

Title VI Program

For the Johnson City Metropolitan Transportation Planning Organization



Includes: Environmental Justice, Limited English Proficiency, Disadvantaged Business Enterprises, and Equal Employment Opportunity

This Title VI Program was developed by the Johnson City MTPO, in cooperation with:

Federal Highway Administration

Federal Transit Administration

Tennessee Department of Transportation

An electronic copy of this document can be found on our website at <http://jcmopo.org/civilrights.html>.

If you need this document translated into Spanish or another language, please contact the MTPO Coordinator, by phone at (423) 434-6272 or email at jcmopo@jcmopo.org.

Spanish Translation of the above statement:

Si usted necesita este documento resumido en español contacta por favor al Coordinator del MTPO. Numero de telefono (423) 434-6272, correo electronico: jcmopo@jcmopo.org.

The Johnson City Metropolitan Transportation Planning Organization (MTPO) ensures compliance with Title VI of the Civil Rights Act of 1964; 49 CFR, part 26; related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation on the grounds of race, color, sex or national origin.

Table of Contents

Abbreviations	4
Chapter 1: Overview	5
What is the Johnson City Metropolitan Transportation Planning Organization?.....	5
What is the purpose of the Title VI Program?	6
Reporting and Subrecipients.....	7
Chapter 2 – Profile of the Johnson City MPA.....	8
Population Race Profile.....	8
Population Hispanic or Latino Origin Profile.....	11
Population Low Income Profile	13
Chapter 3: Statement of the Title VI Policy.....	16
Chapter 4: Federal and State Regulations and Requirements.....	17
Federal Nondiscrimination Acts.....	17
Federal Nondiscrimination Executive Orders	18
Sections on Nondiscrimination in the Code of Federal Regulations (CFR)	18
Tennessee Human Rights Commission (THRC) Chapter 1500	19
Chapter 5: Title VI Complaint Procedures.....	20
Chapter 6: General Guidelines of Notice to the Public	22
Annual Notice in Regional Newspaper	22
Posters	22
Website	22
Social Media	22
Chapter 7: Environmental Justice	23
Chapter 8: Limited English Proficiency Policy	25
Four Factors Analysis	25
LEP Implementation.....	27
Chapter 9: Disadvantaged Business Enterprises.....	28
Chapter 10: Equal Employment Opportunities.....	29
Chapter 11: Title VI Coordinator.....	30
Appendix A – Title VI Assurance, 2014	31
Appendix B – Title VI Complaint Form	32

Appendix C – Affidavit of Publication for Title VI Policy Statement	36
Appendix D – Title VI Poster	37
Appendix E – Avaza Language Services Identification Guide.....	38
Appendix F – Equal Employee Opportunity Policy.....	39

Abbreviations

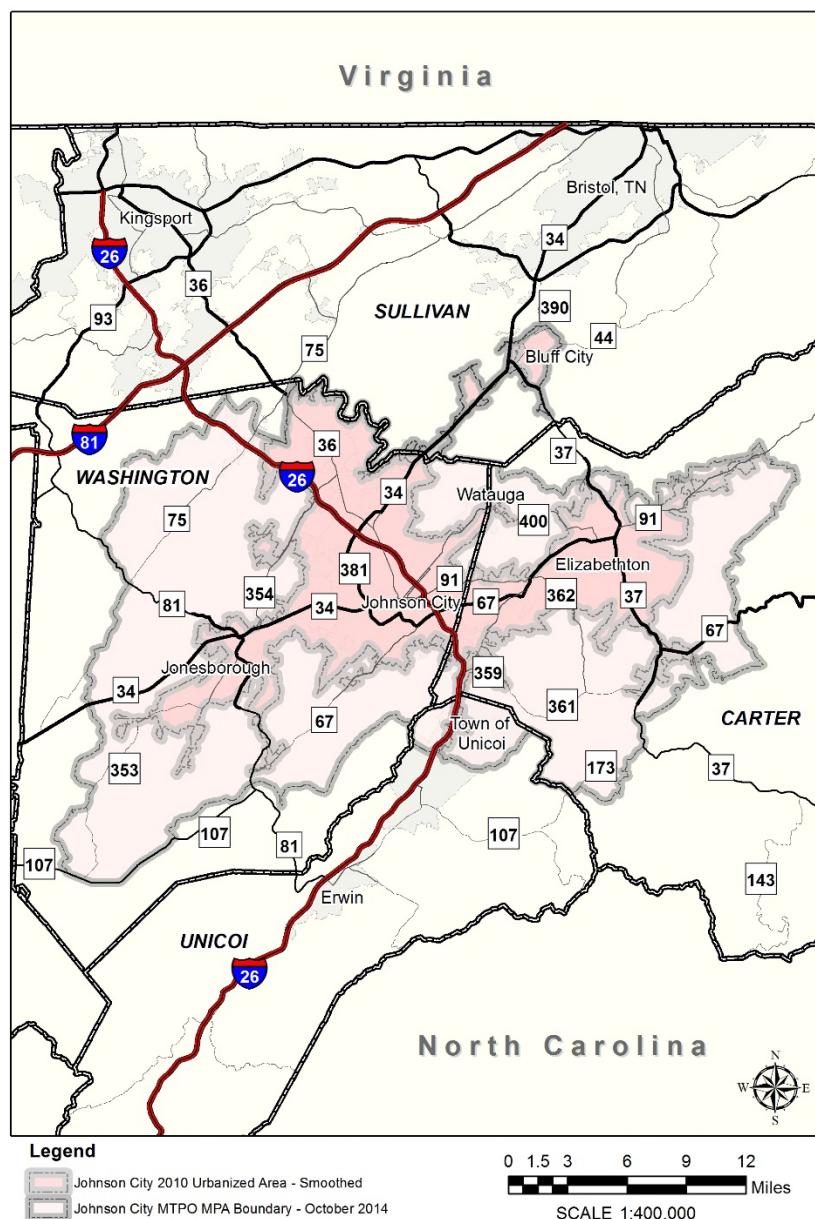
ACS	American Community Survey
ADA	The Americans with Disabilities Act
CFR	Code of Federal Regulations
DBE	Disadvantaged Business Enterprise
EEO	Equal Employment Opportunity
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
HR	Human Resources
JCT	Johnson City Transit
LEP	Limited English Proficiency
LRTP	Long Range Transportation Plan
MPA	Metropolitan Planning Area
MTPO	Metropolitan Transportation Planning Organization
NEPA	National Environmental Policy Act
PPP	Public Participation Plan
TDOT	Tennessee Department of Transportation
THRC	Tennessee Human Rights Commission
TIP	Transportation Improvement Program
UPWP	Unified Planning Work Program
U.S.	United States
U.S. DOT	United States Department of Transportation
UZA	Urbanized Area

Chapter 1: Overview

What is the Johnson City Metropolitan Transportation Planning Organization?

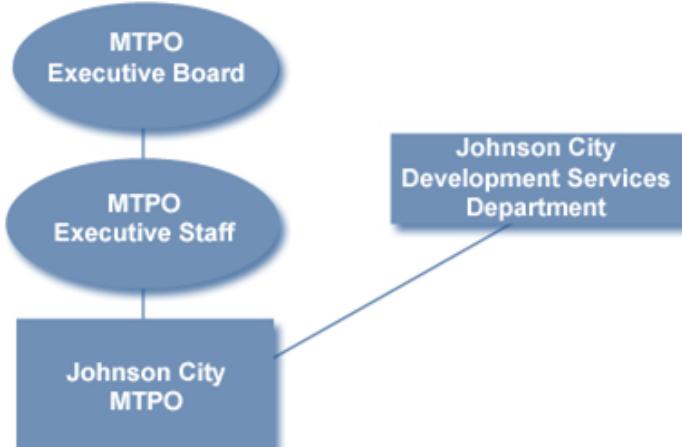
The Johnson City Metropolitan Transportation Planning Organization (MTPO) is federally mandated to carry out the planning and programming of federal, state and local transportation funding and activities within the Town of Bluff City, Town of Jonesborough, portion of the Town of Unicoi, City of Elizabethton, City of Johnson City, and portions of Carter, Sullivan and Washington Counties. Figure 1 shows the boundary of the Johnson City Urbanized Area (UZA), which is designated by the United States (U.S.) Census Bureau, and the Metropolitan Planning Area (MPA), which is approved by the Governor of Tennessee.

