key area of opportunity, making it a key priority for the 2018 calendar year.



Technology

The Office of Civil Rights will use technology to achieve its programmatic goals. The right technology platform and software will help the department deliver a variety of services to constituents and improve internal operations.

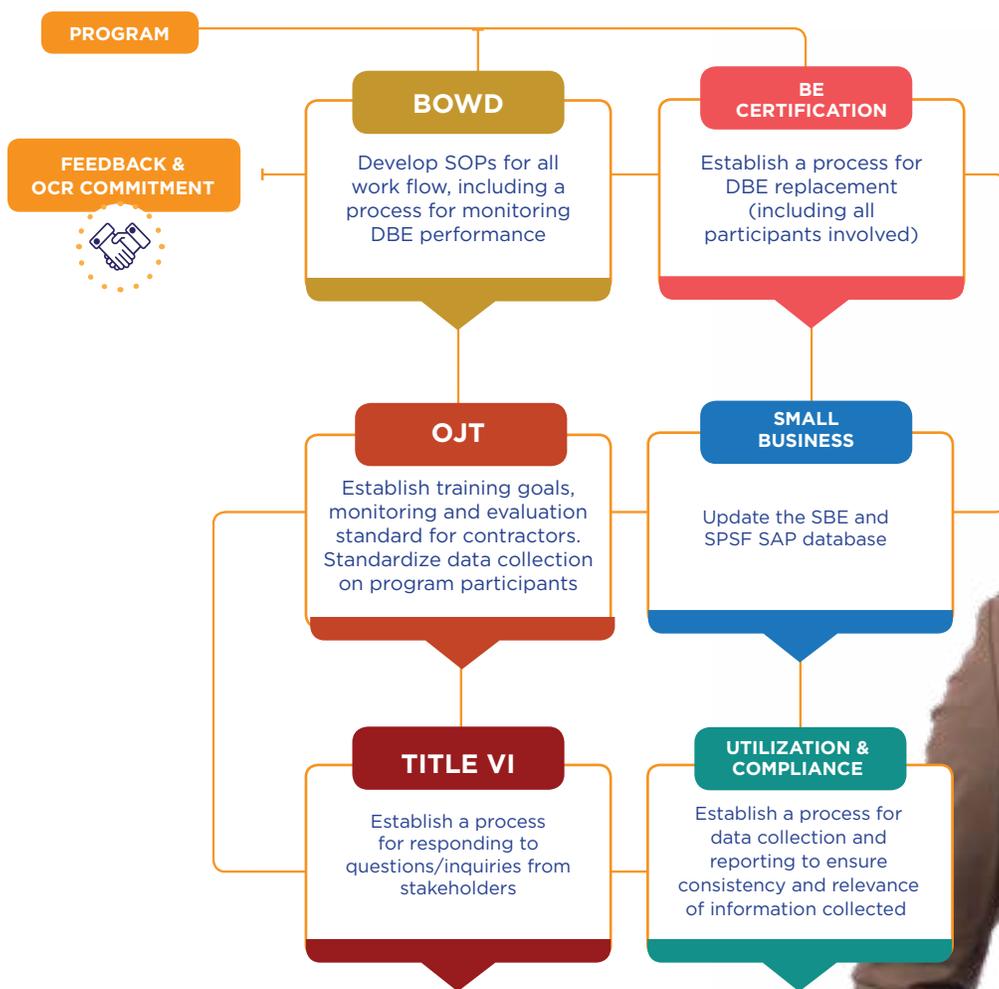




OCR Business Operation & Efficiency

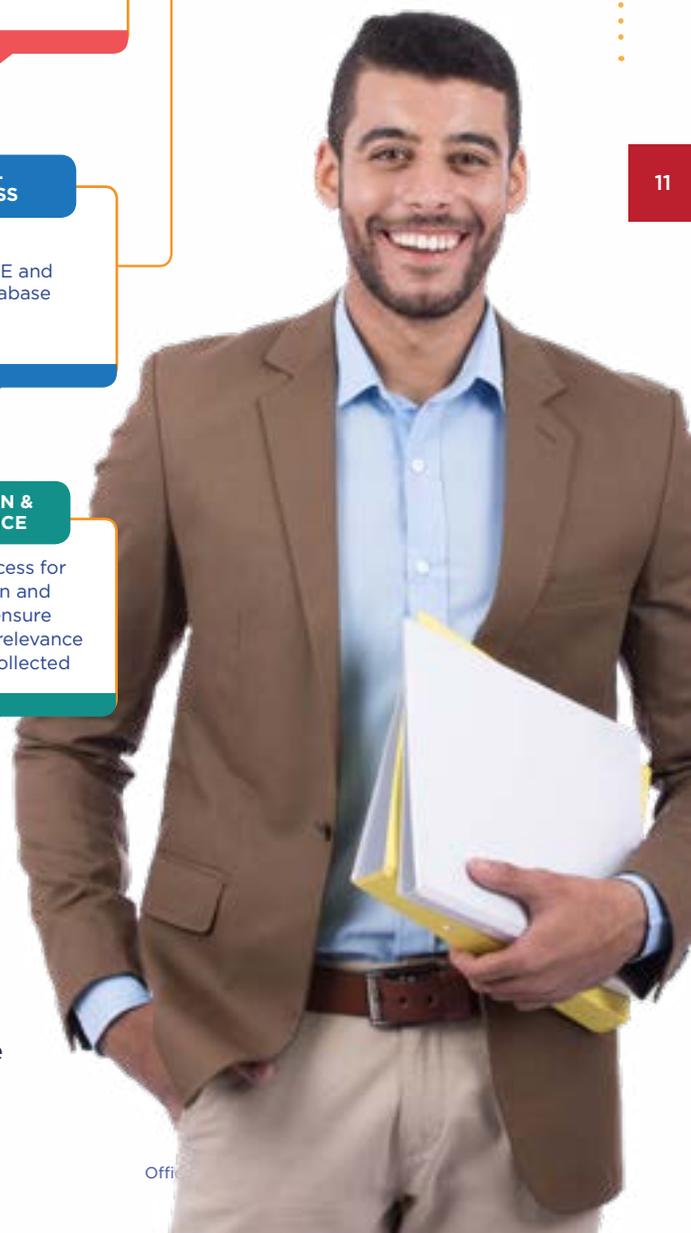
The Office of Civil Rights (OCR) recognizes that a lack of established business processes creates operation and efficiency challenges. OCR has not always performed as an integrated entity, which created silos amongst programs due to limited information sharing.

Upon completion of the program analysis, OCR commits to establish a process for the programs listed below.



Strategic Partnership & Engagement

The Office of Civil Rights seeks to work with strategic partners to achieve the specific program goals identified. If you are interested in helping OCR in moving North Carolina forward, please contact the OCR team.

