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[Publications](#)

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What You Can Do: Improving Access, Engagement, and Opportunity in the Transportation Sector

In an industry that quite literally drives economies forward, the transportation sector faces a pivotal moment—one that demands a more thoughtful commitment to inclusion and opportunity. While conversations around diversity can often center on the driver workforce, transformation begins at the top. In recent months, diversity, equity, and inclusion (DEI) initiatives have faced mounting legal and political scrutiny, creating uncertainty for employers committed to inclusive workplaces.

As court rulings and legislation continue to evolve, many organizations are re-evaluating how to approach DEI and employee engagement without running afoul of shifting standards. The American Trucking Associations (ATA) [underscores](#) that fostering a more inclusive workforce not only addresses critical labor shortages—such as the estimated 80,000-driver gap—but also enhances innovation, operational efficiency, and long-term sustainability. This article highlights proactive steps employers can take to promote engagement and opportunity despite the continuously evolving DEI landscape.

1. Anti-Harassment Training

While DEI efforts face increasing legal scrutiny, the law remains clear that discrimination and harassment in the workplace are illegal. As such, completing anti-discrimination and anti-harassment training is essential for employers, not just to meet legal obligations but to encourage a safe and legally compliant workplace. Training should be accessible to all employees—including remote or part-time staff—and cover key topics such as recognizing discrimination, harassment, and retaliation, understanding reporting procedures, and emphasizing constructive communication. Implementing ongoing training is also a productive way for companies to promptly spot and properly address inappropriate or unlawful behavior.

2. Employee Resource Groups

Employee resource groups (ERGs) are a powerful way to build connection in the workplace. These employee-led groups center around shared interests or workplace topics and give people across the organization a chance to come together, support one another, and strengthen their sense of belonging. When designed thoughtfully, ERGs can drive engagement and reinforce company values. To maintain an open and welcoming environment and steer clear of potential legal pitfalls tied to exclusivity, these groups should avoid restricting participation based on personal characteristics like race or gender. Instead, they should be structured to encourage involvement from all employees who share an interest in the group's mission or want to learn and contribute. Efforts should also be made to provide a wide array of ERGs that appeal to a cross-section of employees.

3. Employee Mentoring Programs

Mentoring programs are a valuable tool for cultivating employee development and maintaining a strong workplace culture. By connecting individuals across different backgrounds and experiences, these programs promote mutual learning, expand perspectives, and open doors to career growth. Care should be taken to avoid mentoring programs that are exclusively for any protected class. Rather, mentoring should be open and available to all. While formal mentoring is a valuable tool, it shouldn't be the only avenue for employees to seek guidance. Organizations can also promote open communication by adopting an open-door policy, giving employees additional ways to seek support, share feedback, or raise concerns. Together, these approaches create a more responsive and collaborative work environment.

4. Collecting Workforce Data

Reporting requirements under Section 503 of the Rehabilitation Act, the Vietnam Era Veterans' Readjustment Assistance Act, and Title VII of the Civil Rights Act of 1964 remain unchanged. For employers covered by these laws, collecting and analyzing workforce data

simplifies the process and ensures accurate data is reported. By examining key metrics with the assistance of counsel, such as hiring trends, pay equity, and promotion patterns, employers can not only streamline required reporting but also help gain critical insight into opportunities to address issues in their workforce.

5. Resolving Common Issues

Employers should understand the specific challenges their employees encounter, with particular attention to issues that lead to retention challenges. By identifying these concerns, organizations can develop solutions that enhance both the workplace environment and overall employee well-being. For example, some employers struggle to hire and retain quality employees. Taking actions, such as implementing greater transparency in merit-increase processes, instituting flex work schedules, or enhancing leave policies, may combat hiring and retention issues for employees while also improving the workplace for all. Targeted actions towards common issues help build a workplace that is not only more responsive and supportive, but also more efficient, engaged, and driven toward higher performance.

Although the future of DEI efforts may appear uncertain, companies within the mobility and transportation industries still have a clear path forward. By implementing the practices outlined above, organizations can nurture a dynamic, collaborative work environment where all employees feel valued and supported.

For more information or assistance evaluating your workplace and DEI-related policies and practices, please contact the authors or any attorney in Frost Brown Todd's [Labor and Employment Practice Group](#).

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