Figure 1
Johnson City MTPO MPA Boundary



The Johnson City MTPO is comprised of an Executive Board, Executive Staff, and MTPO administrative staff. The Executive Board is the overall governing and decision/policy making body for the Johnson City MTPO and is supported by the Executive Staff and MTPO administrative staff. The Executive Board's membership is comprised of the highest elected official of each member jurisdiction. The Executive Staff is comprised of the chief administrator of each member jurisdiction and advises the Executive Board. The list of member jurisdictions, elected officials and chief administrators, along with the by-laws of the Executive Board and the Executive Staff, can be found on the Johnson City MTPO website at http://jcmopo.org/board_staff.html. The administrative staff of the Johnson City MTPO report as a division to the Development Services Department of the City of Johnson City; however, the administrative staff also reports to the Executive Board. Figure 2 below shows the organizational structure of the Johnson City MTPO.

Figure 2
Johnson City MTPO Organizational Chart



What is the purpose of the Title VI Program?

The purpose of the Title VI Program is to provide one document that outlines the procedures the Johnson City MTPO uses to address the following aspects of its civil rights responsibilities:

- Title VI
- Environmental Justice
- Limited English Proficiency
- Disadvantaged Business Enterprises
- Equal Employment Opportunities
- Public Participation

This Title VI Program provides guidance with information and tools the MTPO staff uses when conducting Title VI activities for planning projects and to provide the public with information about their rights and procedures for filing a complaint, along with contact information for the Johnson City MTPO and various agencies' civil rights offices.

Reporting and Subrecipients

The Johnson City MTPO is a subrecipient to the State of Tennessee Department of Transportation (TDOT). The Civil Rights Office of TDOT monitors the Johnson City MTPO for civil rights compliance. A triennial assessment report is required to be submitted to the Civil Rights Office and Title VI assurances are also provided annually. The latest Title VI Assessment Report is available on the website at www.jcmopo.org/civilrights.html. No funds are passed through the Johnson City MTPO to subrecipients, so the subject of monitoring subrecipients will not be addressed in this document.

Chapter 2 – Profile of the Johnson City MPA

This chapter provides tables and figures that measure and display the demographic profile of the Johnson City MPA, including facts about race, Hispanic origin, and low income. The Johnson City MPA consists of 106 block groups from Carter, Sullivan, Washington and Unicoi Counties. The data was provided by the U.S. Census Bureau, from the 2009-2013 American Community Survey, which provides 5-year estimates. Please note that the data from the American Community Survey (ACS) Data is based on a sample and are subject to sampling variability. The sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the ACS website at http://www.census.gov/acs/www/methodology/sample_size_and_data_quality/.

Population Race Profile

According to the ACS data in Table 1 below, it was determined that the population of the Johnson City MPA is 93.32% non-minority and 6.68% minority. Of the 106 block groups that cover the Johnson City MPA, 13 have a population that is 20% or more minorities. Figure 3 on the next page displays the block groups that create the Johnson City MPA as a percentage minority. The minority population is mostly concentrated in the inner city area where the oldest neighborhoods and government housing projects are located, but two block groups are located in a northern area where there is ample low-income multifamily housing. Table 2 on page 10 provides a location description of the 13 block groups with the greatest percentage of minority.

Table 1 – Johnson City MPA Block Groups - Race

Category	Number	Percent
Total Population	167,389	100%
White	156,215	93.32%
Black	5,424	3.24%
American Indian or Alaskan Native	462	0.28%
Asian	1,793	1.07%
Native Hawaiian or Pacific Islander	6	0.01%
Some Other Race	715	0.43%
Two or More Races	2,774	1.65%

Source: 2009-2013 American Community Survey 5-Year Estimate

Figure 3

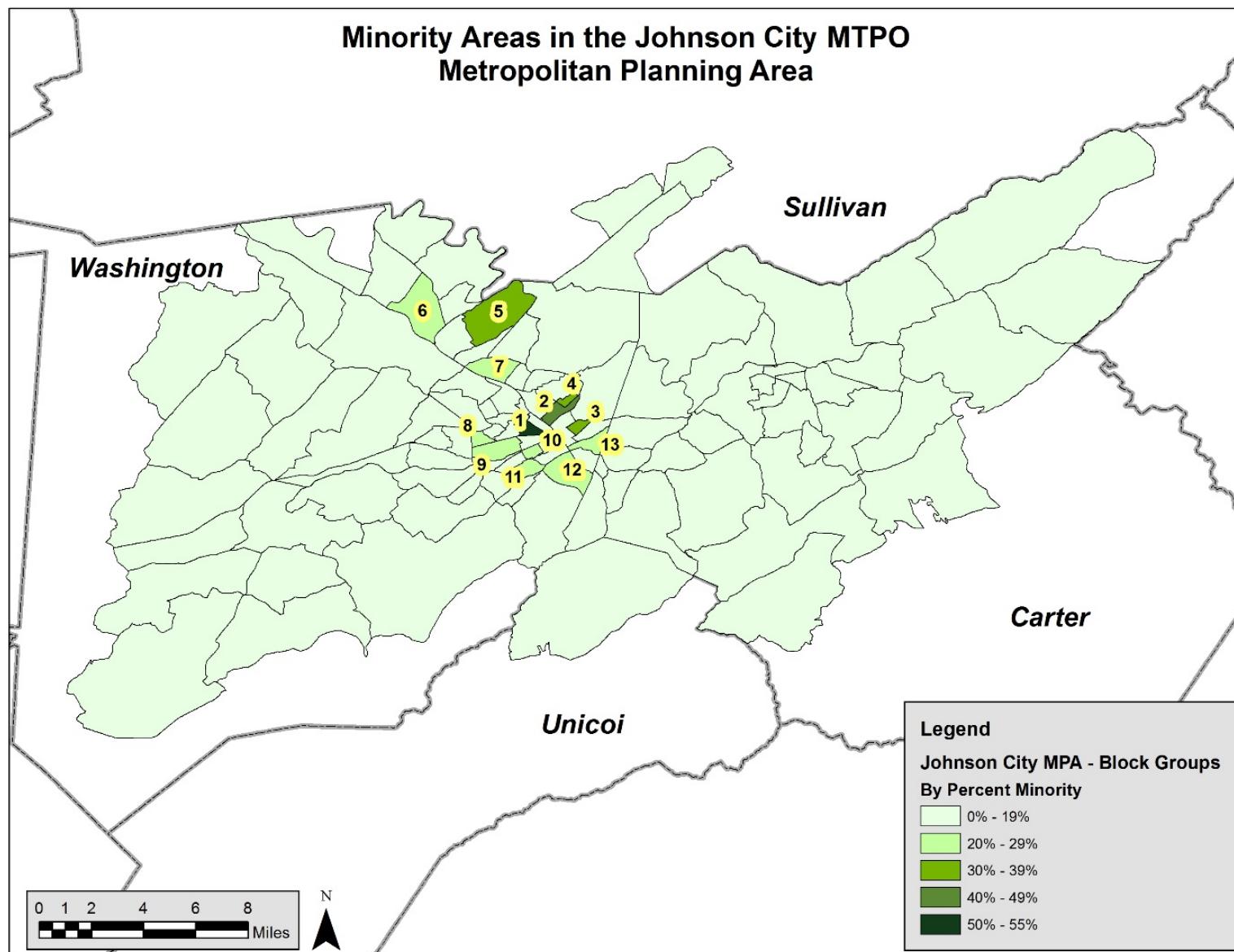


Table 2 – Identification of Minority Block Groups

Map Number	Location	Percent Minority
1	Bounded by John Exum Pkwy to the west, N Roan St to the north, Buffalo St to the east, and W Market St to the south (<i>Carter Community</i>)	55%
2	Bounded by I-26 to the southwest, E Chilhowie Ave to the northwest, continuing northeast along N Broadway St & E Fairview Ave, ending at the NS Railroad to the southeast	42%
3	Bounded by Bert St to the west, E Main St to the north, Orleans St to the east and south (<i>Keystone Community</i>)	36%
4	Bounded by N Broadway to the southwest, E Chilhowie Ave to the northwest, Earl St & E Unaka Ave to the north, Steel St to the northeast, and E Fairview Ave to the southeast (<i>Fairview Community</i>)	30%
5	Bounded by TVA Main Lines to the west, Boone Lake to the north, Bristol Hwy to the east, and E Mountainview Rd to the south	35%
6	Bounded by I-26 to the southwest, Old Stage Rd to the northwest, N Roan St to the north & east, and Carroll Creek Rd to the south	20%
7	Bounded by I-26 to the west & south, W & E Oakland Ave to the north, and Princeton Rd to the east	21%
8	Bounded by CSX Railroad to the west, Skyline Rd to the north, Indian Ridge Rd to the east, and W Market St to the south (<i>Clark Manor Community</i>)	20%
9	Bounded by CSX Railroad to the west, W Market St to the north, Hillcrest St/University Pkwy to the east, and NS Railroad to the south	28%
10	Bounded by University Pkwy to the west, NS Railroad to the north, Sevier St to the east, and Southwest/Cedar/Poplar St to the south	25%
11	Bounded by College Heights/Southwest Ave to the west, CSX Railroad/Southwest Ave to the northwest, University Pkwy to the northeast, and Cherokee Rd to the east/southeast	26%
12	Bounded by CSX Railroad to the west/southwest, University Pkwy to the north, I-26 to the northeast, and the Carter County line to the southeast	23%
13	Bounded by I-26 to the west, Kingsprings Rd to the north, Carter County line to the east, and Milligan Hwy to the south	28%

Source: 2009-2013 American Community Survey 5-Year Estimate

Population Hispanic or Latino Origin Profile

According to the data in Table 2 below, the population of the Johnson City MPA is 97.33% non-Hispanic and 2.67% Hispanic. Of 106 block groups, 99 were less than 10% Hispanic. Three communities were 10-14% Hispanic, two communities were 15-19% Hispanic, one community is 20% Hispanic, and one community is 34% Hispanic. Figure 4 on the next page displays the block groups by percentage Hispanic. Table 4 on page 13 provides a location description of the seven block groups with the most Hispanic.

