



OREGON DEPARTMENT OF AVIATION
AFFIRMATIVE ACTION PLAN
2019 – 21 BIENNIUM



Oregon

Kate Brown, Governor

Oregon Department of Aviation

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June 14, 2019

Steve Lee, Affirmative Action Manager
Diversity, Equity and Inclusion
Office of the Governor
900 Court St. NE, Suite 254
Salem, OR 97301

Dear Steve Lee,

The Oregon Department of Aviation remains committed to affirmative action and equal opportunity and to an active affirmative action program. Our personal commitment to these ideas is represented throughout our agency's Affirmative Action Plan (AAP).

The AAP represents our agency's commitment to equal opportunity and affirmative action in employment and public service consistent with all applicable federal and state laws, including, but not limited to: (ORS [182.100](#), [243.305](#), [243.315](#), and [659](#), [Executive Order 17-11](#), the [Title VII of the 1964 Civil Rights Act](#), and [Section 503 of the Rehabilitation Act of 1973](#).)

The executive management staff and the director all have specific roles to lead the Affirmative Action Plan and monitor progress for the agency.

We, the undersigned, reaffirm our collective commitment to be accountable for and carry out the goals of our affirmative action plan.

Betty Stansbury, Director

Kristen Forest, Business & Finance Manager

Heather Peck, Planning & Projects Manager

Matthew Maass, State Airports Manager

Affirmative Action Plan

2019-2021 Biennium

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I. DESCRIPTION OF THE AGENCY

A. Mission and Objectives

Mission: The Oregon Department of Aviation aims to provide an integrated aviation system that benefits all Oregonians by providing infrastructure, financial resources, and expertise to ensure a safe and efficient air transportation system.

Position: ODA is the State's Aviation Specialist providing:

- Airport management and operations of state airports
- Leaderships that connects communities and the state
- Advocacy for airports, pilots and aviation related businesses
- Facilitation of state and federal aviation funding programs
- Oversight of aviation policy and assets as part of the emergency management system

Imperatives: Oregon Department of Aviation's objectives are derived from our Imperatives:

- To ensure a fiscally stable agency
- To provide pro-active oversight of Oregon's aviation system
- To increase advocacy and awareness for state aviation and
- To pursue agency operation excellence

Values: These are the values that guide our decision-making as we aim to implement ODA's mission.

- Customer Service
- Collaboration
- Integrity
- Passion
- Healthy Relationships

B. Agency Director

Betty Stansbury

Director, Oregon Department of Aviation

3040 25th Street SE, Salem, OR 97302-1125

Tel.: 503-378-2340

C. Governor's Policy Advisor

Brendan Finn

Transportation Policy Advisor, Oregon Office of the Governor

900 Court St NE, Suite 254, Salem, OR 97301

Tel.: 503-986-6545

D. Affirmative Action Representative

Kristen Forest

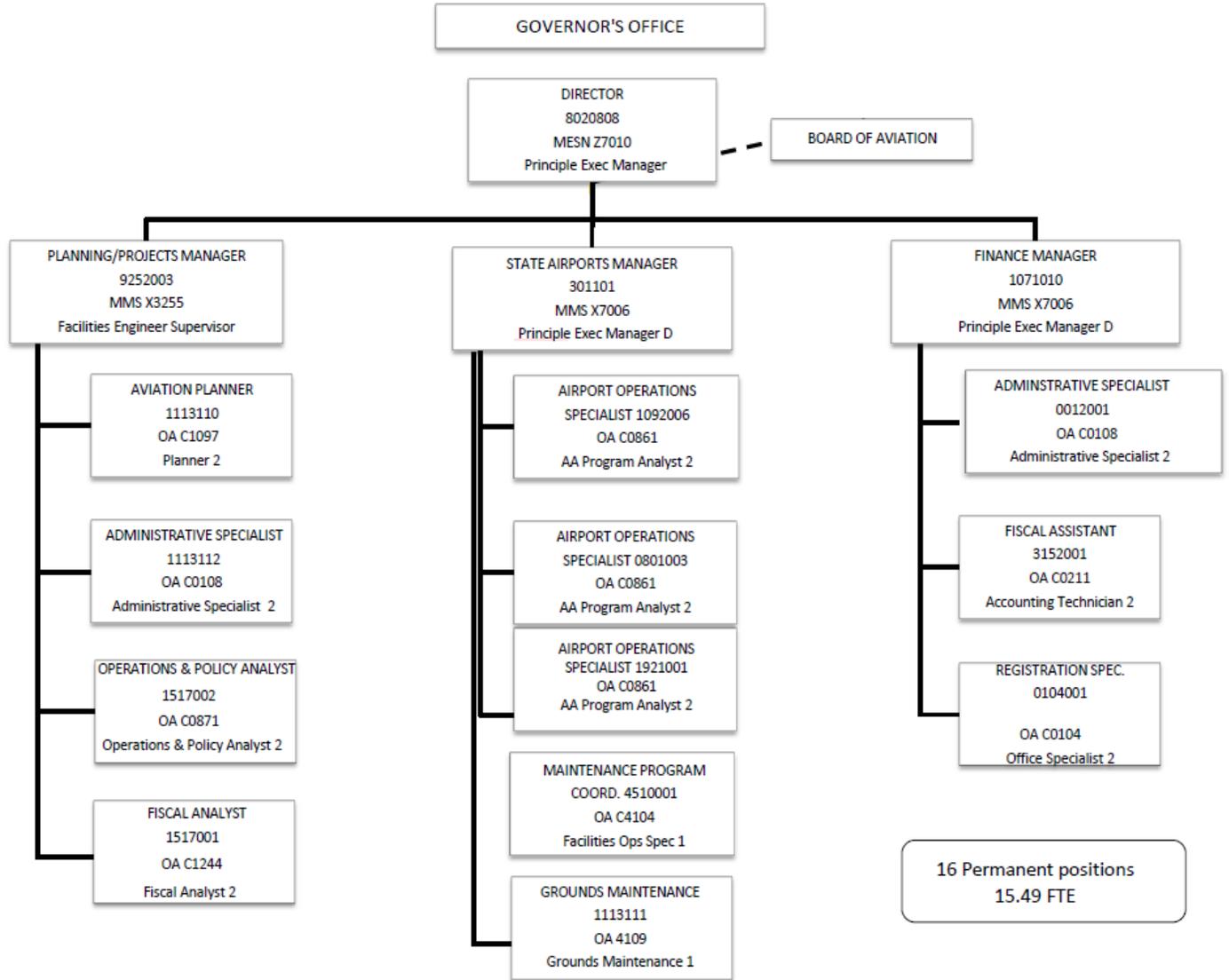
Business and Finance Manager, Oregon Department of Aviation

3040 25th Street SE, Salem, OR 97302-1125

Tel.: 503-378-2522

E. Organizational Chart

Organization Chart 2019-21



II. AFFIRMATIVE ACTION PLAN

A. Agency Affirmative Action Policy Statement & Agency Diversity and Inclusion Statement

Agency Affirmative Action Policy Statement

The Oregon Department of Aviation is committed to achieving a work force that represents the diversity of Oregon's population and to provide fair and equal employment opportunities regardless of a person's race, color, religion, sex, sexual orientation, national origin, marital status, age or disability. ODA provides a workplace environment that is free from harassment and intimidation. Employment practices are consistent with state and federal laws, which preclude discrimination.

All employees shall be advised of the procedure for lodging a discrimination/harassment complaint, and all employees with concerns of any kind related to affirmative action shall be encouraged to bring them to the attention of the Affirmative Action Representative/Business Manager or the Director. Our internal procedure that supports the statewide policy is located on page 35 of this Affirmative Action Plan.

