

Did you know...

It is illegal to exclude minorities from certain positions or to group or categorize employees or jobs so that certain jobs are generally held by minorities.

Requesting pre-employment information which discloses or tends to disclose an applicant's race suggests that race will be unlawfully used as a basis for hiring. Solicitation of such pre-employment information is presumed to be used as a basis for making selection decisions. Therefore, if members of minority groups are excluded from employment, the request for such pre-employment information would likely constitute evidence of discrimination.

Discrimination on the basis of an immutable characteristic associated with race, such as skin color, hair texture, or certain facial features violates Title VII, even though not all members of the race share the same characteristic.

Harassment on the basis of race and/or color violates Title VII. Ethnic slurs, racial "jokes", offensive or derogatory comments, or other verbal or physical conduct based on an individual's race/color constitutes unlawful harassment if the conduct creates an intimidating, hostile, or offensive working environment, or interferes with the individual's work performance.

It is illegal to discriminate in any aspect of employment, including:

- ✓ Hiring and firing;
- ✓ Compensation, assignment, or classification of employees;
- ✓ Transfer, promotion, layoff, or recall;
- ✓ Job advertisement;
- ✓ Recruitment;
- ✓ Testing;
- ✓ Use of company facilities;
- ✓ Training and apprenticeship programs;
- ✓ Fringe benefits;
- ✓ Pay, retirement plans, and disability leave; or
- ✓ Terms and conditions of employment.

**Oklahoma Department of Transportation
Civil Rights Division**

200 N.E. 21st Street, Room 1-C5

Oklahoma City, OK 73105

<http://www.okladot.state.ok.us/>

Phone: 405-521-2072

Toll Free: 1-800-788-4539

Fax: 405-522-2136

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, disability/handicap, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors.

TITLE VII

Of the Civil Rights Act of 1964



Oklahoma Department of Transportation

WHAT IS TITLE VII?

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on **race, color, sex, religion, national origin, age, disability, or genetic information.**

Title VII of the Civil Rights Act of 1964 forbids an employer from retaliating against an employee because of the employee's opposition to "any practice made an unlawful practice" by Title VII, or the employee's participation in "an investigation, proceeding, or hearing under [Title VII]." 42 U.S.C. § 2000e-3 (a).

How can I file a discrimination complaint?

(1) ODOT's Civil Rights Division (CRD);

OR

(2) ODOT's Internal Agency Grievance Resolution Procedure process outlined in Administrative Order No. B-30-1(1).

(1) Formal Discrimination complaint with the Civil Rights Division

Complaints filed directly with the CRD must be filed no later than **one hundred and eighty (180) calendar days** following:

- ◆ The date of the alleged act of discrimination; or
- ◆ Where there has been a continuing course of conduct, the date on which that conduct was discovered.

The CRD may reasonably extend the time period up to 365 calendar days. Under the Appointing Authority's direction the agency will address incidents outside the required time frames.

Complaints shall be filed using the department's Title VII Complaint Form (available online or by contacting the Office of Civil Rights). Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination.

Complaints should be directed to:
**Oklahoma Department of Transportation
Office of Civil Rights
Attention: Jenny K. Chong
200 N.E. 21st Street, Room 1-C5
Oklahoma City, OK 73105-3204
405-521-2072**

Upon receipt of the signed complaint form, the Title VII Coordinator will log-in the complaint, determine the basis of the complaint, and authority/jurisdiction. The complaint will then be investigated by the Title VII Coordinator and/or another Certified Discrimination Investigator. The Title VII Coordinator reviews and determines the appropriate action regarding every Title VII complaint. *A copy of the full complaint process is available online or by contacting the CRD.*

(2) Filing a Formal Discrimination Grievance

An employee who wishes to file a formal discrimination grievance must follow the procedures outlined in Administrative Order No. B-301-1-(1) for the filing of a formal grievance with the Grievance Manager.

Formal discrimination grievance must be filed within **twenty (20) calendar days** of the following:

- The date of the alleged act of discrimination; or
- Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

Complaints shall be filed using the Internal Agency Grievance Resolution Form (MPC Form 900). This form shall be available to employees in their Division Office and from the Grievance Manager. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination.

Complaints should be directed to:
**Oklahoma Department of Transportation
Human Resources Division
Attention: Grievance Manager
200 N.E. 21st Street, Room 1-B5
Oklahoma City, OK 73105-3204
405-521-3958**

Pursuant to Merit Rule 455:10-19-22 the Grievance Manager will, within seven (7) days of the receipt of an acceptable grievance, refer the grievance to the Civil Rights Division for a formal investigation.