



**New Jersey Department of Transportation
Division of Civil Rights & Affirmative Action
Title VI Nondiscrimination Programs**

**GUIDELINE FOR LOCAL PUBLIC AGENCY (LPA's)
AFFIRMATIVE ACTION PLAN**

This information is provided by the NEW JERSEY DEPARTMENT OF TRANSPORTATION, OFFICE OF CIVIL RIGHTS, TITLE VI NONDISCRIMINATION PROGRAMS UNIT AS A COURTESY AND GUIDELINE.

Affirmative action plans are outlines for actions to be taken by individual LPA's to address deficiencies that exist within their agency. Each affirmative action plan must, therefore, be especially designed to meet the needs of the authoring LPA.

This guide is meant only to highlight some of the most critical information that needs to be included in each plan. The particular characteristics and deficiencies of an agency will always dictate the need for a plan to have more emphasis on affirmative action in those particular deficient areas. Links provided lead to more detailed information, including a sample affirmative action program and templates for analyses.

CONTENTS ANALYSIS

Each submittal must contain the following elements in order to be accepted for review:

- Current workforce analysis
- Projected workforce analysis

THE AFFIRMATIVE ACTION PLAN

An affirmative action plan must include the following:

1. Cover page, which must include name and address of the LPA, the specific year to which the plan applies, and the signature of the Chief Executive and EEO Officer, <http://www.dol.gov/ofccp/regs/compliance/AAPs/AAPs.htm>.
2. Written Equal Employment Policy Statement and Affirmative Action Commitment, which must be signed by the Chief Executive and EEO Officer. It should include the essence of Executive Order 11246 <http://www.dol.gov/ofccp/regs/statutes/eo11246.htm>, VEVRAA (41 C.F.R. section 60-250.4) <http://www.dol.gov/agencies/ofccp/vevraa> and ADA (41

C.F.R. section 60- 741.5.) [eCFR :: 41 CFR 60-741.5 -- Equal opportunity clause. \(FMR 60-741.5\)](#). It must state that the company will “ensure and maintain a working environment free of harassment, intimidation and coercion.”

3. Name of LPA’s officer who is the designated EEO/AA Liaison/Officer and a full description of that officers’ duties/responsibilities in these areas.
4. A detailed assessment of the company’s current demographic composition by job group which includes the findings of the submitted Current Work Force Profile and the expected results of the Projected Work Force for the year. This must include identification of those areas where the work force fails to achieve the female and minority goals.

Workforce Analysis:

https://www.doleta.gov/oa/bul08/Bul18_AffirmativeActionPlan.pdf

- Statistical breakdown of workforce by each department, job category, grade/rank of employee and job title.
- Cross reference each by race/national origin and gender
- Include principal rates of pay for each category, grade/rank of employee, and job title for each employee

Availability Analysis:

http://www.dol.gov/ofccp/regs/compliance/ContractorNotice_final.html

- Availability of minorities and women in the relevant labor market broken down by job category.

Utilization Analysis:

<http://www.hr-software.net/EmploymentStatistics/UtilizationAnalysis.htm>

- Comparison of the participation rate of minorities and women by job category (Workforce Analysis) with their availability in the relevant labor market (Utilization Analysis).
- For each job category, the Utilization Analysis will indicate whether minorities and women are fully utilized or underutilized.

Goals and Timetables:

- Goals and Timetables must be established for any job category for which the Utilization Analysis indicated that minorities or women are underutilized.
- The Plan must set specific, measurable, attainable hiring and promotion goals with target dates for each job category in which women or minorities were found to be underutilized. Each goal should be realistic and attainable.

- Develop and execute action-oriented programs designed to attain goals and to eliminate any systemic barriers to maintaining a diverse and inclusive workforce.
 - Design and implement a means for monitoring progress toward attaining goals, such as an internal audit and reporting systems to measure the effectiveness of the total program.
 - If you are updating a prior affirmative action plan, and previously established goals and timetables were not met, you are to provide a justification (for instance, anticipated job openings may not have materialized, or the applicant pool may not have yielded qualified female or minority candidates for positions that were open
5. Summary of Prior Year's Affirmative Action Program Goals and Timetables. If previously established goals were not attained, the LPA must provide an explanation and a revised action plan. Future goals and timetables should seek to overcome the obstacles encountered in prior efforts to meet established goals.
 6. Statement that every manager and supervisor is accountable and responsible for helping to meet the goals, and reaffirmation of the LPA's EEO policy in all personnel actions.
 7. Policies and procedures that address nondiscrimination in personnel transactions must be included for each of the following:
 - Recruitment, selection, & hiring practices
 - Employment mobility such as transfers or promotions
 - Training and testing
 - Layoff and recall procedures
 - Leave policies
 - Termination and grievance procedures
 - Sexual harassment and compliance of personnel policies and practices with anti-sex discrimination guidelines

If the LPA has a grievance procedure must be stated, step by step, with reference to outside agencies that can be contacted for further assistance should the employee not be satisfied by the internal remedy of the organization
 8. Reaffirmation of the LPA's EEO policy in all personnel actions (e.g. Recruitment notices and letterhead)
 9. Detail of formal internal and external dissemination of the LPA's nondiscrimination statement and policies.
 10. Establishment of responsibilities by position title for implementation of each aspect of LPA's affirmative action plan. 11. The affirmative action plan must indicate that it will be reviewed annually by the company EEO Officer and Chief Executive.