This revision of ODA's Affirmative Action Plan is effective July 1, 2019 – June 30, 2021 and shall be evaluated annually or as needed when statewide changes occur. The ODA's Affirmative Action Representative is Kristen Forest, 503-378-2522.

Diversity and Inclusion Statement

It is the policy of the Department of Aviation to be proactive in building a well-qualified, diverse agency that represents the public. Diversity is a core value of ODA and all the management staff is committed to carrying out this Affirmative Action Plan in hiring, contracting and practicing non-discriminatory behavior in day-to-day actions.

B. Policy

a. Agency Affirmative Action Policy Statement/DI Statement/State and Federal Employment Law Documents

- i. These items are accessible to all employees and partners
- ii. The Agency Affirmative Action Policy Statement and plan is posted on the a Bulletin Board in the office common area accessible to all employees. All of these documents are also available in this affirmative action plan, please see the table of contents on page 3 and 4. These documents are also given to new employees during new employee orientation.

- iii. Employees can access these documents electronically in the shared drive or can ask the Affirmative Action Representative for a copy. Employees and partners can also access these documents via the agency website.

b. Complaint options

ODA follows the process outlined in the ODA Policy ODA-010 titled Harassment-Free Workplace Inappropriate Behavior Policy. Please see entire policy in Appendix A.

i. Formal/Informal Formal

For Discrimination. Anyone who is subject to, or aware of, what he or she believes to be employment-related discrimination may file a complaint with his or her immediate supervisor or another manager. The complaint should be written unless the complainant, due to a disability, is unable to file written complaint. The complaint should be filed with the agency within 30 calendar days of the alleged act.

Complaints should include the name of the complainant, the name of the persons alleged to have engaged in the prohibited conduct, a specific and detailed description of the conduct that the employee believes is discriminatory, and a description of the remedy the employee desires.

For Harassment. Anyone who is subject to or is aware of harassing behavior should report that information immediately to agency management. If at all possible, the report should be made before the behavior becomes severe. The report may be made orally or in writing to the employee's immediate supervisor or to any other management staff member. If the employee prefers, the report may be given to a manager outside the complainant's work unit. Represented employees may have a union steward accompany the employee during this process during regular work hours.

Informal

All employees with concerns of any kind related to affirmative action, discrimination or harassment are encouraged to bring them to the attention of the Affirmative Action Representative/Business Manager, any manager or the Director.

ii. Contact information

Agency Affirmative Action Representative:
Kristen Forest
Business & Finance Manager
(503)378-2522
Kristen.r.forest@aviation.state.or.us

Agency Director
Betty Stansbury
(503)378-2340
Betty.stansbury@aviation.state.or.us

HR Representative
Kristopher McDonald
Human Resources, ODOT
503-986-3827
Kristopher.mcdonald@odot.state.or.us

iii. Complaint information (intake, processing, timeframe, next steps)

All supervisors and managers will report complaints and incidents immediately to the appropriate officials.

Investigation. The recipient of a discrimination or harassment complaint shall promptly forward it to the agency Director and or the HR Representative, who will coordinate, or delegate

responsibility for coordinating, the agency's investigation in consultation with the affected employee's supervisors, excluding any supervisor who is potentially part of the problem. The complaint will be given prompt and thorough attention with an impartial investigation. If the complaint is substantiated, immediate and appropriate corrective action will be taken. The affected parties shall be informed that the investigation has concluded and that immediate appropriate corrective action will be taken. All personnel can be assured that complaints will be taken seriously and will be investigated as necessary. They will be dealt with in a discrete and confidential manner to the extent possible.

Nothing in this process precludes any person from filing a formal grievance in accordance with collective bargaining agreement or with the Bureau of Labor and Industries (BOLI) or the Equal Employment Opportunity Commission (EEOC). Timelines for filing complaints with BOLI and EEOC are different from those established in this policy. Contact them directly for specific guidance on filing a formal grievance with them.

C. Employment

a. ODA works to implement equity in the following categories:

- Hiring
- Retention
- Promotion
- Succession Planning

i. Hiring

ODA works to implement equity in hiring by:

- Periodically reviewing hiring procedures to identify and remove barriers in the attainment of the agency's affirmative action goals and objectives.
- Make hiring decisions in support of agency's affirmative action goals and objectives. Engage in appropriate recruitment efforts designed to reach agency's affirmative action goals and objectives.
- Working to assure that all interview panels have a diverse group of participants to ensure a fair process and consistency in hiring practices.
- Enforcing the agency's Harassment-Free Workplace Inappropriate Behavior Policy as it relates to hiring which states that It is the policy of ODA to provide a work environment free from unlawful discrimination on the basis of race, color, religion, sex, marital status, national origin, disability, age, union membership and activity, or any other factor that an employer is prohibited by law from considering when making employment decisions. For purpose of this policy, prohibited discrimination includes discrimination on the basis of sexual orientation.
- ODA is committed to doing our part to help remove barriers to equal pay for all. ODA conducts a pay equity assessment on all new hires in accordance with HB 2005, the pay equity act to help remove barriers to equal pay. The agency also participated in a Pay Equity Survey to provide data to make the pay equity analysis more accurate. Each manager was held accountable to ensure that their team participated in the survey and the business manager was available to help any employees that needed help completing the survey.
- Veteran Preference in Employment: ODA recognizes the value that Veterans provide to the work force. When grading candidates ODA carefully considers how a Veterans experience translates to the experience that we are looking for. This sometimes takes a deeper analysis to consider applicants who may not have state experience but have relevant military experience. ODA complies with Oregon's policy on Veteran's preference in Public employment. The agency

has been diligent in assigning points for veterans at every level of the hiring process. See link below. <https://www.oregon.gov/jobs/Pages/Veterans.aspx>(Reference: OAR 105-040)

When hiring ODA abides by all applicable laws to ensure that there is not discrimination in hiring practices including but not limited to:

- The Age Discrimination Act of 1967 (ADEA)
- Americans with Disabilities Act
- Immigration Reform and Control Act of 1986 (IRCA)
- Pregnancy Discrimination Title VII of the Civil Rights Act of 1964
- National Origin Discrimination Title VII of the Civil Rights Act of 1964
- Genetic Information Discrimination Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
- Race/Color Discrimination Title VII of the Civil rights Act of 1964
- Religious Discrimination Title VII of the Civil Rights Act of 1964
- Sex-Based Discrimination Title VII of the Civil Rights Act of 1964

ii. Retention

The agency encourages retention of our diverse work force by:

Management strives to support and understand employees' needs including creating a wellness policy that allows employees to flex their time so that they can exercise on their breaks.

The agency pays attention to positions that are shown to have a lack of retention and will take the steps necessary to correct the problem. The agency recognized lack of retention in one position specifically, the Business Manager Position. Which had a 100% turnover rate annually for 5 years. The agency took action to re-organize and upgrade the position to encourage retention of the position.

iii. Promotion

When position openings occur in the agency, managers send staff the recruitment announcement and encourage staff to apply for new positions. The agency ensures that these promotional opportunities are available people of diverse backgrounds including women, minorities and disabled persons.

iv. Succession Planning

Each manager work with their staff to prepare employees for career growth and advancement when appropriate. The Succession planning process includes assessing skills, career planning, development training plan and mentorship.

b. Effectiveness of Methods

ODA has had one of the lowest turnover rates this past year, not including retirements. ODA has exceeded 100% of its disparity goals since 2015. ODA is always striving to improve in the areas of hiring, retention, training and succession planning as they relate to diversity and inclusion.

