



Affirmative Action Plan

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Policy Statement

It is the policy of NECTD to assure that applicants are employed, and that employees are treated during employment, without regard to an individual's race, color, religion, sex, sexual orientation, gender identity, national origin, age, ancestry, present or past history of mental disability, learning disability, marital status (including civil unions), mental retardation, and physical disability. Such action shall include; employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.

NECTD will implement, monitor, enforce and achieve **full compliance** with this Affirmative Action Policy Statement in conjunction with the applicable Federal and State laws, regulations, executive orders and contract provisions, including but not limited to those listed below:

Dissemination of Policy:

All members of NECTD who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, NECTD's Equal Employment Opportunity (EEO) policy and contractual responsibilities to provide EEO in each grade and classification of employment. These actions shall include:

1. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time NECTD's EEO policy and its implementation will be reviewed and explained. These meetings will be conducted by the EEO officer.
2. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.
3. All personnel who are engaged in direct recruitment for NECTD will be instructed by the EEO Officer of the contractor's procedures for locating and hiring minority group employees.
4. Notices and posters setting forth NECTD's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.
5. NECTD's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

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Recruitment:

When advertising for employees, NECTD will include in all advertisements the notation; ***“An Affirmative Action/ Equal Opportunity Employer.”*** All such advertisements will be placed in publications having a large circulation among minority groups in the area where the work force would normally be derived.

1. NECTD will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minority and female applicants. To meet this requirement, NECTD will identify referral sources and establish procedures for recruitment to obtain the referral of minority and female applicants.
2. In the event NECTD has a valid bargaining agreement providing for exclusive hiring referrals, he/she is expected to observe the provisions of that agreement to the extent that the system permits the contractor's compliance with EEO contract provisions. (The USDOL has held that where implementation of such agreements has had the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Executive Order 11246, as amended.)
3. NECTD will encourage his/her present employees to refer minority group applicants for employment. Information and procedures with regard to referring minority group applicants will be discussed with employees.

Personnel Actions:

Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

1. NECTD will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of personnel.
2. NECTD will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take correction action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.
3. NECTD shall periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.
4. NECTD will promptly investigate all complaints of alleged discrimination made to NECTD, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective actions shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of his avenues of appeal.

Training and Promotion:

NECTD will assist in locating, qualifying, and increasing the skills of minority group and women employees, and applicants for employment. NECTD will utilize the following tools to identify training and promotional opportunities in NECTD:

1. NECTD will advise employees and applicants for employment of available training programs and the entrance requirements.

2. NECTD will periodically review the training and promotion of potential minority group and women employees and will encourage eligible employees to apply for such training and promotion.

Unions:

If NECTD relies in whole or in part upon unions as a source of employees, the contractor will use his/her best efforts to obtain the cooperation of such unions to increase opportunities for minority groups and women within the unions, and to effect referrals by such unions of minority and female employees. Actions by NECTD either directly or through a contractor's association acting as agent will include the procedures set forth below:

1. NECTD will use best efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minority group members and women for membership in the unions and increasing the skills of minority group employees and women so that they may qualify for higher paying employment.
2. NECTD will use best efforts to incorporate an EEO clause into each union agreement to the extent that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, national origin, age or disability.
3. NECTD is to obtain information as to the referral practices and policies of the labor union except that to the extent that such information is within the exclusive possession of the labor union and such labor union refuses to furnish the information to the contractor, the contractor shall notify the Connecticut Department of Transportation (CTDOT) of the efforts made to obtain the information.
4. In the event the union is unable to provide NECTD with a reasonable flow of minority and women referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, national origin, age or disability; making full efforts to obtain qualified and/or qualifiable minority group persons and women. (The United States Department of Labor has held that it shall be no excuse that the union with which the contractor has a collective bargaining agreement providing for exclusive referral failed to refer minority employees.) In the event the union referral practice prevents the contractor from meeting the obligations under Executive Order 11246 as amended, and in compliance with 23 CFR Part 230, NECTD will notify CTDOT.

Selection of Subcontractors:

NECTD will not discriminate on the grounds race, color, religion, sex, sexual orientation, gender identity, national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment.

1. NECTD shall use his/her best efforts to ensure subcontractor/subconsultant compliance with Federal and State Equal Opportunity (EO) and EEO requirements.

Records and Reports:

The Contractor shall keep records as necessary to document compliance with EO/EEO requirements. Such reports shall be retained for a period of three years following completion of the contract work and shall be available at reasonable times and places for inspection by authorized representatives of CTDOT and/or the United States Department of Transportation. The following records should be maintained:

1. The number of minority and non-minority group members and women employed in each work classification;
2. The progress and efforts being made in cooperation with unions, when applicable to increase the employment opportunities for minorities and women;

3. The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minority and female employees;
4. Complaints of Discrimination; and
5. Information required for your Affirmative Action Plan Update.