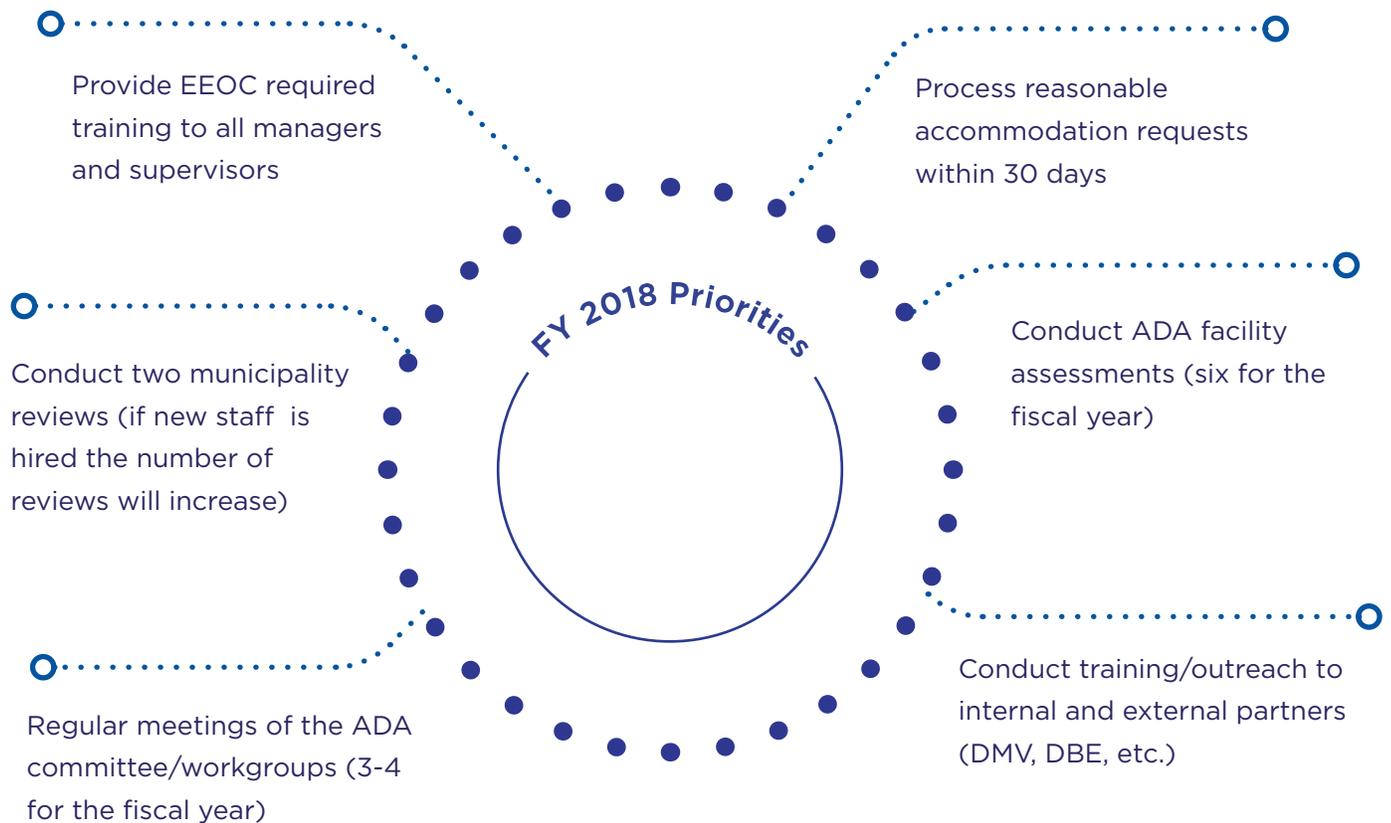


2018 Program Specific Priorities

- **Americans With Disabilities Act Program**
- **Business Opportunity & Workforce Development Program**
- **Business Enterprise Certifications**
- **Equal Employment Opportunity Program**
- **On-the-Job Training Program**
- **Small Business Enterprise Program**
- **Title VI Nondiscrimination Program**
- **Utilization & Compliance Program**

Americans with Disabilities Act Program

The Americans with Disabilities Act Program responds to requests for reasonable accommodation. The program identifies resources for providing communication and other accommodation in public meetings, ensuring that appropriate ADA/504 compliance reviews are completed, addressing website accessibility and managing the completion of the Americans with Disabilities Transition Plan.



Business Opportunity and Workforce Development Program

NCDOT's Business Opportunity and Workforce Development (BOWD) Program works with businesses that have been historically underutilized, such as those owned by minorities, women and the disabled. Services include counseling, training and business assistance. Federal funding supports these services offered to highway construction and highway related consultants or professional DBE certified firms. The purpose is to increase DBE's activity in the program and to facilitate the firms' development into viable, self-sufficient organizations capable of competing for, and performing on, federally assisted highway projects.