D. Training, Education, Developmental Plan (TEDP)

a. Training Overview

ODA recognizes its employees are its greatest resources; hence, one of the agency's highest priorities is investing in employee development and enhancing employee knowledge, skills, and abilities in order to remain competitive. Continued professional development and training opportunities ensures that employees are provided with the skills needed to excel in their work, and therefore be retained in the agency.

b. Employees

Our goal is to provide 100% of permanent employees with the opportunity for a minimum of 20 hours of education and training annually, all to be related to work skills and knowledge. We have come close to achieving this goal through bi-monthly training events, but have recognized opportunities for improving the recording, tracking, and standardizing of training events. In the upcoming biennium ODA plans to use the new HR system Workday to improve training tracking by monitoring required and optional employee trainings.

Continued professional development and training opportunities ensures employees are provided with the skills needed to excel in their work, and therefore be retained in the agency. ODA uses various approaches to establish a climate that supports continuous learning and development through the following:

- Establish clear paths for acquiring the skills, knowledge, and experience that employees need for their continuing learning and career development.
- Establish developmental opportunities, such as leadership training and detail assignments, for employees interested in participating in assignments that prepare them for high-level positions.
 - Non-Technical Trainings – These in-person, webinars, or on-line trainings include diversity-related career development and other topics and are provided through the iLearn Oregon or non-state training programs.
 - Job Rotation – ODA provides employees the opportunity to explore new assignments or jobs through career enrichment rotation, allowing employees to use existing skills in a different setting while subsequently acquiring new skills.
- Establish individual needs and training requests during annual evaluations, followed by providing training and developmental experiences for employees (see section above for offered opportunities).
- New Employee Orientation – Effectively orienting new employees to the agency and to their positions is critical to establishing successful, productive working relationships. ODA strives to ensure the employee's first interaction with agency personnel is a positive experience. ODA provides the following information to the new employee:
 - Affirmative Action Policy and Affirmative Action Plan
 - Agency's expectation of employee
 - Agency's mission and objectives
 - Discrimination and Harassment-Free Workplace Policy
 - Employee Resources/Services
 - Performance Evaluation Process

- Professional Workplace Policy
- Roles and Responsibilities/Position Description
- Safety
- Training, Educational, and Developmental Plan

Employee Diversity and Inclusion Training

Diversity Conference Two members of management including the Affirmative Action Representative have attended a recent training during the Diversity Conference held September 13th and 14th 2018. These sessions emphasized skills such as recognizing the ways in which the workplace is changing and evolving, managing and leveraging diversity in the organization and ways to embrace the differences in the workforce to make our agency stronger. Sessions also included identifying and understanding macroaggressions, managing unconscious bias, telling our stories about identity and race, meeting the needs of veterans, and tapping into the power of multigenerational teams. The agency plans to allow employees the opportunity to attend the training each year.

Civil Rights Training In July of 2018 ODA sent an employee to a national civil rights training conference for airports. This conference including training on requirements for the DBE and ACDBE programs and resources available for those programs including prompt payment requirements for the DBE program. It also included training on the FAA matchmaker function, which is an online system that matches certified firms to Airport contracting and concession opportunities. Presentations also included best practices for ADA/Sec. 504 to ensure effective service for people with disabilities.

Agency Wide Training The Oregon Department of Aviation is committed to a discrimination and harassment free work environment. The ODA Affirmative Action Representative coordinates agency-wide training which includes:

- Preventing Sexual Harassment Training (Annually)
- Maintaining a Harassment Free and Professional Workplace Training (Annually)
- Equity Training (Annually)

Additional Optional Training Available

These additional trainings are not mandatory but made available to all employees and managers through ilearn.

- Building Intercultural Competence for Employees and Managers- The purpose of this series of cultural competency modules is to improve our ability to interact effectively with people of different cultures.
- Respectful Workplace - The purpose of this course is to increase awareness and importance of the need to create and maintain a respectful, positive work environment.

Return on Investment

Return on Investment of employee training and diversity training has been shown through reduction in employee turnover. The agency believes that training leads to opportunities which lead to increased moral and job satisfaction.

c. Volunteers

The engagement of the aviation community with non-traditional clusters in the public community is a key driver in promoting equity and is essential to raising awareness of the availability of technical/STEM paying jobs, replacing an aging workforce, and overcoming an urban-rural divide in Oregon. ODA Volunteer initiatives provide a bridge from underserved communities to recreation, awareness, and employment opportunities in the aviation sector.

AIRO (Airport Information Reporting for Oregon) Program

About: ODA offers volunteers an opportunity to contribute their aviation expertise to assist with reporting on the safety, security and maintenance conditions at a state sponsored airport. This program forms public-private partnerships to ensure we enhance safety and improve the physical condition at public use airports.

State Aviation Board

A seven-member Aviation Board provides policy direction to the Director and the Department in administering the laws of the state related to the development, management, education and promotion of Oregon's aviation system. The seven Aviation Board members are appointed by the Governor and subject to the approval by the Oregon State Senate.



Several Members of the State Aviation Board and Staff at a Board Meeting at Evergreen Aviation in 2017

Training:

Aviation Board Members having several training courses available through ilearn including:

- OGEC - Ethics Law Overview for Elected Officials (including officials appointed to boards, commissions or advisory groups) - *This module presents an overview of Oregon Government Ethics law ORS Chapter 244 specifically developed for elected public officials, including officials appointed to boards, commissions or advisory groups.*
- OGEC - Introduction to Executive Sessions - *This training module presents an introduction to the executive session provisions found in ORS 192.660 within the public meeting law of the State of Oregon.*
- OGEC - Prohibited Use of Office - *This training module presents an overview of the prohibited use of office provisions found in ORS 244.040.*
- OGEC – Gifts - *This training module presents an overview of the gift provisions and gift exceptions found in ORS Chapter 244.*
- DAS - HRSD - Board and Commission Member Training - *The purpose of this online course is to help board and commission members understand their role and responsibilities. This course covers the following topics:*
 - *Overview of State Government*
 - *Overview of Boards and Commissions*
 - *General Board and Commission Activities*
 - *Ethical Framework*
- Conflicts of Interest
Learn what the two types of statutory conflicts of interest are. Review the difference between actual and potential conflicts of interests. Hear what the law requires you to do when you face a conflict of interest.
- Executive Session
Review the lawful reasons for holding an executive session. Learn how to lawfully convene an executive session. Review some actions that the law prohibits and some topics the law does not permit you to discuss during an executive session.
- Gifts
Learn how the law defines gifts, and how the law restricts your ability to accept gifts that might be offered to you. Analyze when the \$50 gift limit applies. Review how this statute affects your family members. Hear about gifts that may be accepted without limit because statute excludes them from the definition of a “gift”.
- Lobbying
Learn how the law defines lobbying, who the law requires to register as a lobbyist, and what reporting requirements the law places on lobbyists.
- Use of Office
Learn how the law prohibits you from using your official position to obtain a financial gain or avoid a financial cost. Hear about financial benefits which, although they are available to you because of your official position, the law does allow.

Dissemination of Affirmative Action/Discrimination Information: ODA provides a copy of the agency's Affirmative Action Policy and Affirmative Action Plan to all volunteers via the agency website. The State Aviation Board is presented the Agency's Affirmative Action Plan every biennium and it is available electronically to all board members. The agency also reviews the statewide policy on "Harassment-Free Workplace" with volunteers.

d. Contractors/Vendors

Training- The agency conducts an airport safety training semi-annually available to all contractors and subcontractors that are working on projects at our airports.

Diversity & Inclusion Training and Information-

ODA has added all DBE contractors to a list of subscribers for all agency contracting and procurement updates through Gov Delivery. The DBE firms are updated on the latest opportunities for contracts with ODA through email notification.

