

# Overview of FAA Order 1400.11



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

## Nondiscrimination in Federally-Assisted Programs at the FAA

*Office Of Civil Rights*

*ACHIEVING SAFETY  
THROUGH DIVERSITY*

Presented to: 4<sup>th</sup> Annual National Civil Rights  
Conference for Airports

Prepared by: FAA Office of Civil Rights

Date: September 17, 2013



# Agenda

- **Chapter Overview**
- **Appendices Overview**
- **Attachments Overview**

# Chapter Overview

- **Chapter 1: General Information**
  - Where to find this Order  
[http://www.faa.gov/regulations\\_policies/orders\\_notices/](http://www.faa.gov/regulations_policies/orders_notices/)
  - Updates Order that was issued in 1976
- **Chapter 2: Title VI/Nondiscrimination Policy, Legal Authorities and Discrimination Prohibited**
  - Statutes; Implementing Regulations; Executive Orders; Directives and Guidance
  - Specific Title VI Based Actions
  - **Discriminatory Actions Prohibited**

# Chapter Overview (continued)

- **Chapter 3: Responsibilities**
  - FAA organizations
  - Departmental Office of Civil Rights
  - Department of Justice Office of Civil Rights
- **Chapter 4: Recipient Obligations**
  - Nondiscrimination in:
    - Services, Benefits, and Use of Facilities
    - Employment
    - Contracting Activities
    - Project Site Selections
  - Age Discrimination Act of 1975

# Chapter Overview (continued)

- **Chapter 5: Title VI Monitoring of Airport Projects**
  - Office of Airports notification to FAA Office of Civil Rights
  - AIP Grant Applications
  - Compliance Reviews
  - Title VI Pre-Award Checklist
- **Chapter 6: Title VI/Nondiscrimination Monitoring of Airport Sponsors**
  - Selecting the Airport
  - Compliance:
    - Standards
    - Determinations
    - Voluntary Compliance
    - Close-out
    - Review
    - Report
    - Enforcement

# Chapter Overview (continued)

- **Chapter 7: Monitoring Compliance in Grant Programs Other than the AIP**
  - Responsibilities of Grant and Program Offices
  - Responsibilities of the Airport Nondiscrimination Compliance Staff
- **Chapter 8: Title VI/Nondiscrimination Complaints**
  - Filing Formal Complaints
  - Complaint Processing Information
  - Complaints:
    - Against Air Carriers
    - Against Lessees or Contractors (other than Air Carriers)
    - of Employment Discrimination Against Recipients
    - Age Discrimination Act

# Chapter Overview (continued)

- **Chapter 9: Informal Resolution**
  - Methods Used
  - Closure
  - Follow-up Monitoring
- **Chapter 10: Enforcement**
  - Referrals for Action Under 49 CFR Part 21
  - Deferring Action on an Airport Grant Application

# Appendices Overview

- **Appendix 1. List of Acronyms and Abbreviations**
  - Used in the Order
- **Appendix 2. Definitions**
  - Definitions of terms used in the Order

# Appendices Overview (continued)

- **Appendix 3. MOU with Airports**
  - Copy of MOU between Office of Airports and Office of Civil Rights
  - Title VI Pre-Award Checklist
- **Appendix 4. Use of Standard DOT Title VI/Nondiscrimination Assurances**
  - DOT Order No. 1050.2A

# Appendices Overview (continued)

- **Appendix 5. Notice of Unlawful Discrimination Poster**
  - **ONLY** modifications authorized
    - increase size
    - increase font size
    - can include both the Title VI and the ADA coordinators contact information
  - Otherwise poster is to be exactly as seen here
  - Must be posted in high traffic areas
  - Recommend posting on secure and non-secure sides of airport (especially if a hub airport)

---

### **Unlawful Discrimination**

It is unlawful for airport operators and their lessees, tenants, concessionaires and contractors to discriminate against any person because of race, color, national origin, sex, creed, or disability in public services and employment opportunities. Allegations of discrimination should be promptly reported to the Airport Manager or:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20501

Federal regulations on unlawful discrimination are available for review in the Airport Manager's Office.

Coordinator:  
Phone:  
Address:

---

### **Discriminacion Illegal**

Se prohíbe a los operadores de aeropuertos y a sus arrendatarios, inquilinos, concesionarios y contratistas discriminar contra cualquier persona por motivo de raza, color, nacionalidad de origen, sexo, creencias religiosas, impedimento físico o discapacidad en lo que respecta a servicios públicos y oportunidades de empleo. Las alegaciones de discriminación deberán ser dirigidas inmediatamente al Administrador del Aeropuerto o a:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20501

Los reglamentos sobre discriminación ilegal están a la disposición de los interesados para su examen en la oficina del Administrador del Aeropuerto.

Coordinador:  
Teléfono:  
Dirección:



U.S. Department of Transportation  
**Federal Aviation Administration**

HC-10166

Office Of Civil Rights

ACHIEVING SAFETY  
THROUGH DIVERSITY



**Federal Aviation  
Administration**

# Appendices Overview (continued)

- **Appendix 6. Compliance Standards for Title VI/Nondiscrimination Pre-Award Reviews of Airport Projects**
  - Compliance Standards
  - Compliance Review Question

# Appendices Overview (continued)

- **Appendix 7. Compliance Standards for Title VI/Nondiscrimination Post-Award Reviews of Airport Sponsors**
  - Records and Reports for Compliance
  - Recipient Cooperation with FAA
  - Notification to Beneficiaries of Title VI/Nondiscrimination Rights
  - Applications of Title VI/Nondiscrimination Provisions to Recipient Programs and Activities
  - Affirmative Action
  - Manner Prescribed
  - Access to Airport Employment Opportunities
  - Access to Airport Business Opportunities
  - Limited English Proficiency
  - Environmental Justice – Compliance with Title VI
  - Compliance Review Questions

# Attachments Overview

- **Attachment 1. Contractor Contractual Requirements**
- **Attachment 2. Clauses for Deeds, Licenses, Leases, Permits or Similar Instruments**
- **Attachment 3. Clauses for Real Property**

# FAA Program Staff

Name	Address	Contact
Maria Sarra Civil Rights Director	FAA Eastern Regional Office 159-30 Rockaway Blvd Jamaica, NY 11434	718-553-3290 maria.sarra@faa.gov
Cherry Smith EEO Specialist		718-553-3299 cherry.smith@faa.gov
Janet Long Management Analyst	FAA National Headquarters Orville Wright Building 800 Independence Ave, SW Washington, D.C. 20591	202-267-8436 janet.long@faa.gov