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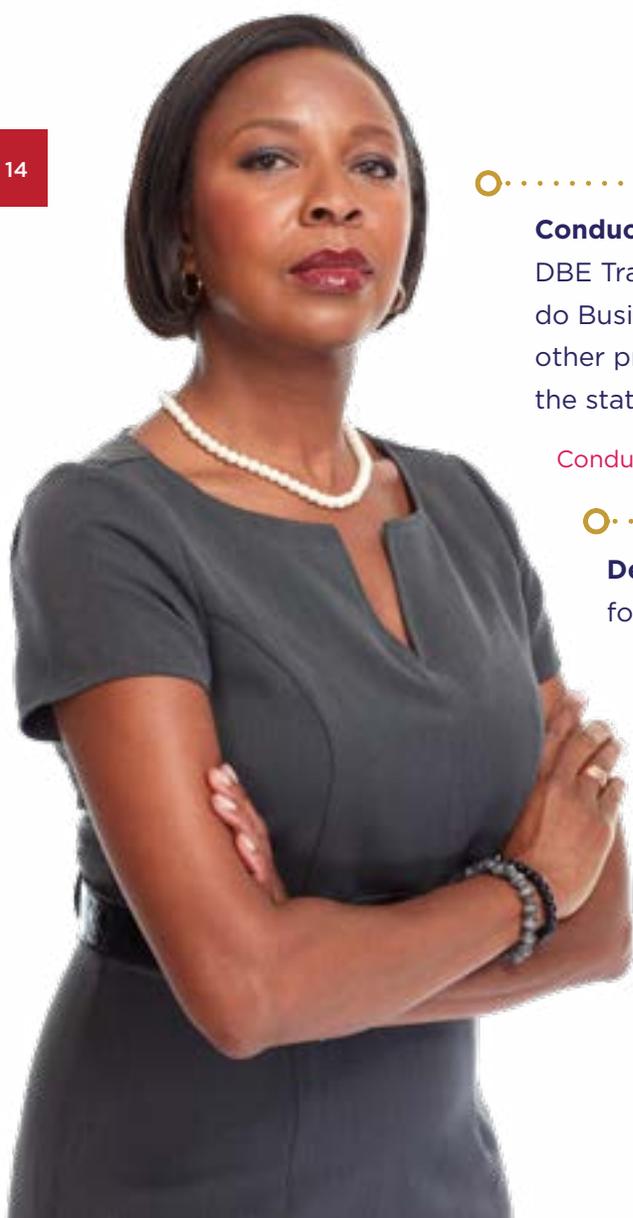
Conduct Outreach, including DBE Training, Town Hall ("How to do Business with NCDOT"), and other project-driven activities across the state.

Conduct at least one per division

Develop Standard Operating Procedures for consistency and training purposes.

Host a Construction Management Diploma in Tandem with NCSU designed for people engaged in the construction industry with no formal education or limited training. This could enhance their construction management skills and validate their work experience through an intense, six-day, hands-on workshop developed by successful and experienced construction industry professionals. *(Note: Program already exists and efforts will be made to have on HBCU campuses)*

Enroll and graduate 15 participants per class



Re-establish the Minority Entrepreneur's Executive Institute (MEEI) by offering the highest level of executive-level training to DBE firms at an affordable price. This enables firms to compete more effectively for NCDOT contracting opportunities and develop more successful businesses.

Enroll and graduate 30 participants per year

Regionalize the Business Development Program (BDP), a multi-tiered program designed to provide DBEs with general and firm-specific training and technical assistance to help them become more competitive within the highway construction industry. Firms complete assessments to gauge where they are, identify technical assistance needs and obtain one-on-one consulting opportunities. The BDP two-year developmental program gives DBE firms an opportunity to gain a competitive edge within and outside the highway industry.

Hire consultants to cover three target zones of the state within the state

Expand One-on-One Supportive Services and Transportation Insight for Performance Strategies (TIPS). BOWD has established procedures to develop, conduct and administer DBE training and assistance programs. The program will continue with regular email blasts to offer services through online forms, such as software, professional memberships and conferences.