ODA posts all DBE goals on the following website, <https://faa.dbesystem.com>

ODA encourages all eligible businesses to be registered in the COBID and the FAA Matchmaker system.

ODA provides a copy of the agency's Affirmative Action Policy and Affirmative Action Plan to all contractors/vendors via the agency website. The agency also reviews the statewide policy on "Harassment-Free Workplace" with contractors/vendors.

ODA holds quarterly meetings with COBID/DBE firms to discuss several topics including: upcoming projects, DBE goals, calculations, changes in regulations, ORPIN and COBID information.

E. Leadership Development/Training Program(s)

- Aspiring Leadership Program-In the current biennium ODA has registered one individual for an Aspiring Leadership Program through the ASCENT Program. She will be attending the program starting in the fall of 2018. The ALP is a comprehensive 9-month transformational leadership journey that builds purposeful, values-based, visionary, inspiring and authentic leaders by cultivating greater awareness and enhancing relationship skills." Outcomes for this program include: learning to lead in a way that empowers you and others to think, grow, learn, collaborate and create outstanding results, inspire others to envision new ways of delivering outcomes that matter, reinvent and build quality relationships with employees, partners, & customers, and building your leadership network across state government.

a. EEO Data on Leadership Trainees

Leadership Development Training Data		
Biennium	15-17	17-19
Job Classification Category	Supervising Executive Assistant	Fiscal Analyst
Gender	Female	Female
Ethnicity Information	African American	Hispanic

b. Results of development/training program – There was turnover in the Position that underwent the Leadership Training in 15-17. There is no data yet for the upcoming leadership training in 17-19. The return on investment that the agency is looking for is a development of leadership skills in the trained employee that may lead to promotional opportunities within the agency.

F. Programs

The following activities play a role in moving the agency towards its affirmative action goals and objectives, as well as building a foundation for future efforts to diversify the workforce. We see an opportunity to achieve affirmative action goals by responding to the economic challenges of an ageing aviation workforce by fostering an interest and growth toward higher learning and careers in aerospace, science, technology, engineering, and mathematics (STEM) in our local community.

a. Internship Program

At this time ODA has not developed its own agency-specific internship program. We have partnered with Willamette University for internships in the past and will work to offer an Internship program to students of diverse backgrounds interested in Aviation during the next biennium.

The program will involve a formal training plan between the school and the agency that outlines the skills the students is expected to learn and demonstrate at the workplace. The hours to be worked, classroom goals, and worksite goals and objectives will be determined by the teacher, worksite supervisor and student.

As a small agency with a large area of expertise in airport management, construction project management, Government relations, Leasing and Land use planning, ODA has a lot to offer a potential Intern interested in Aviation.

b. Mentorship Program

The agency encourages managers and supervisors to become mentors to their employees as well as youth interested in the aviation industry.

c. Diversity Awareness Programs

To achieve workforce diversity, ODA is positioning itself with a strong commitment to its agency’s affirmative action program. This includes strong leadership support from our top leadership and commitment to provide necessary resources, people and funding of new program initiatives.

- a. **Agency-Wide Diversity Council** – Due to the small size of the agency, ODA does not have an established Diversity Council.
- b. **Employee Resource Groups (ERGs)/Affinity Groups** –ODA does not have any Employee Resource Groups.
- c. **Diversity Presentations and/or Activities**

ODA conducts presentations to disseminate information from Diversity Meetings and Trainings.

Diversity Information and Presentation to Mangers After the bimonthly Diversity Inclusion Affirmative Action Equal Employment Opportunity meetings the agency representative who attends the meetings ensures that management and director have notes, takeaways and presentations from that meeting. This information is sent via email or by a presentation during the weekly manger meeting.

Diversity Presentations During All Staff Meeting On 2/5/18 ODA conducted a diversity training at an all staff meeting that included the history of discrimination in America and ways to ensure diversity in hiring practices.

Diversity Conference Training ODA plans to present to staff takeaways from a the recent Diversity Conference during an all staff meeting in October.

DBE Presentations at Conferences ODA conducts presentations at the OAMA, Oregon Airports Management Association Conference to consultants and airport managers on DBE partnerships, goals, methodology, Outreach and the FAA Matchmaker System. This helps give airport managers the tools that they need to help run a successful DBE program at their airport.

G. Community Engagement

ODA encourages its employees to participate and collaborate with organizations in the communities it serves. The agency is committed to fostering collaborative working relationships with our local organizations through various initiatives.

- a. **Community Events/Festivals** – Attend statewide fly-ins in which a diverse group of participants attend and share information and resources about our agency.
- b. **Community Forums** – On a regular basis, staff attend community forums across the state to share information and resources from our agency.
- c. **Trade Shows** ODA attends the Oregon Public Purchasing Association Reverse Vendor Trade Show annually to network with DBE firms to encourage them to apply for contracting opportunities with ODA and explain ODA's procurement process to them. The most recent trade show was in Silverton on 10/12/2017.

- d. **Social Media** – ODA uses the social media platforms, Facebook, Twitter and Instagram to engage with the community. We have asked our public-use airports and the businesses operating within them to share local airport and aviation events with us on various social media platforms so that we can promote aviation events in all areas of the state.
- e. **Career Fairs/Networking Events** ODA Attends the Governor’s Market Place annually, most recently on March 21st 2018 as well as other networking events to raise awareness of employment opportunities with ODA.
- f. **Presentations to Youth** The agency has put more of an emphasis in connecting with our diverse communities. The agency has made several presentations to youth at times focusing on underserved youth to educate them on the aviation careers available. Recent presentations include:



- Career and Technical Education Center (CTEC) – We presented to CTEC high school students interested in exploring UAS as a career. The presentation entailed details about various jobs within state government and policy. We encouraged a diverse group of students that the UAS industry is young and the education they were receiving would be beneficial to them if they decide to enter this career field whether UAS was a primary or secondary function of their job.

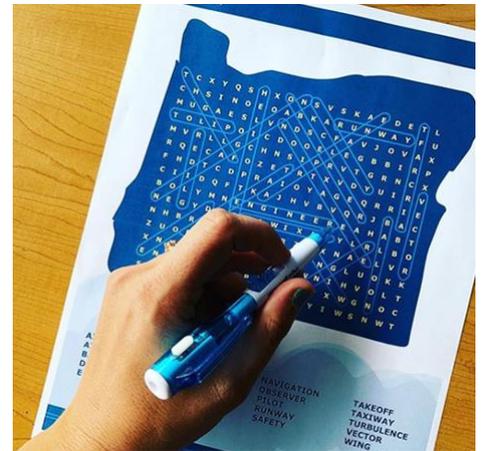
- Oregon State University (OSU) – At OSU we presented at the “Drones in Education Workshop.” The workshop was used to engage educational leaders throughout the state of Oregon who were attempting to start up a drone or STEM program. The presentation involved state and federal UAS operating regulations, how the state is involved with public agency owned drones, and some of the criteria for setting up a compliant UAS program.



- John Day STEM Presentation – In collaboration with Grant County Regional Airport and Oregon State University, on May 24th we gave a presentation to nearly 100 middle school children from Grant County about the ways that aviation touches everyone’s lives and the variety of high demand, high paying jobs that exist within our industry.
- STEM, CTE, and Aviation/Aeronautics Education Panel – As part of our July 2018 State Aviation Board meeting, we compiled a panel of educators to discuss

creating education and career pathways for our youth in aviation. This panel was held at the Oregon Manufacturing Innovation Center (OMIC) and included panel members from Oregon Department of Education; Higher Education Coordinating Commission, Office of Community Colleges and Workforce Development; Oregon State University; Southern Oregon Air Academy; Joseph Charter School, Aviation Program; Aurora STEM Program; and Airway Science for Kids (ASK). Many of these organizations focus on underserved youth.