Table 3 – Johnson City MPA Block Groups - Hispanic or Latino Origin

Category	Number	Percent
Total Population	167,389	100%
Not Hispanic or Latino	162,918	97.33%
Hispanic or Latino	4,471	2.67%

Source: 2009-2013 American Community Survey 5-Year Estimate

Figure 4

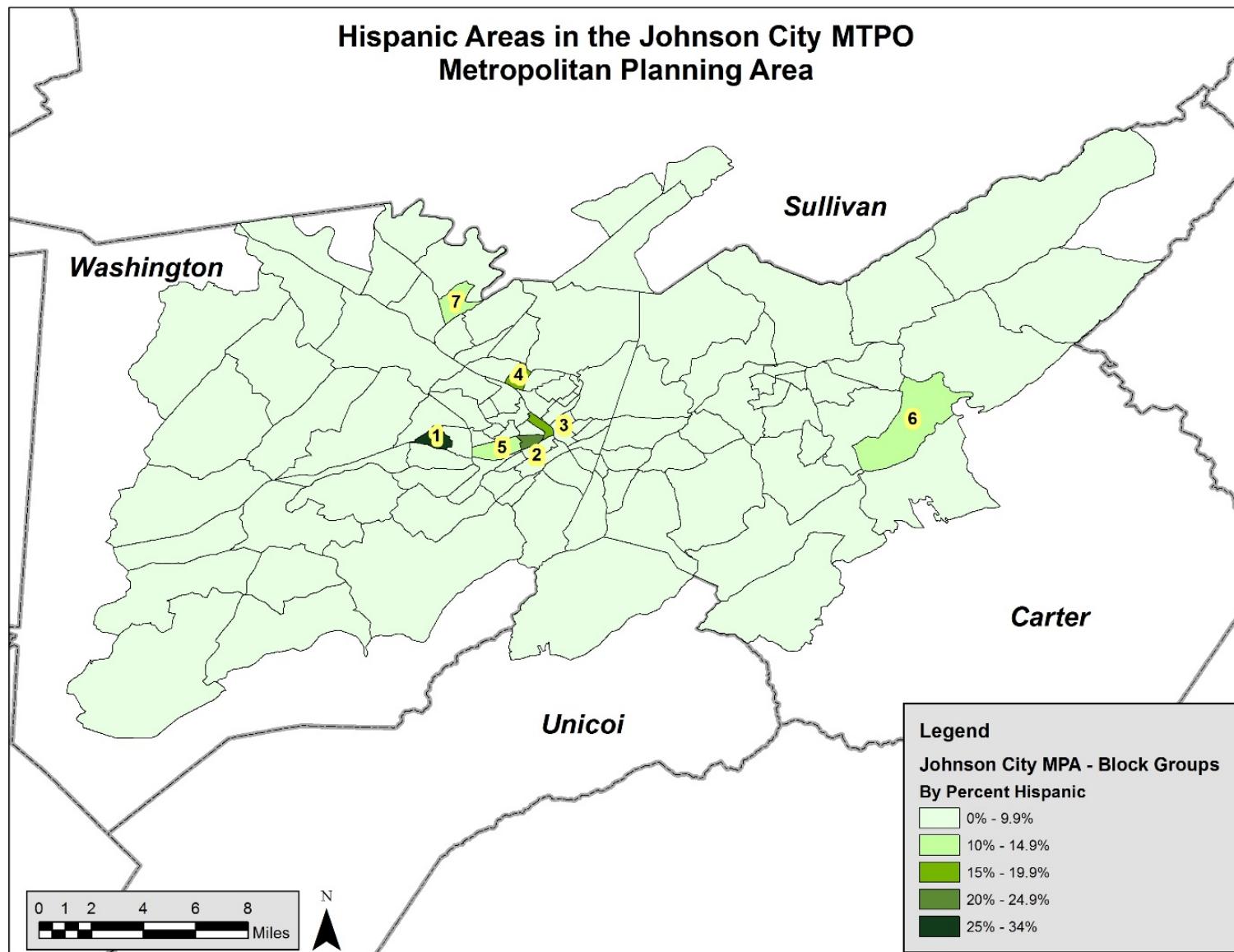


Table 4 – Identification of Hispanic or Latino Origin Block Groups

Map Number	Location	Percent Hispanic
1	Bounded by Indian Ridge Road to the northwest/north, Lynn Rd to the east, and NS Railroad to the south	34%
2	Bounded by Hillcrest St/University Pkwy to the west, W Market St to the north, and NS Railroad to the east/south	20%
3	Bounded by N Roan St/NS Railroad to the west/southwest, E 11 th Ave to the north, I-26 to the east, and old ET&WNC Railroad to the south	16%
4	Bounded by I-26 to the southwest, Princeton Rd to the northwest, E Oakland Ave to the northeast, and W Lakeview Dr to the southeast	16%
5	Bounded by CSX Railroad to the west/south, W Market St to the north, and Hillcrest St/University Pkwy to the east	14%
6	Bounded by TVA Main Lines to the west, Siam Rd to the northwest, Watauga River to the north, and the mountain ridgeline to the south	14%
7	Bounded by N Roan St to the west, Boone Ave/Pickens Bridge Rd to the north, Flourville Rd/Boone Lake to the east, and Carroll Creek Rd/ Carroll Creek to the south	10%

Source: 2009-2013 American Community Survey 5-Year Estimate

Population Low Income Profile

Figure 5 on the next page shows the block groups of the Johnson City MPA by median income, with the lightest shaded areas having the lowest income. The majority of these areas are located in the inner city and oldest communities of Johnson City and Elizabethton, along with the areas outside of the city. Out of 106 block groups, 18 have a median income below \$25,000. Table 5 on page describes the location of these low income block groups.

