



Management Position Description



WASHINGTON MANAGEMENT SERVICE

Working Title Manager, External Civil Rights Branch (ECRB)		Current Date Last Reviewed July 1, 2009
Class Title <i>(Information needed for the initial conversion only)</i> WMS 3		Position No. OW016
Incumbent's Name VACANT	Agency/Division/Region WSDOT/OEO/HQ	

Position Objective Briefly discuss what the position is required to accomplish. Include an organization chart. (Chart should include all units managed by your supervisor with salary grade/band and position number.)

The External Civil Rights Branch (ECRB) Manager reports to the Director of the Office of Equal Opportunity. The ECRB Manager is responsible for establishment and overall management of statewide civil rights programs required by federal law in order for WSDOT, local governments and transportation planning organizations to receive federal transportation funds. The ECRB Manager provides strategic planning and direction for all ECRB programs and policy development affecting WSDOT and cities and counties statewide. In addition, the ECRB Manager provides executive level consultation and OEO/ECRB service support as requested by WSDOT managers and local government officials statewide.

This position provides significant managerial oversight of external civil rights local agency activities. OEO is required to conduct EEO Contract Compliance Reviews, Title VI Reviews and Investigations (local agency complaints are handled by ECRB) and DBE Program Monitoring for all local agencies receiving federal financial assistance.

Examples of the strategic nature of this position include but not limited to establishing DBE compliance process/procedures on design build projects; establishing a monitoring system for the new Unified Certification Program, required by USDOT covering all transportation modes (FHWA, FTA and FAA); establishing partnerships between tribal governments and WSDOT to address Tribal Employment Rights Ordinances (TERO) on construction projects; ensuring overall compliance for all external civil rights programs required by state and federal regulations; as well as addressing legal challenges in the administration of these programs. Demonstration of compliance is necessary to ensure continued receipt of federal financial assistance.

External Civil Rights programs include Disadvantaged/Minority/Women Owned Businesses (DMWBE), including project and overall DBE goal setting, contract compliance, and contract administration; Title VI including Limited English Proficiency (LEP) and Environmental Justice (EJ); Contract Compliance/Equal Employment Opportunity/On the Job Training/Tribal Employment Rights Ordinance (EEO/OJT/TERO) including the Training Special Provisions (TSP) in federal aid contracts; OJT Supportive Services; and investigation of complaints in each program area. There are several interagency agreements and consultant services contracts under the overall management of this position, namely, DBE Supportive Services, DBE Certification, OJT Support Services, and contracts for implementation of an automated data gathering and reporting system and a study of the availability of DBE firms in Washington. The DMWBE program has two separate components - state and federal with different reporting requirements.

The ECRB Manager is responsible for the statewide supervision and management of the OEO ECRB offices located in Seattle and Olympia and has functional responsibility for the EEO Officers located in each region while working on behalf of OEO/ECRB. Serving both as a coach and mentor, the ECRB Manager manages and supervises three HRC 4, four HRC 3s, one HRC 2 and one Administrative Assistant 3. The ECRB Manager also gives direction and is responsible for providing oversight for the data activities and reports produced by the OEO ITS position that support the ECRB program areas.

Knowledge and Skills Required Briefly explain the position's required knowledges and skills.
(Asterisk the essential skills and abilities required.)

This position requires in depth knowledge and application of advanced management principles and skills; long-term strategic thinking and planning; the ability to achieve long range strategic goals through carefully selected tactical actions; and skills in balancing competing priorities with limited resources in achieving the organization's mission.*

Given the policy dimensions and amount of federal funds at stake, mastery of specific civil rights programs, which are required in order to receive federal highway, transit and aviation funds is essential. Knowledge of policy development and analysis; principles of budgeting; contract administration; federal and state civil rights laws related to ECRB programs; legal processes and considerations in contract monitoring, including risk management and liability issues; and performance measurement is essential to this position.*

The position also requires comprehensive leadership skills, as well as highly developed negotiation and mediation skills; the ability to read, interpret and apply state and federal laws, regulations and contract provisions; creative problem solving skills to resolve complex problems and issues in conjunction with executive management; strong interpersonal skills in working effectively with diverse populations and with the full spectrum of government executives, elected officials and employees; extensive communication skills; and the skills and ability to manage multi-funded budgets and resources.*

Nature and Scope Briefly explain position's policy impact (application, development, implementation responsibility).

This position requires long term strategic thinking, application of advanced management principles and skills, mastery of certain civil rights programs and comprehensive policy development skills. Policies developed by this position have far-reaching implications as they apply to all of WSDOT as well as virtually all cities, counties, planning organizations and other local government units. Policy decisions also have a direct impact on private construction contractors, consultants, and vendors statewide. Program planning and direction, as well as integration of those policies throughout WSDOT and local governments, require both strategic and tactical thinking.

This position develops policy for several different programs and units within OEO. The programs, each of which has statewide impact, are required by federal law in order for the state and units of local government to receive federal transportation funds. Policy decisions made by this position greatly impact the availability of funding for transportation projects, both at the state and local levels.

Mastery of certain civil rights laws, programs and disciplines is essential because this position has overall management responsibility for monitoring and reporting WSDOT's compliance with specific federal civil rights requirements. That responsibility extends to cities, counties, transportation planning organizations, transit and airport authorities and tribal governments who receive federal funds through WSDOT for their transportation projects (collectively known as subrecipients).

