

KANSAS DEPARTMENT OF TRANSPORTATION STATEMENT OF EMPLOYMENT POLICY

October 11, 2011

It is Agency policy that all personnel actions related to the Kansas classified service within Kansas Department of Transportation (KDOT) are based on merit and fitness to perform the work required and that all individuals have equal opportunity for employment, and freedom from discrimination and harassment. In addition, it is my policy that KDOT treat current and prospective employees fairly. The Agency strives to have a quality and diverse work force.

MERIT - KDOT shall comply with the Kansas Civil Service Act. Kansas Statute Annotated 75-2925 provides "All personnel administration actions regarding employees in the state classified service shall be made without regard to race, national origin or ancestry, religion, political affiliation, or other non-merit factors. Personnel administration actions shall be based on merit principles and fitness to perform the work required and shall provide fair and equal opportunity for public service."

EQUAL EMPLOYMENT OPPORTUNITY - KDOT shall comply with Title VII of the Civil Rights Act of 1964, the Pregnancy Discrimination Act, the Equal Pay Act, the Age Discrimination in Employment Act (ADEA), the Civil Rights Act of 1991, and the Americans with Disabilities Act (ADA) and ADA Amendments Act of 2008 (ADAAA). Title VII prohibits employment discrimination based on race, religion, color, sex, or national origin. The ADA and ADAAA prohibit discrimination on the basis of disability and require efforts to reasonably accommodate qualifying disabilities. The (ADEA) and Kansas ADEA prohibit discrimination based upon age over the age of 40. The Genetic Information Nondiscrimination Act (GINA) provides protection based on an individual's genetic information, and Executive Order 07-24 adds sexual orientation and gender identity to the groups protected from discrimination and harassment.

PROHIBITION OF SEXUAL HARASSMENT - KDOT prohibits sexual harassment. Sexual harassment is defined as any unwanted, deliberate, or repeated sexual behavior (including comments, gestures, or touching) when submission to such conduct is made either explicitly or implicitly a term or condition of employment; submission or rejection of such conduct is used as the basis for employment decisions; or when an action interferes with an individual's work performance by creating an intimidating, hostile or offensive environment.

RESPONSIBILITIES AND REMEDIES - Managers shall make a continuing effort to identify and eliminate any discrimination, including sexual harassment, in KDOT's programs and activities. Agency personnel are responsible for behaving in a manner consistent with the laws, rules, regulations, and agency policy governing EEO, ADA, and sexual harassment and to report discrimination. Any current or prospective employee who has a complaint concerning an employment practice is encouraged to follow the agency procedures specified in the Kansas Department of Transportation Standard Operating Manual (S.O.M.) and may contact the EEO Officer listed below at anytime for the purpose of discussing problems and obtaining policy guidance.

COMPLAINTS OF DISCRIMINATION - The Agency has implemented policies and procedures to achieve compliance with all appropriate employment discrimination laws. Complaints are processed in accordance with the S.O.M. guidelines. S.O.M. 2.4.2 defines discrimination and sexual harassment and indicates that complaints of discrimination may be filed utilizing the S.O.M. 2.5.2 "Grievances", grievance procedure. S.O.M. 2.4.4 outlines the procedure for filing complaints under the Americans with Disabilities Act. Questions may be directed to: Mike Smith, EEO Officer, Bureau of Personnel Services, 700 SW Harrison, 3rd Floor, Topeka, KS 66603-3754, Work - Telephone 785-296-4137, Cell: 785-220-6621 and Email - EEOoffic@ksdot.org



Deb Miller
Secretary of Transportation

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