Figure 5

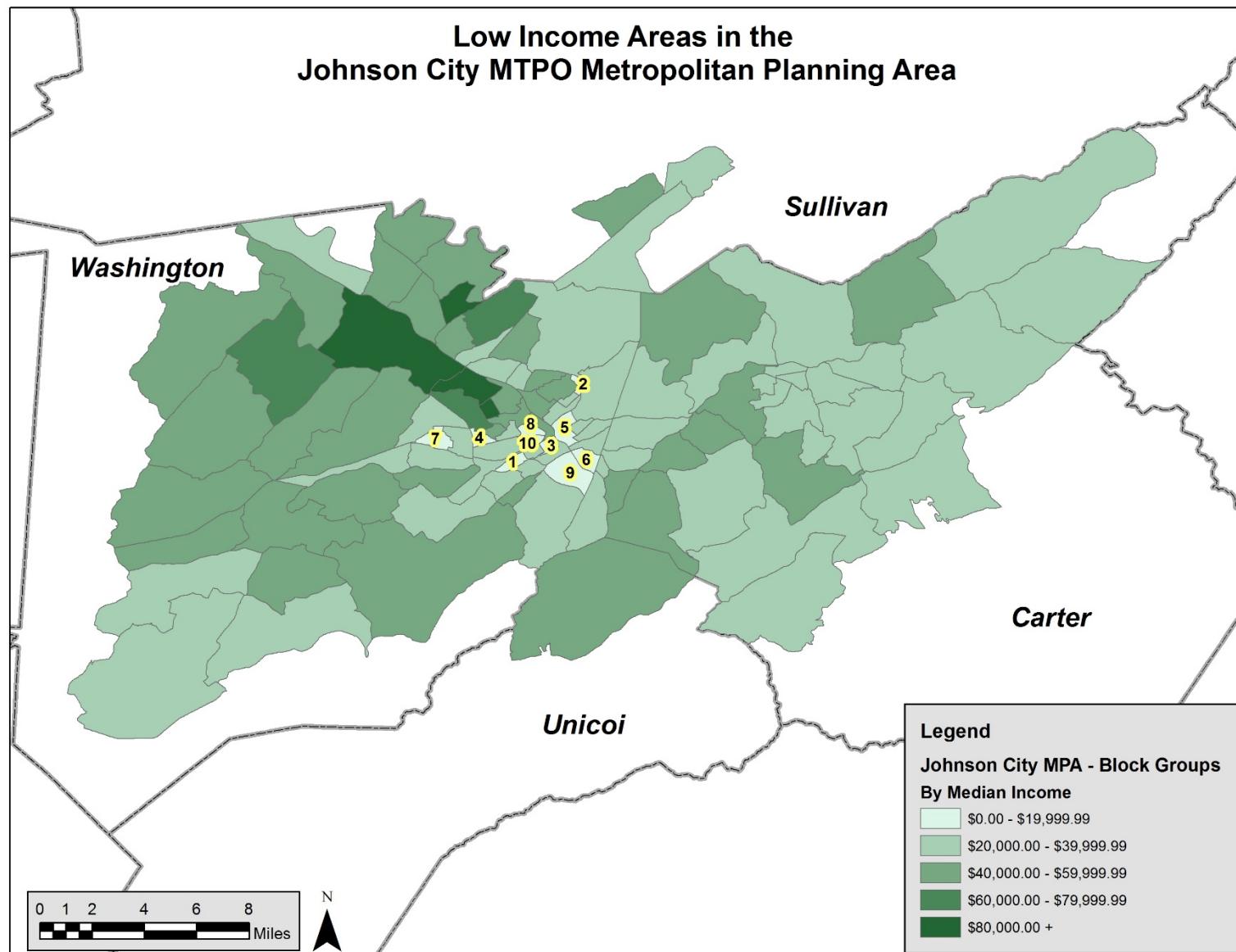


Table 5 – Identification of Low Income Block Groups

Map Number	Location	Median Income
1	Entire Campus of East Tennessee State University	\$0.00/ No Data
2	Bounded by Country Club Dr/E Unaka Ave to the west, E Lakeview Dr to the north, E Fairview Dr to the east, and Steel St to the south	\$15,375
3	Bounded by Sevier St to the west, old ET&WNC Rail line to the north, I-26/S Roan St to the east, and W Chestnut St to the south	\$16,523
4	Bounded by CSX Railroad to the west, Skyline Rd to the north, Indian Ridge Rd to the east, and W Market St to the south (<i>Clark Manor Community</i>)	\$16,690
5	Bounded by I-26 to the southwest, NS Railroad to the northwest, S Broadway St to the northeast, E Main St/Bert St to the east, and E Highland Rd to the south	\$17,621
6	Bounded by I-26 to the west, University Pkwy to the north, Milligan Hwy to the north/northeast, and the Carter County line to the east/southeast	\$17,731
7	Bounded by Indian Ridge Road to the northwest/north, Lynn Rd to the east, and NS Railroad to the south	\$18,516
8	Bounded by John Exum Pkwy to the west, N Roan St to the north, Buffalo St to the east, and W Market St to the south (<i>Carter Community</i>)	\$18,816
9	Bounded by CSX Railroad to the west/southwest, University Pkwy to the north, I-26 to the northeast, and the Carter County line to the southeast	\$19,167
10	Bounded by Hillcrest St/University Pkwy to the west, W Market St to the north, and NS Railroad to the east/south	\$19,667

Source: 2009-2013 American Community Survey 5-Year Estimate

Chapter 3: Statement of the Title VI Policy

The Johnson City MTPO ensures compliance with Title VI of the Civil Rights Act of 1964; 49 CFR, part 26; related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation on the grounds of race, color, sex or national origin.

The Johnson City MTPO further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether these programs or activities are federally funded or not. The City of Johnson City further assures compliance with Title VI.

The annual Title VI Assurance for the Johnson City MTPO is attached as Appendix A.

Chapter 4: Federal and State Regulations and Requirements

The following types of federal and state requirements affect how the Johnson City MTPO conducts business and ensures its procedures are in compliance with nondiscrimination acts, executive orders and federal regulations.

Federal Nondiscrimination Acts

- **Title VI of the Civil Rights Act of 1964** states that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Title VI applies to the Johnson City MTPO as it is a federally-mandated agency funded primarily through two federal agencies, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).
- **The National Environmental Policy Act (NEPA) of 1969** addresses both social and economic impacts of environmental justice. NEPA stresses the importance of providing for “all Americans, safe, healthful, productive and aesthetically pleasing surroundings,” and provides a requirement for taking a “systematic interdisciplinary approach” to aid in considering environmental and community factors in decision-making.
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federal and federal-aid programs and projects.
- **The Federal Aid Highway Act of 1973** states that no person shall, on the grounds of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.
- **Section 504 of the Rehabilitation Act of 1973** states that no qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance. This Act protects qualified individuals from discrimination based on their disability.
- **The Age Discrimination Act of 1975** states that no person shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. This act prohibits age discrimination in federally-assisted programs.
- **The Civil Rights Restoration Act of 1987**, P.L.100-209 amends Title VI of the 1964 Civil Rights Act to make it clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.

- **The American Disabilities Act (ADA) of 1990, as amended**, prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities.

Federal Nondiscrimination Executive Orders

- **Executive Order 12898 on Environmental Justice (February 11, 1994)** – A presidential mandate to address equity and fairness toward low-income and minority persons/population. Executive Order 12898 organized and explained the federal government's commitment to promote Environmental Justice. Each federal agency was directed to review its procedures and make environmental justice part of its mission. US Department of Transportation (U.S. DOT) Order 5610.2 (April 15, 1997) expanded upon Executive Order 12898 requirements and describes the process for incorporating Environmental Justice principles into DOT programs, policies, and activities.
- **DOT Order 5610.2(a) on Environmental Justice (May 2, 2012)** – This US DOT order summarized and expanded upon the requirements of Executive Order 12898 to include all policies, programs, and other activities that are undertaken, funded, or approved by FHWA, FTA, or other U.S. DOT components.
- **FHWA Order 6640.23A (June 14, 2012)** – FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.
- **Executive Order 13166 – Limited English Proficiency (August 11, 2000)**, a presidential directive to federal agencies and their recipients to improve access for persons with Limited English Proficiency to federally-conducted and federally assisted programs and activities.
- **FHWA/FTA Memorandum Implementing Title VI Requirements in Metropolitan and Statewide Planning** - This memorandum provides clarification for field officers on how to ensure that environmental justice is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that environmental justice is equally as important during the planning stages as it is during the project development stages.

Sections on Nondiscrimination in the Code of Federal Regulations (CFR)

- **23 CFR Part 200** – Federal Highway Administration regulations: Title VI Program and Related Statutes – Implementation and Review Procedures.
- **49 CFR Part 21** – Nondiscrimination in Federally-Assisted Programs.
- **23 CFR Part 450** – Federal Highway Administration planning regulations.
- **23 CFR Part 771** – Federal Highway Administration regulations, Environmental Impact Procedures.

Tennessee Human Rights Commission (THRC) Chapter 1500

Title VI Compliance Program – THRC Rule 1500-01-03-.03 states that “[i]t is a discriminatory practice for any state department or agency receiving federal funds making it subject to Title VI of the Civil Rights Act of 1964, or for any entity person receiving such federal funds from a state agency, to exclude a person from participation under any program or activity on the basis of race, color, or national origin.”

Chapter 5: Title VI Complaint Procedures

Any complaint alleging that the Johnson City MTPO, a division of the Development Services Department of the City of Johnson City, has not complied with Title VI regulations must be submitted in writing to Human Resources Director and Title VI Coordinator, City of Johnson City, 601 E. Main Street, Johnson City, TN, 37601. A written complaint must be filed within 180 days after the date of the alleged discrimination, unless the time for filing is extended by a federal agency. The written complaint will, at a minimum, provide the following information:

1. the specific act(s) of the Johnson City MTPO non-compliance in question;
2. the date(s) of Johnson City MTPO non-compliance in question;
3. specify the reasons why the complaining party believes that the Johnson City MTPO is not in compliance with the Title VI regulation(s) in question (including non-compliance in employment with the MTPO);
4. the name and address of the complainant (and person discriminated against if different from complainant); and
5. if applicable, the Title VI minority status of the complainant (or person discriminated against if different from complainant).