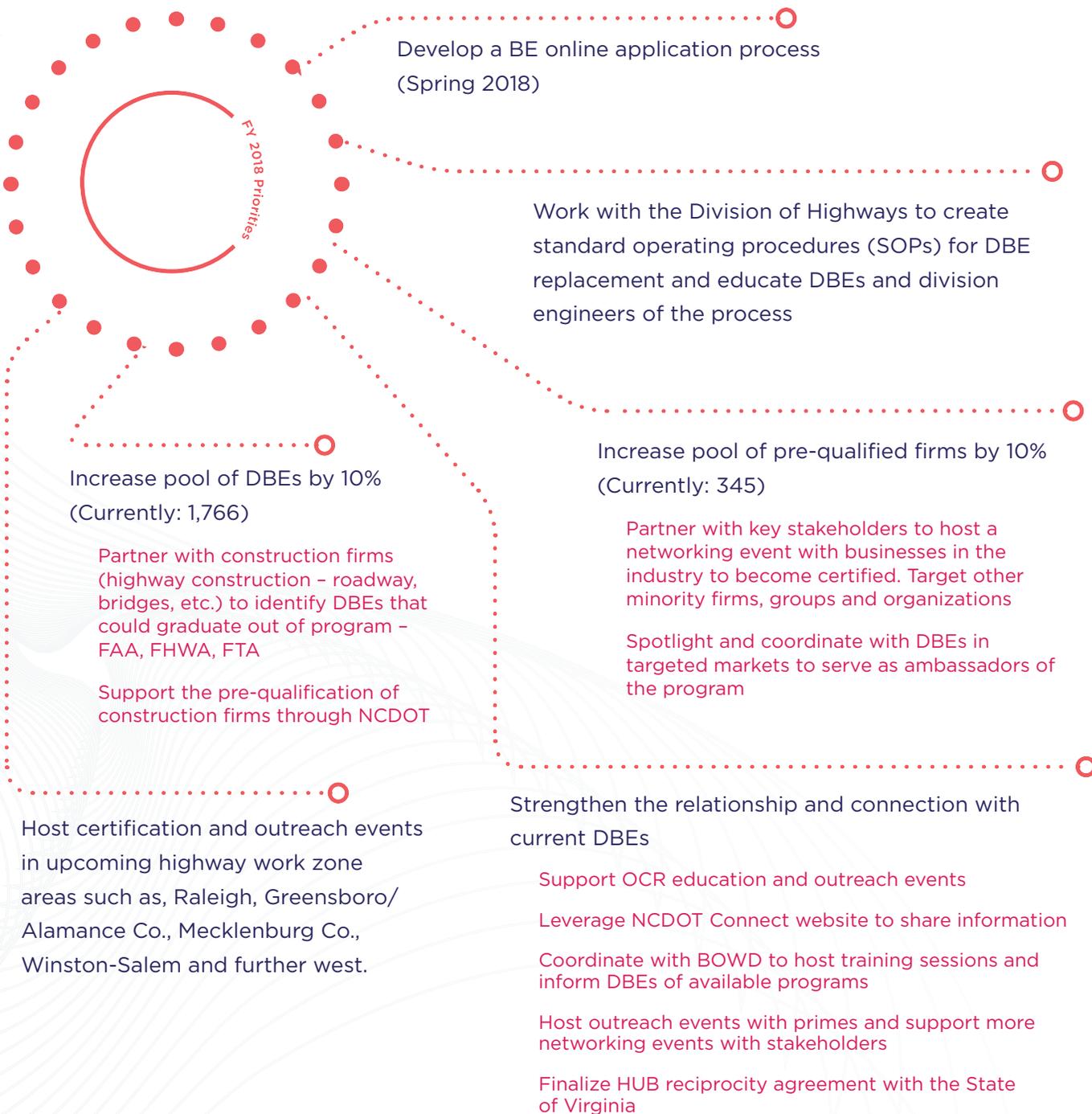
Establish Strategic Partnerships with key stakeholders, business and technical assistance centers.

Partner with external stakeholders and retain subject matter experts for BDP, MEEI, on-call training and TIPS curriculum