- Oregon International Air Show Youth Initiative Sponsorship – Oregon Department of Aviation (ODA) is sponsoring 20 tickets for foster children and their families from the Department of Human Services Foster Program to attend the Oregon International Airshow on September 28th. Each individual will have a reserved seat in the Family Garden area, will have meals provided to them, and will have an ODA Aviation STEM “Swag Bag.” The purpose of this sponsorship is to give underserved youth the opportunity to experience the aviation industry first hand and to give them some resources on pathways into an aviation education and future careers.
- STEM and CTE Networking – We are working to facilitate networking, meetings and conversations between aviation education groups in Oregon to establish pathways to aviation careers for our youth. Our collaborators currently include Oregon Airshow Charity Foundation, Oregon Department of Education (ODE), Southern Oregon Air Academy (SOAA), Southern Oregon Educational Service District, Hillsboro Air Academy, and Airway Science for Kids.
- Career and Technical Education Center (CTEC) – We presented to CTECH high school students interested in exploring UAS and aviation as careers. The presentation entailed details about various jobs within state government and policy. We specifically discussed marketing and communication for aviation. An activity was prepared for the students about the Marketing Mix where they had were assigned “Drone Policies” or “Aviation Career & the Pilot Shortage” and had to come up with a marketing strategy using the marketing mix. The goal was to show students that there are a variety of jobs available within the aviation industry.



H. Update: Executive Order 17-11

a. Respectful Leadership Training (Diversity, Equity & Inclusion) and Sexual Harassment

The ODA Affirmative Action Representative, the Director and staff have attended the Governor’s Office of Diversity, Equity & Inclusion/Affirmative Action trainings to assist agency leadership in fulfilling their affirmative action responsibilities. The ODA Affirmative Action Representative has conducted internal training to agency employees to communicate the resources available to them and the role of the

Affirmative Action Representative in responding to employees' concern of discrimination in hiring, retention, promotion, and career development or harassment in the workplace.

The Oregon Department of Aviation mandates that all employees take two harassment trainings annually. These are:

- Preventing Sexual Harassment Training
- Maintaining a Harassment Free and Professional Workplace Training

b. [Statewide Exit Interview Survey](#)

Currently there is no ODA Exit Interview data available to report. This tool has been made available for all exiting ODA employees.

In our goal to continue to make ODA the "Employer of Choice", the survey will allow the employee to share their honest opinions regarding their work experience with the agency. As employees change agencies or depart from state employment, ODA is interested in how employees view their tenure and what information and suggestions they can provide related to their experience. The survey covers issues such as: benefits; working conditions; opportunities for career advancement; the quality and quantity of the workload; and relationships with co-workers and supervisors.

Data obtained from employees leaving the agency provides information critical to:

- Assess workplace deficiencies;
- Enhance the work place;
- Improve employee retention;
- Achieve a diverse workforce through workforce planning; and
- Improve any negative feedback from the survey.

The result of the data will be reviewed with the agency management for any corrective action and approve program strategies to implement that will help retention of skilled and valued employees.

c. Performance Evaluations of All Management Personnel

ODA has incorporated affirmative action objectives as a key consideration for the manager's performance evaluation. Specific examples of the managers' affirmative action objectives and diversity successes and achievement are described below. Management personnel will receive an annual performance evaluation to assess whether they are meeting its affirmative action objectives. Any goals or work plans for future performance will be outlined in the evaluation.

As of June 30th 2018 100% of ODA's management staff had current performance evaluations.

Sample affirmative action duty descriptions:

- Understand Equal Employment Opportunity (EEO), Affirmative Action (AA), Diversity and Cultural Competency principles, and the agency's AA Plan goals and objectives. Develop and implement strategies to meet goals and objectives; and report annual efforts, successes and/or accomplishments during the period.
- Review hiring, transfers, promotional, developmental/rotational or training practices and procedures to identify and remove barriers in the attainment of the agency's affirmative action goals and objectives.

- Make hiring, transfer and promotional decisions in support of agency's affirmative action goals and objectives. Engage in appropriate recruitment efforts designed to reach agency's affirmative action goals and objectives.
- Promote and foster a positive work environment within the agency programs concerning EEO, AA, Diversity and Cultural Competencies by ensuring employees are aware and follow agency policies and procedures, and address work-related issues and/or concerns immediately and take appropriate action if necessary.
- Attend EEO, AA, and other diversity-related training to provide leadership to staff by being aware of diversity and cultural issues. This also includes supporting employees to attend such programs for further professional development.
- Ensure information regarding EEO, AA and Americans with Disabilities (ADA) information is properly displayed on the appropriate boards at the worksites(s).

Ref: 659A.012 State agencies to carry out policy against discrimination in employment; evaluation of supervisors; affirmative action reports. (1) To achieve the public policy of the State of Oregon for persons in the state to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, disability or age, every state agency shall be required to include in the evaluation of all management personnel the manager's or supervisor's effectiveness in achieving affirmative action objectives as a key consideration of the manager's or supervisor's performance.

(2) To achieve the public policy of the State of Oregon for persons in the state to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, age or disability, every state agency shall be required to present the affirmative action objectives and performance of that agency of the current biennium and those for the following biennium to the Governor of the State of Oregon and to the Legislative Assembly. These plans shall be reviewed as part of the budget review process.

I. Status of Contracts to Minority-owned Business ([ORS 659.A015](#))

The Department of Aviation is committed to creating an environment that supports the ingenuity and industriousness of Oregon's Minority Business Enterprise [MBE], Disadvantaged Business Enterprise (DBE), Woman Business Enterprise [WBE], Emerging Small Business [ESB] and Service Disabled Veteran Business Enterprise (SDVBE). The department ensures that all aspects of advertising, bidding and awarding contracts comply with state and federal requirements for these programs. The department is committed to helping to remove barriers to participation with federally certified disadvantaged business enterprises (DBE) and business certified by the State Certification Office for Business Inclusion and Diversity (COBID).

a. The Certification Office for Business Inclusion and Diversity, or COBID, certifies businesses owned by women, minorities, service disabled veterans and emerging small businesses in the state. In the 15-17 biennium, 1 of the 29 contracts ODA completed were with COBID-certified firms. The total agency contract budget was \$4,441,583. ODA awarded \$288,146 to COBID-certified firms. COBID-certified firms represented 6.5% of total contract awards in 15-17.

The agency has been diligent in seeking out COBID and DBE certified businesses to fulfill our contracts. The team is using innovative ways to encourage minorities, women, service disabled veterans and emerging

small businesses to bid on ODA jobs. These are the steps that ODA has taken to encourage COBID/DBE Firms to bid on ODA Jobs.

Broken Large Contracts Down For the sixth consecutive year, ODA has broken a large Pavement Maintenance Contract into three smaller contracts in order to be more attractive to COBID and DBE certified contractors. ODA looks for these smaller opportunities whenever possible in an effort to ensure that all businesses can obtain bonding requirements.

