

TESTIMONY & REFERENCES BY RALPH B. IBARRA

PORT OF SEATTLE COMMISSION MEETING | October 09, 2018

For the record, my name is Ralph B. Ibarra, President of DiverseAmerica Network and I reside in Algona, WA. I also am a senior protagonist for our Nation's uniformed service members, veterans, and military families. As such, the details contained in Commission Agenda Memorandum Briefing Item 9b and the attendant slides refer to the Port's employee demographics as being aligned with the guidelines that are set by the Office of Federal Contract Compliance Programs (OFCCP). Alas, two (2) significant constituent groups are not included in this briefing that I believe the Commission should give due consideration.

For your information, the Office of Federal Contract Compliance Programs (OFCCP), protects workers, promotes diversity and enforces the law. OFCCP holds those who do business with the federal government—contractors and subcontractors—responsible for complying with the legal requirement to take affirmative action and not discriminate on the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, disability, or status as a protected veteran.

Section 503 of the Rehabilitation Act of 1973, as amended that took effect on March 24, 2014, contains a specific provision for employment and advancement of qualified individuals with disabilities; and I quote the OFCCP regulations: "Any contract in excess of \$10,000 entered into by any Federal department or agency for the procurement of personal property and nonpersonal services (including construction) for the United States shall contain a provision requiring that the party contracting with the United States shall take affirmative action to employ and advance in employment qualified individuals with disabilities."

Effective March 24, 2014, the United States Department of Labor Office of Federal Contract Compliance (OFCCP) Final Rule strengthens requirements for Federal Contractors and Subcontractors to recruit, hire, promote and retain "Individuals With Disabilities": *"41 CFR Part 60-741 - Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Individuals With Disabilities; Final Rule"*

Additionally, the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended that took effect on March 24, 2014, contains a specific provision for Veterans' employment emphasis under Federal contracts; and I quote the OFCCP regulations: "Any contract in the amount of \$100,000 or more entered into by any department or agency of the United States for the procurement of personal property and nonpersonal services (including construction) for the United States, shall contain a provision requiring that the party contracting with the United States take affirmative action to employ and advance in employment qualified covered veterans."

Also effective March 24, 2014, the United States Department of Labor Office of Federal Contract Compliance (OFCCP) Final Rule strengthens requirements for Federal Contractors and Subcontractors to recruit, hire, promote and retain "Protected Veterans": *"41 CFR Part 60-300 - Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Special Disabled Veterans, Veterans of the Vietnam Era, Disabled Veterans, Recently Separated Veterans, Active Duty Wartime or Campaign Badge Veterans, and Armed Forces Service Medal Veterans; Final Rule"*

Thank you for your thoughtful consideration and I am at the convenience of the Port of Seattle Commissioners and the Port's Senior Executives in providing additional details about the contents of this testimony.