Business Enterprise (BE) Certifications

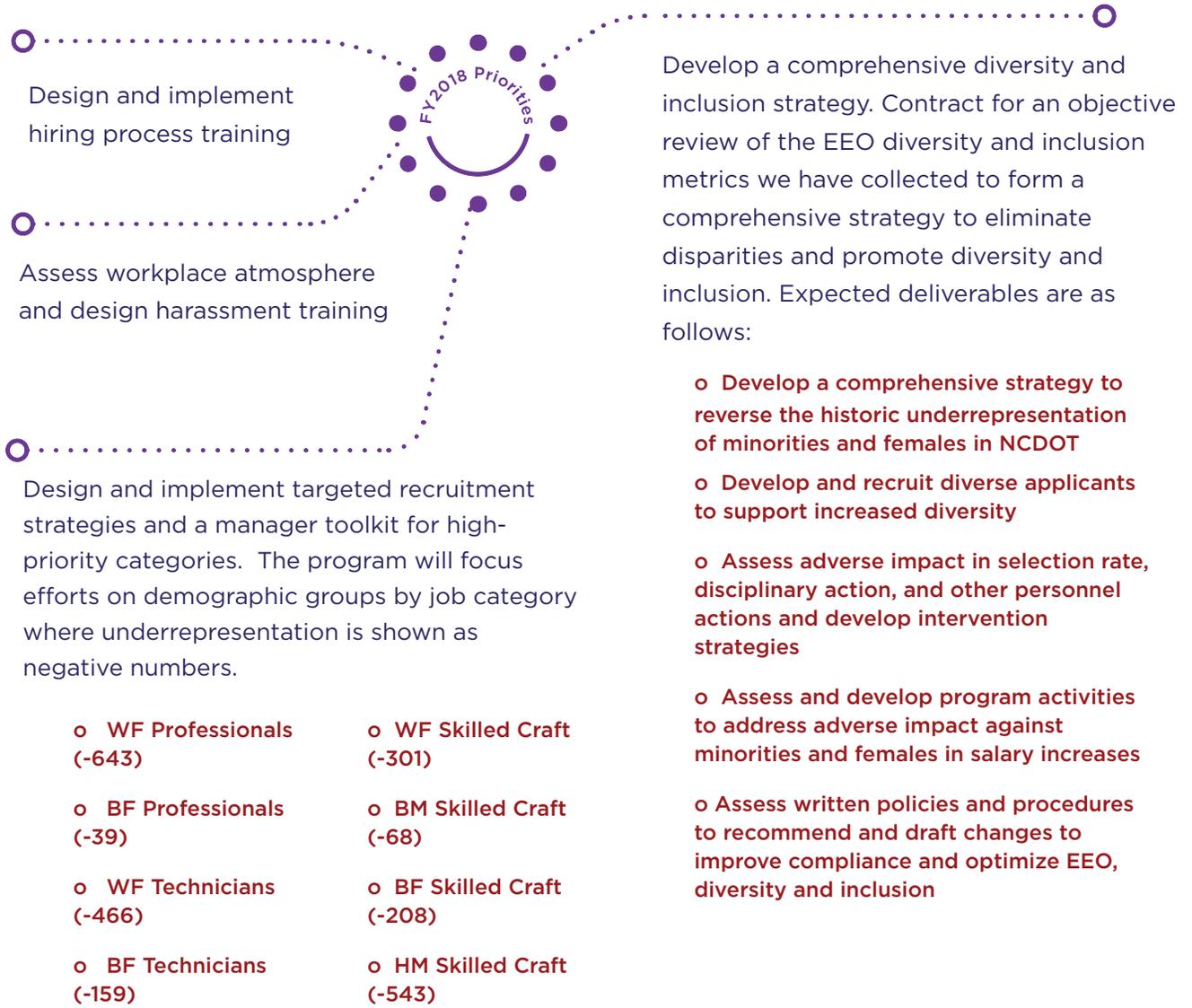
The Disadvantaged Business Enterprise Program is a federally mandated program charged to ensure non-discrimination against disadvantaged businesses wanting to do business with state agencies that receive federal funding for transportation projects.

Through the Minority Business Enterprise/Women Business Enterprise (MBE/WBE) Program, the NCDOT ensures firms that meet the eligibility requirements are afforded the maximum opportunity to participate in contracts financed with state funds.



Equal Employment Opportunity Program

Title VII of the Civil Rights Act of 1964 is a federal law that prohibits employers from discriminating against employees on the basis of sex, race, color, national origin and religion. It generally applies to employers with 15 or more employees including federal, state and local governments. The Equal Employment Opportunity (EEO) administers NCDOT's affirmative action/equal employment opportunity programs. These include monitoring workforce representation, investigating discrimination complaints, conducting work force analysis and identifying sources of targeted recruitment for underrepresented groups.



The number of persons in each category that would need to be hired to reach parity

On-the-Job Training Program

The On-the-Job Training Program is a civil rights program targeted toward minorities, women and disadvantaged individuals who have been historically underrepresented in highway construction-skilled crafts. The program provides one-on-one training in the workplace for the skills, knowledge and competencies an employee needs for a specific job. The OJT Program can assist employers who are looking to expand their businesses and need additional staff trained with specialized skills. OJT employers may receive 50% of the wage rate of OJT trainees to help defray personnel training costs. The standard reimbursement is \$3,000 per OJT trainee, though exceptions are allowed based on the training needs.