Upon receipt of the written Title VI Complaint, the City's Human Resource (HR) Director will contact the following applicable City staff to provide a summary of the complaint, and request assistance with the investigation of the complaint:

1. the Johnson City MTPO Title VI Coordinator; and/or
2. the Johnson City MTPO Transportation Coordinator.

The HR Director (City's Title VI Coordinator), the Johnson City MTPO Title VI Coordinator and/or the Johnson City MTPO Transportation Coordinator will coordinate efforts into investigating the act(s) of non-compliance with Title VI regulations alleged in the complaint and in preparing a written response, which will be completed within 10 business days from the date the City HR Director contacts the MTPO Coordinator, and/or the MTPO Title VI Coordinator regarding the complaint. The investigation activities may include, as applicable, review of MTPO Title VI-related procedures, interviews with MTPO employees, the complainant, and any witnesses to the alleged discrimination. Upon completion of the investigation, the original complaint and all information obtained during the investigation of the complaint will be submitted to the City Manager.

Upon review of the written investigation submission and any independent investigation deemed appropriate conducted by the City, the City Manager will either:

1. Render a decision which will be final, and advise all interested parties of this decision in writing; or
2. City Manager, at his/her sole discretion, may conduct an informal hearing at which the interested participating parties will be afforded an opportunity to present their respective position, including facts, documents, justification, and technical information in support thereof.
 - a. If the City Manager conducts an information hearing, the parties may be, but are not required to be, represented by counsel. The informal hearing will not be subject to formal rules of evidence or procedures.

-
- b. Following the informal hearing, the City Manager will render a decision, which will be final, and advise all interested parties thereof in writing.

Parties dissatisfied with the final decision of the City Manager, whether following review of the written submission or informal hearing, may contact the Tennessee Department of Transportation Civil Rights Office, the FHWA or FTA Civil Rights office, the U.S. Department of Transportation Civil Rights office and/or the U.S. Department of Justice.

A Title VI Complaint Form, attached as Appendix B, has been prepared for complainants to use, at their discretion, to file their complaint with one of these agencies (addresses included on form), or with the City of Johnson City.

Chapter 6: General Guidelines of Notice to the Public

Annual Notice in Regional Newspaper

Each January, the Johnson City MTPO publishes the Title VI policy statement in the Johnson City Press, the region's newspaper. The Title VI policy statement is published in both English and Spanish text. Currently there are no minority newspapers available in the region in which to publish notices. The 2015 publication affidavit is attached as Appendix C.

Posters

The Title VI Poster contains the policy statement and the contact information for the Johnson City MTPO Title VI Coordinator. The text is offered in both English and Spanish. The poster, which is attached as Appendix D, is displayed in the following locations:

- Lobby of the Johnson City Transit Center, near the dispatch window;
- Johnson City MTPO offices, located on the second floor of the Johnson City Transit Center;
- Break room used by Johnson City MTPO employees, also located on the second floor of the Johnson City Transit Center.

Website

The Johnson City MTPO website, www.jcmopo.org, is regularly maintained to provide the public with access to information regarding transportation planning in the Johnson City area. The website currently has a tab titled "Civil Rights" that displays the Title VI policy statement, Title VI Coordinator's contact information, along with this Title VI Program and other documents mentioned throughout.

Social Media

The Johnson City MTPO has a Twitter profile that is used to communicate frequently with followers, including periodic notices regarding transportation projects, upcoming meetings, and public hearings. At least annually, the Title VI policy statement is "tweeted".

Chapter 7: Environmental Justice

Presidential Executive Order 12898, signed in 1994, directed every Federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on minority populations and low-income populations. According to the FHWA, the U.S. DOT's environmental justice initiatives accomplish this goal by involving the potentially affected public in developing transportation projects that fit harmoniously within their communities without sacrificing safety or mobility. U.S. DOT Order 5610.2(a) (May 2, 2012) reaffirmed Executive Order 12898 requirements and described the process for incorporating environmental justice principles into US DOT programs, policies, and activities. FHWA Order 6640.23A (June 14, 2012) also reaffirms environmental justice for its programs, policies, and activities.

There are three fundamental environmental justice principles:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Disproportionately high and adverse effect on minority and low-income populations means an effect that is predominately borne by a minority population and/or a low-income population, or will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population. The following are examples of adverse effects: (1) air, noise, and water pollution; (2) destruction or disruption of man-made and natural resources, aesthetic values, community cohesion and the availability of public facilities and services; (3) adverse employment effects, and tax and property values losses; (4) injurious displacement of people, businesses and farming; and (5) disruption of desirable community and regional growth.

According to the FHWA, MPOs serve as the primary forum where State DOTs, transit providers, local agencies, and the public develop local transportation plans and programs that address a metropolitan area's needs. MPOs can help local public officials understand how Title VI and environmental justice requirements improve planning and decision making. To certify compliance with Title VI and address environmental justice, MPOs need to:

- Enhance their analytical capabilities to ensure that the long range transportation plan (LRTP) and the transportation improvement program (TIP) comply with Title VI.
- Identify residential, employment, and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed.

- Evaluate and - where necessary - improve their public involvement processes to eliminate participation barriers and engage minority and low-income populations in transportation decision making.

The Johnson City MTPO will ensure that its planning and decision making process follows the requirements for Title VI and environmental justice, including all of its major planning documents, such as the LRTP and Public Participation Plan.

Chapter 8: Limited English Proficiency Policy

In addition to the general Title VI guidelines described in previous chapters, this chapter will outline the Limited English Proficiency (LEP) Policy for the Johnson City MTPO. Executive Order 13166 for Limited English Proficiency was signed on August 11, 2000 and directed federal agencies and their recipients to improve access for LEP individuals to federally-conducted and federally assisted programs and activities. As a recipient of federal funding, the Johnson City MTPO is required to improve access for LEP individuals to the transportation planning process. The following Four Factors Analysis was conducted to ensure meaningful and appropriate access for LEP individuals identified in the Johnson City area.

Four Factors Analysis

Factor 1: Number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the grantee.

Table 6 below shows the number and percentage of households in the Johnson City MPA, identifying the language they speak at home and how well they speak English.

Table 6: Identifying Limited English Proficiency Households in the Johnson City MPA

Category	Number	Percentage
Total Households	69,909	100%
Households Who Speak Only English	66,722	95.44%
Households Who Speak A Language Other Than English	3,187	
Speaks English “Very Well”	2,782	3.98%
Speaks English “Less Than Very Well”	405	0.5%

Source: 2009-2013 American Community Survey 5-Year Estimate

According to Table 6, almost 4% of the households in the Johnson City MPA speak a language other than English at home. Of those households, the majority, 50%, speak Spanish. 405 households, or 0.5%, speak English less than very well. These households are considered Limited English Proficiency households.

Factor 2: The frequency with which LEP individuals come in contact with the program, activity, or service.

The Johnson City MTPO staff assessed, as accurately as possible, the frequency with which LEP individuals come in contact with any programs, activities or services that have been provided by the Johnson City MTPO in the past. To date, the Johnson City MTPO has received no requests, formal or otherwise, by LEP individuals seeking the translation of documents or interpreters at public meetings. To date, staff has not encountered a situation with any individual who did not speak English very well.

Factor 3: The nature and importance of the program, activity, or service provided by the Johnson City MTPO to the community.

The Johnson City MTPO uses federal funds to plan transportation projects. While these projects are important, the Johnson City MTPO does not provide social programs, activities or services that would be directly benefit or provide basic needs for the public. However, the Johnson City MTPO seeks to include all segments of the population, including LEP individuals, in the transportation planning and decision making process. The steps that are taken for public outreach are detailed in the Public Participation Plan. This document is found on the website at www.jcmopo.org/ppp.html and in the offices of the Johnson City MTPO.

Factor 4: The resources available to the Johnson City MTPO and costs.

The Johnson City MTPO ensures that efforts are made to include LEP individuals and provide them with the opportunity to be involved in the transportation planning process. These services are provided to the LEP individual free of charge. Resources that are currently provided for language assistance and their estimated cost to the Johnson City MTPO are:

- Telephone interpreter service is available, provided by Avaza Language Services, with a language identification guide available to MTPO staff to assist with identifying the LEP individual's native language. This guide is attached as Appendix E (Cost is 55 cents a minute);
- The Johnson City MTPO website is equipped with Google Translate to easily translate each webpage into a native language of choice (No Cost);
- The Title VI statement is printed in both English and Spanish, the language used by the majority of non-English speaking persons, on the poster and annual notice in the regional newspaper (\$38 for published notice in the Johnson City Press);
- The Title VI complaint procedures and complaint form is available in both English and Spanish (\$90 for these documents to be translated into Spanish).