Following general federal guidance, this position has overall responsibility for development, establishment and maintenance of the DBE Plan; Title VI Plan and updates, including Limited English Proficiency (LEP) and Environmental Justice (EJ) programs; On the Job Training (OJT) and Training Special Provisions; DBE Certification and DBE Supportive Services; and EEO Assurances. All of those documents are submitted to US Dept. of Transportation (USDOT) and/or Federal Highway Administration (FHWA), Federal Aviation Administration (FAA), or Federal Transit Administration (FTA) for final approval. The policies contained in those documents are binding on all of WSDOT and our subrecipients, except for the Title VI Plan. Subrecipients submit their Title VI Plans to WSDOT for approval; this position is responsible for that final approval. This position also provides OEO policy positions for the Local Agency Guidelines (LAG) Manual, which prescribes local agency operating procedures for highway construction, the General Special Provisions (GSPs), which is the DBE/EEO contract language, and the Construction Manual, prescribing WSDOT's operating procedures. Provides recommendations on legislation or drafts agency legislation.

Working with WSDOT program areas (e.g. WSF, Planning, Design, Construction, H&LP, Real Estate, Maintenance, Environmental Hearings, Public Transportation, etc) as well as regional EEO Officers, this position has overall responsibility for monitoring and ensuring compliance with WSDOT policies, contract specifications, and state and federal laws. Responsible for regional EEO Officers functional reporting for activities conducted on behalf of OEO/ECRB. This position also oversees the investigation of complaints alleging violations of civil rights laws filed against cities and counties who receive federal funds.

Working with the Attorney General's Office, USDOT, other WSDOT offices and subrecipients, develop legal positions, or prepare defense in litigation involving ECRB programs.

Briefly explain the major decision-making responsibilities brought to you for action. Also identify those actions that you take to your manager for a decision.

Major decision making responsibilities brought to me:

- Budgeting and expenditure approvals for each unit/program in ECRB
- PMPs and training needs
- Setting priorities; either in terms of work projects, or balancing workload with resources
- Strategic plans; including program direction, tactical activities, performance measures, and integration into OEO and WSDOT strategic plans
- Approval of DBE Plan; Title VI Plan and annual Updates; LEP and EJ plans; EEO Assurances; contract language revisions; reports to be submitted to the Federal Government
- Overall annual goal setting methodology for DBE utilization
- Investigative reports and contract/project compliance monitoring reports
- Corrective Action Plans and Sanctions to be imposed on contractors and vendors in the event of contract violations
- Approval of draft interagency agreements and consultant contracts; final negotiations

Major decision making responsibilities taken to OEO Director:

- Proposed ECRB budget request and legislative matters
- Changes in program infrastructure, including long term resource deployment
- Requests for waiver of the application of federal regulations
- Agency policy positions on federal regulations, state legislation, legal issues or court cases
- Major shifts in program direction
- Final approval on compliance reports required by federal transportation agencies
- Final approval of interagency agreements
- Hiring/promotion/formal disciplinary actions, as the appointing authority

Financial Dimensions

– **Budget** Briefly describe the type and amount of all monies that the position directly controls. Discuss other revenue sources managed by the position and what type of influence/impact it has over those sources.

A. Operating budget controlled:

Total Budget, All Programs: **\$3,444,800 million**

- Operating budget (State funds) \$1,623,000
- DBE certifications (State funds) \$ 525,000
- OJT (State funds) \$ 163,800
- DBE Support Services (Federal funds) \$ 400,000
- MWBE / Administration (State funds) \$ 483,000
- OJT Support Services (Federal Funds) \$ 250,000

B. Other financial influences/impact:

WSDOT, as well as local cities, counties and others receive some \$426 million on average a year in federal funds for transportation projects. Federal law requires that the programs and policies managed and developed by this position be in place and faithfully administered in order to receive that funding.

Moreover, this position has overall responsibility for determining whether bidders are responsive and eligible for award-- with respect to DBE contract requirements-- covering approximately \$200 million/year in contracting activity.

Financial Dimensions

– **Positions** List total FTEs you manage and highest class/position managed.

Total FTEs: 9
Highest Class: HRC 4

Principal Responsibilities Briefly describe the significant responsibilities of this position (maximum of 10 statements) not including the management responsibility statement* that is provided.

*Plan, lead, organize, and control the work performed by the organization. Assure appropriate and optimum use of the organization's resources and enhance the effectiveness of employees through the organization. Maintain the highest standards of personal/professional and ethical conduct and support the state's goals for a diverse workforce.

- Set strategic direction for all ECRB programs; develop and approve strategic plans, including tactical activities, resources and performance measures.
- Develop and establish new policies, initiatives and programs and maintain current programs, in furtherance of federal regulations and funding requirements
- Monitor WSDOT's and subrecipients' compliance with various civil rights programs, report on compliance status, work to resolve issues of noncompliance, and implement "best practices" for effective policies and program implementation
- Integrate ECRB program policies into all segments of our business activities-- across all agency lines-- to ensure that all segments of our population, including minorities and women, receive equal opportunity in access, business, service delivery, and all areas of WSDOT's and subrecipients' transportation operations.
- Positively contribute to the overall economy of the state by providing enhanced business and employment opportunities in the highway construction industry
- Maintain mastery of civil rights programs, which I have responsibility to develop, manage, and administer.
- Constantly balance resources with changing program requirements and priorities to meet the agency's and Office's mission

Signature of Incumbent

Management Signature *(Signature of manager represents agreement with information presented on this form)*

Telephone Number (360) 705-7086

Title Director, OEO

Evaluated Points/Band Level *(To be filled out by Human Resource Unit)*