Establish training goals, monitoring and evaluation standards for contractors

Standardize data collection on program participants

Partner with strategic stakeholders to develop and deploy highway construction training and placement programs to increase the number of individuals trained and hired in highway construction trades and crafts

Host an education and outreach recruitment event for Tier 1 counties, leveraging the Construction Trade and HBCU Transportation Academy in priority work zones

Develop a pilot initiative to increase the capacity and capability of the highway construction workforce

FY 2018 Priorities

Small Business Enterprise Program

The Small Business Enterprise (SBE) program was developed to provide contract opportunities by which small firms would be able to compete against others that are comparably positioned in their industries and markets. This program enables smaller businesses the opportunity to participate in department contracts.

NCDOT is committed to creating an equitable environment in which small businesses can compete fairly for contracts financed with federal and state funds under the Small Professional Services Firm Program (SPSF). NCDOT takes all reasonable and necessary steps to ensure equal opportunity in administering the SPSF program.

FY 2018 Priorities

Increase the current number of non-engineering firms by 10%

Coordinate with BOWD to identify education and outreach recruitment programs that target female and minority applicants

Develop a comprehensive education and outreach strategy to increase contract opportunities for certified SBE and SPSF firms to align certified firms with HUB office and other agencies

Participate in HUB outreach events, town hall meetings and trainings

Increase contract participation in aviation, real estate and rail contracts

Collaborate with division managers to identify pathways of opportunity

Work with BOWD to support business development training for firms

Update the SBE and SPSF SAP database

Title VI Non-discrimination Program

The Title VI Non-discrimination Program monitors compliance with Title VI of the Civil Rights Act of 1964 and related non-discrimination laws. These laws prohibit discrimination on the basis of race, color, national origin, limited English proficiency, income status, sex, age or disability in programs and activities of NCDOT and its sub-recipients and contractors.

NCDOT guarantees that, as a recipient of federal financial assistance, it will ensure nondiscrimination in all programs, activities and services regardless of the funding source.

Host Title VI education and training session by working with staff liaisons

Develop Language Access Assessment Training for all business units

Establish Title VI standard operating procedures (SOP) and template for Value Management and NC Department of Motor Vehicles

Ensure Title VI language is in every departmental contract/agreement, including contractors' subcontracts

Coordinate Leadership/Public input for Title VI plans

FY 2018 Priorities

Utilization & Compliance Program

The Unified Certification Program provides “one-stop shopping” for businesses applying to be certified as a Disadvantaged Business Enterprise. An applicant only has to apply once for the application to be honored by all agencies that are recipients of aviation, transit and highway projects in the state that the U.S. Department of Transportation funds.

The Certification Unit certifies eligible firms as Disadvantaged Business Enterprises as well as Minority Business Enterprises, Women Business Enterprises, Small Business Enterprises and/or Small Professional Services Firms.

FY 2018
Priorities

Host a pre-bid event that brings together primes, division leadership and DBEs to discuss project scope and participation goals

Conduct a business process assessment to address fragmented data collection and reporting

Establish a process for data collection and reporting to ensure consistency and relevance of information

Provide internal training and technical assistance

- o Contractor training will focus on specialized areas such as utilizing Census EEO data, conducting wage and personnel action reviews, subcontractor monitoring, developing an effective recruitment process and 1391 reporting requirements

- o DBE and DOT field staff training will focus on DBE Compliance, Commercial Useful Function requirements, DBE commitments and good faith efforts

- o Develop a webinar training on 1391 reporting for Contract Administrators

- o Notify primes of newly certified DBEs in the division

Thank

Stakeholder Acknowledgement

Special thanks to all those who participated in the Winter 2017 stakeholder and outreach session that included NCDOT staff, business leaders, members of the public, elected and appointed officials, and advocates located throughout the state.



*General session
OCR stakeholders
provide insight
and industry
perspective*

Adrian Atkinson

Alicia Simmons

Alvin Austin

Andrea Harris

Andrea Ponce

Angela Estela

Angella Dunston

Anwar Rasheed

Barry Bridges

Benny Sloan

Betsy Bailey

Bonnie J Robinson

Briles Johnson

CC Lamberth

Christian Banks

Christina Theodorou

Christy Thaxton

Clarence Mann

Courtney Crowder

David Howard

Debbie Collins

Dene Alexander

Farad Ali

George Nixon

Henry Lancaster

Ima Mattair

James Smith

Jenine Stevenson

John Eley

John Rouse

Joseph Herrin

Joset Wright-Lacy

Kai Earle

KYOU



Workforce Development Specialists Robert Winfree (the Staffing Alliance) and Christina Theodorou (UNC Chapel Hill Native American Education Center) connect with George Nixon (EEO) and Lisa Wilson (SPSF/SBE Manager)