Outreach to COBID/DBE Firms The department also reaches out to potential bidders. There are several methods that ODA uses to reach out to potential bidders

- **COBID/DBE Firm Outreach via Meetings** ODA recently in December of 2017 invited interested COBID/DBE firms to attend a meeting or conference call to solicit input from these business on how to improve inclusion for communications and outreach, contracting and reporting in order to meet or exceed goals.
- **COBID/DBE Outreach via Conferences** ODA participates in a variety of professional groups, conference and seminars in an effort to diversify bidders and communicate with minority owned and small business and contractors. The agency extends Outreach to COBID/DBE construction contractors and their associations to promote their interest in bidding on statewide aviation projects.
- **Collaboration with ODOT** ODA also works with Oregon Department of Transportation (ODOT) to further its presence with community outreach in a combined effort on aviation transportation projects.
- **ODA Website Information:** The agency posts COBID and DBE resources on its website including information to find a state and federal certified firm or business and information on how to become certified.
- **Mandatory Pre-Bids:** Many of ODA's projects require a mandatory pre-bid meeting for contractors who intend to submit a bid. ODA encourages potential subcontractors, including COBID/DBE firms, to attend these meetings to network with prime contractors. These networking opportunities foster business relationships between the primes and subcontractors that often result in long-term relationships.
- **Contract Requirements** On all ODA major construction projects, prime bidders are encouraged to demonstrate a good faith effort in inviting Federal Certified DBE and State Certified COBID firms to bid on all contracts and subcontracts. The intent is to promote communication with local COBID and DBE firms so that they can complete for work within their area of expertise.

Below is an excerpt from language included in our Request for Proposals and Contracts:

Oregon MWESB certified firms, as defined in ORS 200.055, have an equal opportunity to participate in the performance of contracts financed with state funds. By submitting its offer, Offer or certifies that it will take reasonable steps to ensure that MWESB certified firms are provided an equal opportunity to compete for and participate in the performance of any subcontracts resulting from this procurement. Offer or further certifies and agrees that it has not discriminated and will not discriminate in its employment practices with regard to race, creed, age, religious affiliation,

sex, disability, sexual orientation or national origin, and it has not discriminated and will not discriminate against a subcontractor in the awarding of a subcontract because the subcontractor is a minority, woman or emerging small business enterprise certified under ORS 200.055.

If there may be opportunities for subcontractors to work on the project, it is the expectation of the Agency that the Offer or will take reasonable steps to ensure that MWESB certified firms are provided an equal opportunity to compete for and participate in the performance of any contract and/or subcontracts resulting from this procurement.

Following opening of bids and prior to Contract Award, the Offer or with the apparent highest scoring Proposal or lowest Bid must provide, within five days of Notice of Intent to Award, an MWESB Outreach Plan using the form on the following page. The information submitted in response to this clause will not be considered in any scored evaluation and no evaluative points will be assigned to the information.

Disparity Study- ODA plans to conduct a statewide disparity study in conjunction with the Federal Aviation Administration (FAA) in the summer of 2019. This study is a priority for the agency and has been introduced as a policy option package in the 2019-21 Budget. This study will evaluate if disadvantaged businesses have equal access to contracting opportunities on a statewide level. This study will examine race and gender based barriers to prime contractors or subcontractors when competing for FAA funded contracts, specifically looking at all cities and counties where FAA contracts are available for airports in the National Plan of Integrated Airport Systems (NPIAS). This \$1 million dollar study also will compare the number of socially and economically disadvantaged firms to non-disadvantaged firms available to work on FAA contracts statewide for FAA funded work. Information gathered will provide airports with data to enhance their DBE program in a way that is consistent with regulatory standards. When the study is complete (18-24 months), the DBE information will then be available for all airports in the NPIAS to utilize when creating their DBE programs, individual project work plans, capital improvement projects goals and overall project solicitations.

III. ROLES FOR IMPLEMENTATION OF AFFIRMATIVE ACTION PLAN

A. Active Engagement and Innovative Activity

a. Director/Managers

The Director and managers play a leadership role in dedicating the agency to a policy of equal employment opportunity and conveying a sense of that commitment both within and outside of the organization. The Director has overall responsibility for implementing and monitoring the Affirmative Action Plan and for ensuring compliance with all applicable federal and state laws, rules and regulations. Director and Management Responsibilities:

- Foster and promote the importance of a diverse and respectful workplace.
- Periodically review the Affirmative Action Plan and progress toward meeting the agency's affirmative action objectives.
- Review equal employment opportunity and affirmative action objectives.
- Recognize policy needs and initiate necessary changes.
- The effectiveness of managers and supervisors in promoting affirmative action activities, goals, and objectives for ODA will be included in the annual performance appraisal.
- Extend Outreach to minority construction contractors and their associations to promote their interest in bidding on statewide aviation projects.

b. Affirmative Action Representative

The Affirmative Action Representative is responsible for implementing and maintaining the agency's affirmative action program and is accountable to the Director.

- Develop and disseminate the Affirmative Action Plan, including the agency's Affirmative Action Policy Statement, and monitor progress and prepare annual updates and modifications, as needed;
- Develop and monitor internal and external communication of the agency's Affirmative Action Policy and Affirmative Action Plan to keep staff informed.
- Develop and advise employees and job applicants of discrimination grievance procedures. Accept all sexual harassment and/or discrimination grievances or complaints filed either internally or externally and refer all complaints to Human Resource Representatives for investigation.
- Serve as the agency's liaison with governmental agencies responsible for the enforcement of civil rights and fair employment laws and regulations;
- Assist in implementation and review of the internal monitoring and review system, using standardized reports and statistical data to measure the effectiveness of the agency's affirmative action program, and indicate the need for remedial action;

- Contact community organizations and persons representing minorities, women and persons with disabilities and share information on available agency recruitments;
- Identify the need for, assist in the development of, and in some instances, conduct affirmative action information session for managers, supervisors and employees;
- Share information to management staff on the latest developments on affirmative action issues, including legal decision and their possible impact;
- Report to the Director and the Board any policies or practices that have adverse impact on minorities, women and persons with disability, and any other protected or underrepresented group, or present barriers to equal employment opportunity;
- Periodically review personnel policies and procedures to ensure they reflect the agency’s affirmative action commitment;
- Periodically audit minimum job requirements, training programs, and promotion and transfer actions to assure non-discriminatory practices;
- Conduct periodic reviews to assure EEO posters, the Affirmative Action Policy Statement, and Alternate Format poster are properly displayed; and
- Assist in conducting “exit interviews” of employees leaving the agency’s concerning work climate and affirmative action issues.

IV JULY 1, 2017 – JUNE 30, 2019

A. Accomplish in Goal Attainment/Progress for current biennium's Affirmative Action Plan

The following were the Goals established in the 17-19 Affirmative Action Plan along with a description of goal attainment and progress.

- **Goal:** Encourage minority and disabled persons to apply for positions in the agency and on volunteer citizen boards and councils representing the agency.
Progress: ODA strives to disseminate hiring information through several channels to reach a diverse range of candidates. The Oregon Aviation Board when choosing new members strives to ensure diversity of backgrounds, gender, ethnicities, political parties and geographical areas of the state.
- **Goal:** Utilize creative marketing tools that include minority professional organizations and diversity outreach partnerships to advertise vacancies to people of color, disabled individuals, and women.
Progress: The agency has attended networking events such as the Governor's Marketplace to reach a diverse audience about careers in aviation and with the department.
- **Goal:** Assure that all interview panels have a diverse group of participants to ensure a fair process and consistency in hiring practices.
Progress: Hiring managers choose interview panels with thoughtful consideration to ensure that a diverse group of participants is represented.
- **Goal:** Initiate an exit interview request to departing employees to learn reasons for their departure and to assess and improve aspects of The Department of Aviation's working environment, culture, processes and systems, and management style.
Progress: ODA has implemented an online exit interview that is made available to every employee that is exiting.
- **Goal:** Organize and convene the agency management and staff to promote an environment of respect, teamwork, and mutual understanding among staff and to further our understanding of individual and group diversity.
Progress: Managers and staff work to promote the values of diversity, respect and teamwork in their daily work and ODA participates in trainings that promote these values.
- **Goal:** Make diversity training opportunities and attendance at cultural events available to staff and ensure management support for attendance.
Progress: ODA has implemented both mandatory and optional diversity trainings available to staff during the current biennium. Please read more details about these trainings starting on page 11.
- **Goal:** Identify other means to strengthen recruitment and retention of minorities and individuals with disabilities.
- **Progress:** Though the department has increased networking through trade shows and events the department is continually looking to improve in this area.