Other services can be provided; however, the cost of such a service is indeterminable, as these services have not been requested in the past. After researching the basic pricing lists available on the internet, a best guess estimate of the cost is provided. These services may be provided upon request by an individual:

- Any document produced by the Johnson City MTPO can be translated into another language (estimated cost is \$50 for basic document, \$200 for 50-page document, and \$1,500 for the Long Range Transportation Plan).
- An interpreter can be made available for a public meeting, if requested (estimated cost is \$25 an hour).

LEP Implementation

The staff of the Johnson City MTPO will continue to offer the services mentioned above, along with periodic training for assisting LEP individuals. Each staff member maintains the language identification guide in their individual offices and staff vehicle, along with the procedures for contacting the telephone interpreter service. The website will continue to be maintained to provide Google Translate for easy translation of each webpage. The Title VI complaint documents will continue to be available in both English and Spanish. The services offered will be monitored and periodically reviewed during the update of the Title VI Program.

Chapter 9: Disadvantaged Business Enterprises

The Johnson City MTPO has a policy to encourage participation by disadvantaged business enterprises (DBE) in all of its contracting opportunities. The Johnson City MTPO has limited contracting opportunities, which historically are for consultants performing professional work on planning documents; however, efforts are made to forward an invitation to bid to a DBE that provides the service or product listed on the Tennessee Uniform Certification Program Directory website at <http://www.tdot.state.tn.us/dbedirectinternet/>. Language is also added to all bid documents identifying that the Johnson City MTPO encourages all qualified businesses, including DBEs, to bid on contracting opportunities. Contracting opportunities and documents are publicized on the City of Johnson City's Purchasing Department's website at <http://www.johnsoncitytn.org/purchasing/bids/>.

The Johnson City MTPO participates in providing data to the TDOT Division of Multi-Modal Transportation Resources for its Overall DBE Goal and Methodology Report that is submitted to FTA. A file is maintained on each contracting opportunity, complete with the request for proposal/ qualifications document, all evaluations and proposal scoring and information on the contract award.

Chapter 10: Equal Employment Opportunities

Equal employment opportunities (EEO) states that applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under federal law from discrimination on the bases of race, color, religion, sex, national origin, disability, age, sex, and genetics.

The City of Johnson City, which the Johnson City MTPO is a part of, is an Equal Employment Employer. The city's EEO policy is attached as Appendix F. Employees are made aware of the EEO policy on the internal intranet site and posters are on display in break areas. Applicants are made aware of the EEO policy with nondiscrimination statements on the employment application and the notation "EEO/AE" in job ads.

Chapter 11: Title VI Coordinator

The Title VI Coordinator for the Johnson City MTPO is the Transportation Planner position, as there are currently only two full-time administrative employees. The Title VI Coordinator for the Johnson City MTPO works closely with the Title VI Coordinator for the City of Johnson City, currently the HR Director.

Below is a list of the Johnson City MTPO Title VI Coordinator's specific responsibilities:

- Monitor and review the Johnson City MTPO program, policies, and activities for Title VI compliance;
- Prepare and publish annual Title VI notices to the public;
- Prepare annual Title VI assurances and forward the document to the TDOT Civil Rights Office;
- Prepare triennial Title VI assessment reports to the TDOT Civil Rights Office;
- Work with procurement and record keeping to ensure that Title VI and DBE compliance is met;
- Maintain information about interpretation or translation services for LEP compliance;
- Periodically review and update the Johnson City MTPO Title VI Program;
- Attend trainings, at least every three years, to stay aware of Title VI requirements; and
- Resolve Title VI complaints in a timely and thorough fashion in cooperation with the Title VI Coordinator with the City of Johnson City.

The Johnson City MTPO Transportation Coordinator, also the Executive Secretary to the Johnson City MTPO Executive Board, will be kept informed and involved in the Title VI process, including any Title VI complaints that are filed and review any Title VI related documentation. The Transportation Coordinator also receives training, at minimum every three years.

The Johnson City MTPO staff is committed to making every effort to be aware of Title VI and its importance to the programs, policies and activities related to the transportation planning process.

Appendix A - Title VI Assurance, 2014



137 West Market Street
Johnson City, TN 37604-6213
(423)434-6272 Fax: (423)434-6287
Website: <http://www.jcmopo.org>

"Representing the Town of Jonesborough, City of Elizabethton, City of Johnson City, Town of Unicoi, Carter County, and Washington County"

Sub-Recipient Title VI Assurance

Johnson City MTPCO assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and as amended, and the Civil Rights Restoration Act of 1987 (P.I. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Tennessee Department of Transportation (TDOT).

Johnson City MTPCO further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs or activities are federally funded or not.

In the event **Johnson City MTPCO** distributes Federal assistance to a consultant, contractor or subcontractor and other participants, **Johnson City MTPCO** will include Title VI language in all written agreements and will monitor the consultant, contractor or sub-contractor and other participants for compliance. The **Johnson City MTPCO** Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 23 CFR 200 and 49 CFR 21.

As required by the contractual agreement, **Johnson City MTPCO** will comply with the applicable laws and regulations relative to nondiscrimination in federally or state assisted programs of the Tennessee Department of Transportation (TDOT).

A handwritten signature in black ink, appearing to read "H. K. B." or "Hank B.", is placed over a horizontal line.

Administrative Head

2/11/2014

Date

A handwritten signature in black ink, appearing to read "Amy B.", is placed over a horizontal line.

Title VI Coordinator

2/11/14

Date

Appendix B – Title VI Complaint Form

Johnson City MTPO Title VI Complaint Form

The purpose of this form is to assist you in filing a Title VI complaint against the Johnson City MTPO, a department of the City of Johnson City. Signed, written complaints should be submitted to:

Human Resources Director
City of Johnson City
601 East Main Street
Johnson City, TN 37601
(Telephone: 423-434-6016)

If you are not satisfied with the results of the investigation of your complaint by the City of Johnson City, or you wish to file immediately with another agency, you may use this form to file a Title VI complaint with the Civil Rights Division of the Tennessee Department of Transportation, or the Federal Highway Administration. Addresses for these agencies are:

Attention: Title VI Program Coordinator
Office of Civil Rights
Federal Highway Administration
1200 New Jersey Avenue, SE
8th Floor E81-314
Washington, DC 20590
Telephone: 202-366-0693
Email: CivilRights.FHWA@fhwa.dot.gov

Office of Civil Rights, Title VI Division
Attention: Title VI Program Director
Tennessee Department of Transportation
Suite 1800, James K. Polk Building
505 Deaderick St
Nashville, TN 37243
Telephone: 615-741-3681
Email: Cynthia.Howard@tn.gov

You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (*) must be provided, whether or not the form is used. **A written complaint must be filed within 180 days after the date of the alleged discrimination**, unless the time for filing is extended by the Federal Transit Administration.

If you need this complaint form/information provided in an accessible format, please indicate: Large Print _____ Audio tape _____ TDD _____ Another language (please specify): _____ Other _____

TITLE VI COMPLAINT INFORMATION

1. * State your name and address.

Name: _____
Address: _____
Zip _____
Telephone No: _____
Home: (____) _____ Work (____) _____

2. * Person(s) discriminated against, if different from above:

Name: _____

Address: _____

Zip _____

Telephone No: _____

Home: (____) _____ Work (____) _____

Please explain your relationship to this person(s).

3. * Agency and department or program that discriminated:

Name: _____

Any individual if known: _____

Address: _____

Zip _____

Telephone No: (____) _____

4A. * Non-employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the department or agency in its treatment of you or others? If so, please indicate below the bases(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female").

Race/Color: _____

National origin: _____

Sex: _____

Religion: _____

Age: _____

Disability: _____

4B. * Employment: Does your complaint concern discrimination in employment by the department or agency? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female").

Race/Color: _____

National origin: _____

Sex: _____

Religion: _____

Age: _____

Disability: _____

5. What is the most convenient time and place for us to contact you about this complaint?

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____

Telephone No: (____)_____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name: _____

Address: _____

Zip _____

Telephone No: (____)_____

8. * To your best recollection, on what date(s) did the alleged discrimination take place? Earliest date of discrimination: _____

Most recent date of discrimination: _____

9. * Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case.)

10. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.

Name	Address	Area Code/ Telephone #
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. Do you have any other information that you think is relevant to our investigation of your allegations?

12. What remedy are you seeking for the alleged discrimination?

13. Have you (or the person discriminated against) filed the same or any other complaints with other Federal offices?

Yes _____ No _____

If yes, do you remember the Complaint Number?

Against what agency and department or program was it filed?