Kathy Lindsey
Lenwood Long
Lisa Wilson
Lynise DeVance
Mark Whisenant
Melvin Williams
Michael Leach
Michael Gerald
Patrice Gilmore
Romaine Cain
Reginald McNeill

Renee Jones
Robert Winfree
Roberto Nunez
Ron Brown
Shantray Dickens
Sheila Brewington
Shelby Scales
Stephanie Gidigbi
Tammie Hall
Tonya Marriott
Torre Jessup

Travis Marshall
John-Troy Witherspoon
Valerie Jordan
V.K. Fields
Wesley Peace
William "Drew" Marsh
Yvette Leonard

Office of Civil Rights Glossary

In response to stakeholder comments, this document includes a glossary of OCR acronyms. This is not an exhaustive list but reflects key terms. Additional terms can be found at:

https://connect.ncdot.gov/projects/planning/TransPlanManuals/acronyms_glossary.pdf

Program	Term	Definition
ADA	Americans With Disabilities Act	The legislation defining the responsibilities of and requirements for transportation providers to make transportation accessible to individuals with disabilities
BDP	Business Development Program	A multi-tiered Business Development Program designed to provide DBEs with general and firm-specific training and technical assistance to help them become more competitive within the highway construction industry
BOWD	Business Opportunity and Workforce Development	Works with businesses that have been historically underutilized such as those owned by minorities, women and the disabled
CLF	Civilian Labor Force	The aggregate of employed persons classified in accordance with the criteria established by the Bureau of Census and the US Department of Commerce. Compliance, a satisfactory condition that exists when a contractor (e.g., prime/sub, material supplier or vendor) has effectively implemented the entire contract EO requirements or can demonstrate that every good faith effort toward achieving them has been made
DBE	Disadvantaged Business Enterprise	Disadvantaged business enterprise, a small business concern: (a) which is at least 51% owned by one or more socially and economically disadvantaged individuals or, in the case of any publicly-owned business, at least 51% of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (b) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it
EEO	Equal Employment Opportunity	The opportunity to obtain employment, promotions and other benefits of employment without discrimination because of race, color, religion, sex, marital status, sexual preference/orientation, national origin, age, physical, sensory or mental disability, or status

Program	Term	Definition
EEOC	Equal Employment Opportunity Commission	The U.S. Equal Employment Opportunity Commission is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. It is also illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit
MEEI	Minority Entrepreneur's Executive Institute	The program's mission is to offer the highest level of executive-level training to DBE firms at an affordable price, thereby enabling the firms to compete more effectively for contracting opportunities and develop more successful businesses
MBE/WBE	Minority Business Enterprise/ Women Business Enterprise	MBE/WBE ensures firms that meet the eligibility requirements are afforded the maximum opportunity to participate in the performance of contracts financed with state funds
OJT	On-the-Job Training	The program provides in the workplace one-on-one training having to do with the skills, knowledge and competencies for individuals historically underrepresented in highway construction-skilled crafts
SBE	Small Business Enterprise	The program provides contract opportunities allowing small firms to compete against others that are comparably positioned in their industries and markets
SOP	Standard Operating Procedure	Established program guidelines and protocol
SPSF	Small Professional Services Firm Program	The program affords small businesses the opportunity to participate in departmental opportunities in engineering and a variety of other professional job categories
STIP	Statewide Transportation Improvement Program	NCDOT State Transportation Improvement Program (2018-2027), a 10-year plan that identifies the construction funding for and scheduling of transportation projects throughout the state
TIPS	Transportation Insight for Performance Strategies	A BOWD signature education and training program for minorities, women and disabled business owners



BOWD Construction Management Program (Greensboro) graduates Mike Starkey (Dakota Contracting Company), Joseph Locklear (Driven Contractors LLC), Matt Starkey (Dakota Contracting Company), Hughley Spruill, Sr. (The Spruill Construction Corp.), Jessica Gaskin (Bennie Gaskin Hauling, Inc.)

Connecting people, products and places safely and efficiently with customer focus, accountability and environmental sensitivity to enhance the economy and vitality of North Carolina

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