- **Goal:** Establish a more structured and meaningful internship program that will foster the interest of under-represented minority students pursuing aviation related careers.

Progress: The department has not yet created an internship program. The agency has participated in Outreach events at multiple schools in Oregon to encourage aviation among the youth.

- **Goal:** Work with aviation related businesses to create a pipeline program that will engage and educate students across the state, with a special emphasis on students of color, about the many aviation related career opportunities.

Progress: During the current biennium the department has begun to develop relationships with several aviation groups in Oregon to establish pathways to Aviation careers for our youth. Many of these programs focus on underserved youth. Our collaborators currently include Oregon Airshow Charity Foundation, Oregon Department of Education (ODE), Southern Oregon Air Academy (SOAA), Southern Oregon Educational Service District, Hillsboro Air Academy, and Airway Science for Kids. The following are some examples:

- a. The department brought together a panel of educators to discuss creating education and career pathways for our youth in Aviation during a recent Aviation Board meeting in July of 2018. This panel was held at the Oregon Manufacturing Innovation Center (OMIC) and included panel members from Oregon Department of Education; Higher Education Coordinating Commission, Office of Community Colleges and Workforce Development; Oregon State University; Southern Oregon Air Academy; Joseph Charter School, Aviation Program; Aurora STEM Program; and Airway Science for Kids (ASK). Many of these organizations focus on underserved youth.
- b. The department presented at a Drones in Education Workshop to engage educational leaders throughout Oregon about starting a drone or STEM program.
- c. The department has also presented at multiple schools to educate students on the variety of aviation careers available.

B. Progress made or lost since previous biennium

ODA prides itself in having a diverse staff. ODA has achieved 100% of parity goals each year since 2015.

June 2015

Employee Count: 12 employees	Employees	Percent	Parity Goal
Men	7	58%	
Women	5	42%	15%
Minority	3	25%	5%
People with Disabilities	1	8%	3%

July 2016

Employee Count: 12 employees	Employees	Percent	Parity Goal
Men	8	58%	

Women	4	33%	15%
Minority	2	17%	5%
People with Disabilities	2	17%	3%

July 2017

Employee Count: 15 employees	Employees	Percent	Parity Goal
Men	10	66%	
Women	5	34%	15%
Minority	3	20%	5%
People with Disabilities	2	13%	3%

July 2018

Employee Count: 16 employees	Employees	Percent	Parity Goal
Men	9	56%	
Women	6	38%	15%
Minority	4	25%	5%
People with Disabilities	2	13%	3%

Workforce Demographics

The Oregon Department of Aviation’s demographic and parity information in this report is as of June 30, 2018. This information includes Permanent, Full-Time, Limited Duration, Temporary and Seasonal Employees. An employee may choose not to complete the Equal Employment Opportunity information in his or her new hire paperwork. When that is the case, ODA staff performs a visual assessment and determines what race/ethnicity best describes the new employee. This practice likely leads to some misrepresentations (over counts or undercounts).

The state’s Position and Personnel Database provided employee demographic information. The Department of Administrative Services provided the parity numbers. DAS derived this parity number from 1990 U.S. Census data.

V. JULY 1, 2019 – JUNE 30, 2021

A. Affirmative Action Plan Goals

The agency has chosen five goals which will increase the effectiveness of the agency’s affirmative action plan.

1. Increase the percentage of women, minority and disable persons in the department staff over previous biennium.

2. Training Goal- Increase the amount of diversity training opportunities and attendance at cultural events available to staff.
3. Increase the percentage of total contract dollars awarded to COBID firms over previous biennium.
4. Increase awareness of the agency's affirmative action plan and policies. Aim to have all staff know where to find the agency's affirmative action statement, Diversity Inclusion Statement and state and federal employment law documents.
5. Increase Outreach Events aimed at underrepresented youth populations.

B. Strategies and Timelines for Achieving Affirmative Action Plan Goals

1. Increase the percentage of women, minority and disable persons in the department staff and volunteers over previous biennium.

Timeline: Over the Course of 19-21 Biennium

Strategies:

- Encourage minority and disabled persons to apply for positions in the agency and on volunteer citizen boards and councils representing the agency.
- Utilize creative marketing tools that include minority professional organizations and diversity outreach partnerships to advertise vacancies to minorities, disabled individuals, and women.
- Assure that all interview panels have a diverse group of participants to ensure a fair process and consistency in hiring practices.
- Affirmative Action Representative and Hiring Managers will ensure that interview questions are crafted with an equity lens, meaning that they take into consideration the diverse backgrounds of the potential interview candidates.
- Identify other means to strengthen recruitment and retention of minorities and individuals with disabilities.
- Work with the Governor's Office of Diversity & Inclusion/Affirmative Action to promote agency job opportunities to historically marginalized and under-represented communities.
- Post job opportunities on the agency website.
- Attend diversity networking events to meet professionals and promote aviation job opportunities.
- Explore diversity outreach partnerships to increase awareness and promote the benefits of working for ODA.

2. Training Goal- Increase the amount of diversity training opportunities and attendance at cultural events available to staff.

Timeline: Over the Course of 19-21 Biennium

Strategies:

- Make diversity training opportunities and attendance at cultural events available to staff and ensure management support for attendance.
- Notify staff of upcoming diversity events and training opportunities and encourage attendance.
- Work with agency partners to secure ODA participation at statewide Diversity Conference and Governor's Marketplace Conference.

3. Increase the percentage of contracts awarded to COBID firms over previous biennium.

Timeline: Over the Course of 19-21 Biennium

Strategies:

- Increase outreach to COBID firms
- Continue to educate contractors and subcontractors on the process of obtaining COBID certification if applicable.
- Work to connect COBID firms with contractors through pre-bid meetings, COBID/DBE meetings, and networking events.
- Attend and collaborate in hosting the Veteran-Owned Small Business Conference in partnership with the Oregon Department of Veterans' Affairs (ODVA).

4. Increase awareness of the agency's affirmative action plan and policies. Aim to have all staff know where to find the agency's affirmative action policy, Diversity Inclusion Statement and state and federal employment law documents.

Timeline: Over the Course of 19-21 Biennium

- Continue to educate new employees on the agency's affirmative action plan and policies.
- Train employees on agency's affirmative action's policy, Diversity Inclusion Statement and state and federal employment law documents during All Staff Training Meetings.
- Affirmative Action Representative to periodically check in with employees to ensure that they know where to find these documents.
- Follow up with Survey of employees to find out if they know where to find these documents.

5. Increase Outreach Events aimed at underrepresented youth populations.

Timeline: Over the Course of 19-21 Biennium

- Establish a more structured and meaningful internship program that will foster the interest of under-represented minority students pursuing aviation related careers.
- Work with aviation related businesses to create a pipeline program that will engage and educate students across the state, with a special emphasis on minority students, about the many aviation related career opportunities.
- Collaborate with local colleges and universities and foster relationships with schools to encourage internship and aviation education programs that will foster the interest of students pursuing aviation related careers.
- Work with Oregon based aviation related businesses to connect them with students across the state, with a special emphasis on students of color, about the many aviation related career opportunities.
- Seek opportunities for presentations at local schools about aviation careers.