Address of agency _____ Zip _____

Telephone No of agency _____

Date of Filing: _____

Briefly, what was the complaint about?

What was the result?

14. SIGNATURE (*A complaint that has not been signed cannot be accepted.*)

(Signature)

(Date)

Please feel free to attach additional explanatory sheets.

Appendix C – Affidavit of Publication for Title VI Policy Statement

JOHNSON CITY PRESS
204 W. Main Street
Johnson City, TN 37604
AFFIDAVIT OF PUBLICATION

AD# 1206851

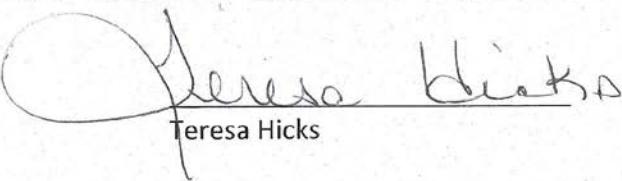
DATES: 1-11-2015

State of Tennessee)
Carter County)
Washington County)

The Johnson City Metropolitan transportation Planning Organization does not discriminate based on race, color or national origin in federal or state sponsored programs, pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d). For more information visit www.jcmopo.org

El Johnson City Metropolitan Planning Organization Transporte no discrimina por motivos de raza, color u origen nacional en los programas patrocinados por el estado o federales, de conformidad con el Título VI del Acta de Derechos Civiles de 1964 (42 USC 2000d). Para obtener más información, visite www.jcmopo.org

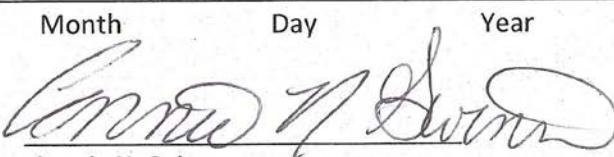
Teresa Hicks makes the oath that she is a Representative of The Johnson City Press, a daily newspaper published in Johnson City, in said County and State, and that the advertisement was published in said paper for 1 insertion (s) commencing on 1-11-2015 and ending on 1-11-2015.


Teresa Hicks

Sworn to and Subscribed before me this

1 15 2015

Month Day Year


Connie N. Guinn
Notary Public

My commission expires on 03/28/2017

This legal notice was published online at www.johnsoncitypress.com and www.publicnoticeads.com during the duration of the run dates listed. This publication fully complies with Tennessee Code Annotated 1-3-20


CONNIE N. GUINN
STATE OF TENNESSEE
NOTARY PUBLIC
WASHINGTON COUNTY

Appendix D - Title VI Poster



Johnson City Metropolitan Transportation Planning Organization

Serving Bluff City, Elizabethton, Johnson City, Jonesborough, a small portion of the town of Unicoi, and parts of Carter, Sullivan and Washington Counties.

TITLE VI NONDISCRIMINATION STATEMENT

The Johnson City Metropolitan Transportation Planning Organization (MTPO) ensures compliance with Title VI of the Civil Rights Act of 1964; 49 CFR, part 26; related statutes and regulations to the end that no person shall be excluded from participation in or be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation on the grounds of race, color, sex or national origin.

Any person who believes he or she has been discriminated against should contact:

Mary Butler, Johnson City MTPO Title VI Coordinator

Mailing Address: 137 W Market St, Johnson City, TN 37604

Phone: (423) 434-6277

Email: marybutler@jcmopo.org

Civil Rights Office of the Tennessee Department of Transportation

Mailing Address: 505 Deaderick St, Suite 1800, James K. Polk Bldg, Nashville, TN 37243-0347

Phone: (615) 741-3681 or Toll Free 1-888-370-3647

Website: <http://www.tdot.state.tn.us/civil-rights/titlevi/>

DECLARACIÓN DE NO DISCRIMINACIÓN TÍTULO VI

El Metropolitana de Planeamiento de Transporte la Organización de la ciudad de Johnson City (MTPO) asegura el cumplimiento del Título VI del Acto de Derechos Civiles de 1964; 49 CFR, Parte 26, relacionados estatutos y normas para asegurar que ninguna persona sea excluida o actividad la cual reciba ayuda financiera federal del Departamento de Transporte de los Estados Unidos sin importar su raza, color, sexo, edad, origen nacional, o minusvalía física.

Cualquier persona quien crea que ha sido discriminada deberá comunicarse con el:

Mary Butler, Johnson City MTPO del Título VI Coordinador

Dirección postal: 137 W Market St, Johnson City, TN 37604

Número de teléfono: (423) 434-6277

Correo electrónico: marybutler@jcmopo.org

Oficina de Derechos Civiles del Departamento de Transporte de Tennessee

Dirección postal: 505 Deaderick St, Suite 1800, James K. Polk Bldg, Nashville, TN 37243-0347

Número de teléfono: (615) 741-3681 or Llamada Gratis 1-888-370-3647

Sitio Web: <http://www.tdot.state.tn.us/civil-rights/titlevi/>

Appendix E – Avaza Language Services Identification Guide



LANGUAGE IDENTIFICATION GUIDE

Do you speak English?	Point here and an interpreter will be assigned to you, at no cost.	English
Habla Español?	Señale aquí y se le asignará un intérprete sin costo.	Spanish
هل تتكلّم العربيّة؟	أشعر هنا والمترجم سيكون موجوداً مجاناً.	Arabic
که کوردی ده‌ئاخوی؟	ئىشارەت قىرى بىكە موتەرچىم بۇ تەحازىر دەكىيەن، بە خوراي.	Kurdish (Behdini)
ئایا کوردی قىسە دەكەيت؟	ئىشارەت لېرە بىكە موتەرچىم بۇ ئامادە دەكىيەن، بە خوراي.	Kurdish (Sorani)
آیا شما فارسی صحبت میکنید؟	ترۆصىب مەترەم كىيىنگىز ماشىا اجنبىيا بېرگا رايگان در اختيار شما قرار مىگىردى.	Farsi
Bạn nói tiếng Việt phải không?	Chỉ vào đây và sẽ có người thông dịch viên giúp đỡ Bạn, Bạn không phải trả gì hết.	Vietnamese
Maku hadashaa afka somaaliga?	Halkaan farta ku-fiiq turjubaan lacag la-an ayaad heleysaa.	Somali
Da li govorite Bosanski?	Pokažite ovdje I prevodilac će vam biti obezbijedzen, besplatno.	Bosnian
Parlez-vous français?	Ici, un interprète sera assigné pour vous, sans avoir payé.	French
ທ່ານມີວິພາສາລາວແມ່ນບໍ່?	ກະຊວງນາບອກເຈົ້າຂ້າມ້າທີ່ຕາມນັ້ນຈະມີນາຍພາສາມາແປໄຫ້ທ່ານໄດ້ແລ້ງເງື່ອງ.	Laotian
你會講中文嗎？	請點在這裡我們為你免費提供翻譯服務。	Chinese (Mandarin)
日本語を話せますか？	ここを指して下さい。 無料の通訳者を指定します。	Japanese
Je-una azungumza kiswahili?	Nyosha kidola hapa na utatafsiriwa bila kulipa chochote.	Kiswahili
Voce fala Português?	Aperte aqui e um intérprete lhe será fornecido sem custo algum.	Portuguese
क्या आप हिंदी बोल सकते हैं ?	इशारा यहाँ पर किजिये, भाषातर करनेवाले विनामुल्य मिल जायेंगे।	Hindi
한국어를 하십니까?	이곳을 지적해주시면 통역자가 무료로 호출됩니다.	Korean
Вы говорите по-русски?	Укажите сюда, и совершенно бесплатно Вам будет предоставлен переводчик.	Russian
አማርኛ ይተናገለን?	በጣት መደረሰኑ የመልከቱ የለምንም ካና፣ የአስተርጋ ሙሉ የመደብሎችን እንደለ!	Amharic
Eske ou pale kreyòl	Pwen isit la e yon entèprt ap vin ede'w gratis.	Haitian Creole
တွေ့မြန်တို့ / တွေ့မြန်ပြို့မြန်ပြို့ ပြုတော်သား	အကဲပါး၊ ကော်မြေကောင်၊ မန္တာဝတ်၊ မြို့ချင်း၊ စာမျက်လှုံး၊ ကျိုး၊ လေဟန်၊ ရွှေမြေ၊ ကျော်၊ မြေ၊ ကျော်၊ တစ်ယောက်လောက် တော်သား	Burmese
Na ongea Kiswahili.	Kisheria unapaswa kuwa na mtafsiri bila ya kulipishwa	Swahili
Türkçe biliyormusunuz?	Burayı gösterirseniz, ücretsiz tercuman size yardım edecektir.	Turkish
คุณพูดภาษาไทยหรือเปล่า?	กรุณานำออกให้ทราบด้วยถ้าคุณต้องการคนแปล	Thai

Appendix F – Equal Employee Opportunity Policy

CITY OF JOHNSON CITY

Policy: HR-180

Effective: March 18, 2009

Revision Number: 3

Page: 39 of 5

EEO – Affirmative Action Policy

1.0 POLICY STATEMENT: It is the policy of the City to select, develop and promote employees based on the individual's ability and job performance. It has been and shall continue to be the policy of the City to provide equal employment opportunity to all people in all aspects of employer/employee relations without discrimination because of race, color, religious creed, sex, national origin, ancestry, marital status, age or physical disability. This policy affects decisions including but not limited to, an employee's compensation, benefits, terms and conditions of employment, opportunities for advancement, training and development, transfer, and other privileges of employment. It is further the policy of the City to comply with the letter and spirit of applicable local, state and federal statutes concerning equal employment opportunity. It is also the policy of the City that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under a program or activity receiving federal financial assistance from the Department of Transportation or the U.S. Department of Housing and Urban Development in compliance with Title VI of the Civil Rights Act of 1964.