In implementing this policy and ensuring that affirmative action is being provided, each time a hiring opportunity occurs this firm will contact and request referrals from minority and female organizations, referral sources, and media sources. All advertising will emphasize that NECTD is "An Affirmative Action/Equal Opportunity Employer." In order to substantiate this firm's efforts and affirmative actions to provide equal opportunity, NECTD will maintain and submit, as requested, documentation such as referral request correspondence, copies of advertisements utilized and follow-up documentation to substantiate that efforts were made in good faith. This firm will maintain the necessary internal audit procedures and record keeping systems to report NECTD's affirmative action efforts. It is understood by me, my Equal Employment Opportunity Officer and my supervisory and managerial personnel that failure to effectively implement, monitor and enforce this firm's affirmative action program and/or failure to adequately document the affirmative actions taken and efforts made to recruit and hire minority and female applicants, in accordance with our affirmative action program in each instance of hire, will result in this firm being required to recommit itself to a modified and more stringent affirmative action program as a condition of approval. It is recognized that an approved affirmative action program is a prerequisite for performing services for the contracting agency. This plan, in addition to CTDOT's EO/EEO contract provisions and requirements, shall constitute the CTDOT Affirmative Program.

The ultimate responsibility for the full implementation of this firm's Affirmative Action Program rests with the Chief Executive Officer of this firm. However, the day-to-day duties will be coordinated by Maureen Adams, NECTD Fiscal Director, who has been designated as the Equal Opportunity Officer of this firm. In addition, each manager and supervisor, and all employees are directed to aid in the development and implementation of this program and will be held responsible for compliance to its objectives.

John . J. Filchak, III - Executive Director

Signature of Chief Executive Officer/President Date

John J. Filchak, III - Executive Director

Assignment of Responsibilities

The contractor/consultant shall designate a responsible official to monitor all employment related activity to ensure that NECTD's EEO policy is being implemented. The contracting officers and equal opportunity officer (hereinafter referred to as the EEO Officer) shall have the responsibility for and must be capable of effectively administering and promoting an active program of equal employment opportunity and who must be assigned adequate authority and responsibility to do so.

I hereby appoint Maureen Adams, NECTD Fiscal Director as the Equal Employment Opportunity Officer of this firm. It is my responsibility as the Chief Executive Officer of this firm to notify the State of Connecticut Department of Transportation of any change in designation of EEO Officer for this firm.

SIGNATURE OF CEO/PRESIDENT DATE

I have been made aware of my duties and responsibilities as the Equal Employment Opportunity Officer for this firm.

SIGNATURE OF EEO OFFICER DATE

Maternity Leave Policy

The purpose of Maternity Leave is to allow a pregnant employee reasonable time off from work on the basis that she is physically incapacitated, medically disabled and unable to perform her job.

The idea that an employee can be approved for several months of paid or unpaid Maternity Leave up to the labor contract limit simply because she is pregnant or has delivered a child is a misinterpretation and simply not true. The length of time which an employee is approved for Maternity Leave depends on the length of time she is medically disabled and can document the disability via a Medical Certificate.

Public Act No. 73-647, effective October 1, 1973 modifies Section 31-126 of the General Statutes and makes it an unfair employment practice:

“(g) for an employer, by himself or his agent, (i) to terminate a woman’s employment because of her pregnancy, (ii) to refuse to grant to said employee a reasonable leave of absence for disability resulting from such pregnancy, or (iii) to deny to said employee, who is disabled as a result of pregnancy, any compensation to which she is entitled as a result of the accumulation of disability or leave benefits accrued pursuant to plans maintained by said employer. Upon signifying her intent to return, such employee shall be reinstated to her original job or to an equivalent position with equivalent pay and accumulated seniority, retirement, fringe benefits and other service credits, unless, in the case of a private employer, the employer’s circumstances have so changed as to make it impossible or unreasonable to do so.”

In accordance with this statute, the following policy and procedure shall be adopted to cover the disability situations resulting from pregnancy:

Disability is defined as the hospital stay and any period of time prior to and subsequent to delivery certified by the attending physician as that period of time when an employee is unable to perform the requirements of her job. Obviously, the period of disability will vary with the individual. Depending upon the circumstances, this certification may be reviewed by an approved state physician.

1. During the period of disability, sick leave shall be granted under exactly the same terms and conditions as any other disability.
2. Upon expiration of sick leave, the employee may request, and shall be granted, the use of vacation, personal time and earned time.
3. Upon expiration of paid leave, the employee must request, and shall be granted a leave of absence without pay with her position held. The total period of leave of absence without pay with position being held shall not exceed _____ months following the date of delivery. A request to continue on a leave of absence beyond this _____ month period must be in writing. If granted, the position may or may not be held for this extended period subject to the appointing authority’s decision.

All requests for leave under this policy must be submitted, in writing, to the appointing authority accompanied by an acceptable medical certificate. This request shall contain the following information:

1. The expected date of delivery;
2. Anticipated use of sick leave, vacation, personal leave and earned time;
3. Intentions of returning to work.

The rules and regulations governing the use and submission of medical certificates shall apply, except that the doctor's original medical certificate shall be accepted for absence due to pregnancy disability up to four weeks after delivery. (Further absences will require additional medical certificates in accordance with normal procedures).

NOTE: Nursing of a child, per se, will not be considered disability for sick leave purposes. All leaves of absence without pay in excess of five (5) consecutive working days will be subject to the approval of the Chief Administrative Officer.