VI. APPENDIX A- STATE POLICY DOCUMENTATION

Available in a single PDF:

https://www.oregon.gov/gov/policy/Documents/State_Affirmative_Action.pdf

- A. ADA and Reasonable Accommodation Policy
- B. Discrimination and Harassment Free Workplace - *(Statewide Policy No. 50.010.01)*
- C. Employee Development and Implementation of Oregon Benchmarks for Workforce Development *(Statewide Policy 50.045.01)*
- D. Veterans Preference in Employment *(105-040-0015)*
- E. Equal Opportunity and Affirmative Action Rule *(105-040-0001)*
- F. Executive Order 17-11

VII. APPENDIX B- FEDERAL DOCUMENTATION

Available as single PDF:

https://www.oregon.gov/gov/policy/Documents/Federal_Affirmative_Action_TitleVII.pdf

- A. Age Discrimination in Employment Act of 1967 (ADEA)
- B. Disability Discrimination Title I of the Americans with Disability Act of 1990
- C. Equal Pay and Compensation Discrimination Equal Pay Act of 1963, and Title VII of the Civil Rights Act of 1964
- D. Genetic Information Discrimination Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
- E. National Origin Discrimination Title VII of the Civil Rights Act of 1964
- F. Pregnancy Discrimination Title VII of the Civil Rights Act of 1964
- G. Race/Color Discrimination Title VII of the Civil Rights Act of 1964
- H. Religious Discrimination Title VII of the Civil Rights Act of 1964
- I. Retaliation Title VII of the Civil Agency Affirmative Action Policy
- J. Sex-Based Discrimination Title VII of the Civil Rights Act of 1964
- K. Sexual Harassment Title VII of the Civil Rights Act of 1964

VIII. APPENDIX B- AGENCY DOCUMENTATION IN SUPPORT OF ITS AFFIRMATIVE ACTION PLAN

A. Harassment-Free Workplace Inappropriate Behavior Policy



Harassment-Free Workplace Inappropriate Behavior Policy

EFFECTIVE DATE 11-1- 2012	NUMBER ODA-010
SUPERCEDES 10-11-07	PAGE NUMBER 1 of 4
APPROVED SIGNATURE Signature on File at ODA	

PURPOSE: To reaffirm that it is the policy of the Oregon Department of Aviation (ODA) to prohibit discrimination and workplace harassment; to clarify conduct that constitutes workplace harassment and to provide an effective complaint procedure for employees who believe they have been the victims of prohibited conduct. This policy is intended to protect employees of whatever stature, customers or clients of the agency, contractors and visitors to the worksite.

POLICY:

- A. Discrimination. It is the policy of ODA to provide a work environment free from unlawful discrimination on the basis of race, color, religion, sex, marital status, national origin, disability, age, union membership and activity, or any other factor that an employer is prohibited by law from considering when making employment decisions. For purpose of this policy, prohibited discrimination includes discrimination on the basis of sexual orientation. This policy applies to all matters relating to hiring, firing, transfer, promotion, benefits, compensation and other terms and conditions of employment.

- B. Workplace Harassment. It is also the policy of ODA that all employees, customers, clients, contractors and visitors to the worksite enjoy a work environment that is free from harassing behavior. Employees at all levels of the organization are expected to conduct themselves in a business-like and professional manner at all times and refrain from sexual and other harassment.

- C. Penalties. Conduct in violation of this policy will not be tolerated and may result in disciplinary action up to and including dismissal. Managers and supervisors who know or should know of conduct in violation of this policy and fail to report such behavior, or fail to take prompt, appropriate, corrective action, are subject to disciplinary action up to and including dismissal.

GUIDELINES:

- A. Workplace harassment is a form of offensive treatment or behavior, which to a reasonable person creates an intimidating, hostile or abusive work environment. This policy prohibits discrimination or harassing behavior based on or because of a person’s national origin, age, sex, race, color, disability, religion, a person’s sexual orientation or protected activity.

- B. Sexual harassment is a form of workplace harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical behavior of a sexual nature when:
- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or is used as a basis for any employment decision (granting leave request, promotion, favorable performance appraisal, etc.); or
 - 2) Such conduct is unwelcome and has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
- C. The following are examples of prohibited behavior (it should be understood that the examples are not meant to be all-inclusive and even one instance of such conduct may constitute harassment):
- 1) Unwelcome touching or closeness of a personal nature, which can encompass leaning over, cornering or pinching;
 - 2) Sexual innuendos, teasing and other sexual talk such as jokes, intimate inquiries, persistent unwanted courting and sexist put-downs or insults.
 - 3) Derogatory remarks, slurs and jokes about a person's national origin, race, color, religion, accent, disability or sexual orientation;
 - 4) Displays of explicit or offensive calendars, posters, pictures, drawings or cartoons which reflect disparagingly upon a class of persons or a particular person;
 - 5) Intimidation or bullying tactics employed against subordinate employees. This may include deliberate and repeated instances of ostracizing or prejudicial treatment amongst peers in work teams.

NON-RETALIATION:

- A. This policy prohibits retaliation against employees who bring charges of conduct in violation of this policy or assist in investigating charges, or who report harassing behavior directed at persons other than the employee. Any employee found to have engaged in retaliatory action or behavior will be subject to discipline, up to and including dismissal.

GRIEVANCE/COMPLAINT PROCEDURE:

- A. For Discrimination. Anyone who is subject to, or aware of, what he or she believes to be employment-related discrimination may file a complaint with his or her immediate supervisor or another manager. The complaint should be written unless the complainant, due to a disability, is unable to file written complaint. The complaint should be filed with the agency within 30 calendar days of the alleged act.

Complaints should include the name of the complainant, the name of the persons alleged to have engaged in the prohibited conduct, a specific and detailed description of the conduct that the employee believes is discriminatory, and a description of the remedy the employee desires.

- B. For Harassment. Anyone who is subject to or is aware of harassing behavior should report that information immediately to agency management. If at all possible, the report should be made before the behavior becomes severe. The report may be made orally or in writing to the employee's immediate supervisor or to any other management staff member. If the employee prefers, the report may be given to a manager outside the complainant's work unit. Represented employees may have a union steward accompany the employee during this process during regular work hours.

All supervisors and managers will report complaints and incidents immediately to the appropriate officials.

- C. Investigation. The recipient of a discrimination or harassment complaint shall promptly forward it to the agency Director, who will coordinate, or delegate responsibility for coordinating, the agency's investigation in consultation with the affected employee's supervisors, excluding any supervisor who is potentially part of the problem. The complaint will be given prompt and thorough attention with an impartial investigation. If the complaint is substantiated, immediate and appropriate corrective action will be taken. The affected parties shall be informed that the investigation has concluded and that immediate appropriate corrective action will be taken. All personnel can be assured that complaints will be taken seriously and will be investigated as necessary. They will be dealt with in a discrete and confidential manner to the extent possible.

- 1.** Nothing in this process precludes any person from filing a formal grievance in accordance with collective bargaining agreement or with the Bureau of Labor and Industries (BOLI) or the Equal Employment Opportunity Commission (EEOC). Timelines for filing complaints with BOLI and EEOC are different from those established in this policy. Contact them directly for specific guidance on filing a formal grievance with them.

IX. APPENDIX D- ADDITIONAL FEDERAL DOCUMENTATION

A. Agency Specific Federal report requirements

- a. [Federal Aviation Administration \(FAA\) DBE Requirements](#)
 - b. [Office of Civil Rights policies, laws and regulations](#)
 - c. [Oregon Department of Aviation DBE Program](#)
- B. [Executive Order 11246 \(OFCCP regulations\)](#)