2.0 PROCEDURES: The purpose of this policy is to state the City continuing position as an equal opportunity employer and to put in motion mechanisms to ensure compliance with applicable state and federal equal employment opportunity regulations and statutes.

2.1 Dissemination of the City's Equal Opportunity Policy - Internal

- 2.1.1 The EEO Policy will be included in the City's Personnel Policy.
- 2.1.2 Training sessions will continue to be conducted to communicate the legal requirements of compliance to equal employment opportunities and affirmative action.
- 2.1.3 The policy will be reviewed and discussed with new employees individually and in new employee orientation programs.
- 2.1.4 The City's Equal Employment Opportunity Policy will be posted on City bulletin boards.
- 2.1.5 Personnel policies and procedures will incorporate the equal employment opportunity clause on each policy document.
- 2.1.6 Copies of Equal Employment Opportunity Policy will be distributed to management and supervisory personnel.

2.2 Dissemination of the City's Equal Opportunity Policy - External

- 2.2.1 All recruiting sources will be informed verbally and in writing of the City Equal Employment Opportunity Policy.

- 2.2.2 The equal employment opportunity clause will be incorporated on employment applications, contracts, leases and other official City documents.
- 2.2.3 Prospective employees will be informed of the policy by job announcement where the notation EEO/AE will continue to be included.
- 2.3 *Responsibility for Implementation and Administration*
- 2.3.1 City Manager - The City Manager will establish and intensify efforts to achieve equity and fairness in the employment of all minority candidates at all levels of employment and to ensure equal opportunities for minorities with respect to pay, responsibility and status. The City Manager will accomplish this by:
- Being responsible for overall administration of the EEO affirmative action program.
 - Establish, administer and provide policy direction for the City's Equal Employment Opportunity Program.
 - Formulate and communicate directions to Department and Division Heads to promote the affirmative action goals of the City.
- 2.3.2 Human Resources Director - Responsible for coordination and implementation of City Equal Employment and Affirmative Action policies rests with the Director of Human Resources. In this capacity, the Human Resources Director will serve as the Affirmative Action Officer. The Affirmative Action Officer will assist management in complying with the City's EEO/AE Policy and advise employees who have questions or problems relating to the City's Equal Opportunity/Affirmative Action Programs. The Affirmative Action Officer has responsibilities, which include but are not limited to the following:
- Develops and recommends policy statements, affirmative action, and valuing diversity training programs and internal communication techniques.
 - Assists in the identification of problem areas and in the establishment of goals and objectives.
 - Assists in finding solutions to concerns in the equal opportunity area.
 - Assists in auditing and measuring effectiveness at the City's Equal Opportunity Programs.
 - Completes and submits required EEO-reporting forms on a bi-annual basis to EEOC.
 - Keeps management informed of the City's EEO plan and any changes to that plan.
 - Reviews vacancies and new positions with Department and Division Heads and provides assistance as needed to ensure compliance.
 - Reviews the qualifications of all employees and applicants to ensure minorities are given full opportunity for transfer and promotion.

- 2.3.3 Department and Division Heads - In the day to day operations of their respective departments, management and supervision have responsibilities, which include, but are not limited to, the following:
- Adhere to the policy and intent of the City's Equal Opportunity/Affirmative Action Plan by supporting and promoting the objectives of equal employment opportunity.
 - Ensuring that appropriate steps are taken throughout their departments to encourage and hold supervisory staff accountable for promoting equal employment opportunities in the workplace.
 - Periodically review job descriptions of positions in the department to ensure they adequately reflect the job being performed.
 - Assists in career counseling with employees.
 - Review the qualification of all applicants and employees in the department to ensure minorities and women are given full opportunity for transfers and promotions.
 - Regular discussions with managers, supervisors and employees to be certain EEO/AA policies are being followed.
- 2.4 *Recruitment and Applications* - Vacancies within the City are advertised in local and regional newspapers and through Internet and City Website locations. The advertisements publicize the City's policy of equal opportunity employment and affirmative action clause. Applicants complete an application for the vacancy in which he/she is interested. Applications are held for consideration for a period of twelve months. Applications are accepted in the Department of Human Resources, Municipal and Safety Building, 601 East Main Street, Johnson City, TN 37601. Applicants can also access the City of Johnson City website to obtain a copy of the employment application.
- 2.5 *Selection and Appointment* - All applicants for positions with the City must apply through the Department of Human Resources. Preliminary screening to determine if applicants meet minimum qualifications is done through this office. Any testing required for certification is performed prior to the departmental interviews. Qualified applicants are then scheduled for interviews with the supervisor in the respective department. Individuals are interviewed and notations made on the applications form in regard to the personal interview. Once an individual is selected by the department for employment, the Department of Human Resources is contacted. The City Manager reviews all new hires before they are placed on the payroll.
- 2.6 *Training* - Appropriate training will be provided by the City's Training and Development Specialist and in some cases outside training organizations and training providers. Employees will receive equal opportunity to participate in all training programs wherever held without regard to race, color, religion, national origin age or sex. The Director of Human Resources and the Training and

Development Specialist will schedule on a regular basis training on Equal Employment Opportunity/Affirmative Action policies and procedure. These types of training programs will be included in the City's Leadership Academy for current and potential supervisors and managers.

- 2.7 *Internal Audit and Reporting* - opportunity and affirmative action. Many procedures are related to employment of staff; however, terminations, promotions, transfers, placement, retention, recruitment, testing and training (when applicable) are also monitored. The following data is collected by the Human Resources Department to monitor progress:
 - 2.7.1 Applicant Flow Data
 - 2.7.2 Terminations
 - 2.7.3 New Hires
 - 2.7.4 Promotions
 - 2.7.5 Transfers
 - 2.7.6 Training (when applicable)
- 2.8 This information is monitored and analyzed on an annual basis for review to determine adverse impact. Records pertaining to all personnel actions are maintained for the appropriate time limitations under the records retention guidelines. The following records are maintained as part of the Affirmative Action Program:
 - 2.8.1 *Applicant Flow Data* – Includes information on each applicant to include name, sex, race, age, job applied for, interview status.
 - 2.8.2 *New Hires* – Includes data on total hires and employment offers by name, race, sex, age and job title.
 - 2.8.3 *Promotions and Transfers* – Includes information on all promotions or transfers by name, race, sex, age, date of transaction, department and job title from which and to which employee moved.
 - 2.8.4 *Terminations* – Includes information on all terminations by name, race, sex, age, department and reason for termination as reported by the Office of Human Resources' exit interviews.
 - 2.8.5 *Selection Procedures* – Results of typing tests are maintained by the Office of Human Resources. Those who fail this typing test are not considered for employment.
- 2.9 *Inequity Correction* - On notice of an inequity of Affirmative Action the Director of Human Resources shall coordinate with the grieved person to resolve the inequity by the following means:
 - 2.9.1 Human Resources Director will work with the grieved person in the investigation of the inequity and take positive steps with the effected department head to resolve that inequity.

- 2.9.2 The Human Resources Director will coordinate a meeting between the grieved person and the City Manager to review the inequity and discuss the corrections that have been made.
- 2.9.3 The City Manager will communicate the directives to the effected department to insure that the inequity (if substantiated), is remedied to the satisfaction of those parties involved. The decision of the City Manager in this matter shall be final.

3.0 RESPONSIBILITY: The Human Resources Director is responsible for the administration and communication of this policy. Department Directors shall comply with the provisions of this policy and applicable state and federal laws.

APPROVED:

M. Denis Peterson
City Manager

Original:
Revisions: 03/18/2009