

EQUAL EMPLOYMENT OPPORTUNITY POLICY

of

Tar River Transit

Rocky Mount, North Carolina



Revised April, 2015

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Tar River Transit
ROCKY MOUNT, NORTH CAROLINA

STATEMENT OF POLICY
EQUAL EMPLOYMENT OPPORTUNITY

Tar River Transit, (TRT) maintains that its mission is to provide a cost-effective, courteous, efficient and safe transit system to meet the transportation needs of Rocky Mount, North Carolina citizens, by furnishing knowledgeable management and qualified employees.

Inherent within this mission is the assurance of equal employment opportunity. TRT will ensure Equal Employment Opportunity (EEO) through its system of personnel practices, including recruitment, selection, promotions, terminations, transfers, layoffs, compensation, training, benefits and other terms and conditions of employment. These practices will not discriminate against an employee or applicant for employment on the grounds of age, color, race, religion, sex, national origin, disability or military status except where any of the above is a bona fide occupational qualification.

The responsibility for ensuring compliance and/or implementation of TRT's EEO program ultimately rests with the General Manager, but is specifically assigned to TRT's EEO Counselor. However, all management personnel share in this responsibility and all will be assigned specific tasks as it becomes necessary to assure compliance with our EEO program.

All employees and all applicants for employment have the right to file complaints alleging discrimination with TRT's EEO Counselor.

All TRT management personnel involved in the interview and hiring process will have the success of the EEO program as their goal and, once achieved, will strive to maintain that level of success. They will be evaluated on the success and ultimate maintenance of the EEO program.

TRT is committed to the premise that successful achievement of EEO goals will provide benefits to TRT through fuller utilization and development of previously underutilized human resources.

Todd Gardner
Transit Administrator
May 5, 2015

II. DISSEMINATION EQUAL EMPLOYMENT OPPORTUNITY POLICY

A. POLICY

It is TRT policy that the Equal Employment Opportunity Program be communicated in the following manner:

1. Reaffirmation of policy and other information to all employees on an annual basis.
2. Inclusion of policy and other related information in publications.
3. Notification to recruitment sources and community action groups.
4. Discussion at appropriate supervisory meetings covering the subject of recruitment, employment, training, promotion, and transfer of employees.
5. The Equal Employment Opportunity policy is posted on designated employee bulletin boards at TRT.
6. Any revision, modification, additions to and/or deletions from TRT's Equal Employment Opportunity policies are communicated to all employees by notices which identify and explain any such change.

The dissemination of TRT's Equal Employment Opportunity policy is not limited to the above referenced items. As considered appropriate, TRT utilizes whatever means necessary to convey the organization's commitment to equal employment opportunity.

B. PRACTICES

TRT recognizes its responsibility for implementing EEO policies within the organization.

TRT provides for the external communication of the EEO policies through proper notification to various recruitment sources and other interested parties. TRT communicates its commitment to recruiting and hiring qualified female, minority, and candidate with disabilities through various publications and media channels.

TRT advertises available positions in general and minority publications in order to attract additional minority applicants. All employment advertising placed by TRT contains the phrase "An Equal Opportunity Employer."

III. DUTIES AND RESPONSIBILITIES

A. EQUAL EMPLOYMENT OPPORTUNITY OFFICER

It is the responsibility of the Equal Employment Opportunity (EEO) Officer (Transit General Manager) to report to the City of Rocky Mount's Transit Administrator on matters relating to Equal Employment Opportunity. The EEO Officer has the overall responsibility for evaluating whether TRT's Equal Employment Opportunity policy is implemented by all levels of management. The EEO Officer will periodically review the Equal Opportunity Program to ensure its completeness and effectiveness. A copy of the job description for the EEO Officer is included in Appendix A.

B. EEO COUNSELOR

It is the responsibility of the EEO Counselor, (City of Rocky Mount Transit Administrator), to investigate and to resolve all complaints concerning equal employment opportunity issues. This responsibility shall be assigned to TRT's Safety and Training Officer, who shall report on these matters to the EEO Officer. The EEO Counselor shall keep the EEO Officer apprised of all complaints and all actions to resolve complaints, but shall not take directions from the EEO Officer. A copy of the job description for the EEO Counselor is included in Appendix B.

IV. EMPLOYMENT POLICIES AND PRACTICES

A. RECRUITING

TRT will provide employment opportunities to qualified applicants regardless of race, color, religion, sex, national origin, age, disability, or military status.

To this end, TRT employs the following techniques:

- TRT encourages all employees to participate in workshops and seminars designed for career and self development.
- TRT encourages all employees to continue to be a recruiting source by referring qualified minority, female, and candidates with disabilities.

B. SELECTION AND HIRING POLICY AND PRACTICES

It is TRT policy that anyone interested in employment may submit an application for employment in response to an advertised position. (An application form is included in Appendix C.) The company and its managers will give proper consideration to such factors as education, experience, skills, advancement potential and character. All aspects of the selection process will be administered without regard to race, color, religion, sex, national origin, age, disability, or military status. Candidates for employment must possess the basic qualifications required to effectively perform the functions of the position.

- Applications will be accepted in response to the placement of ads in local newspapers including minority publications. They are valid for six months.
- All applications will be accepted by the administration department and prescreened. Once prescreened, all applications will be reviewed by the respective department head. Those applicants selected for testing will be ranked and interviewed by the department head. Testing will be conducted depending upon the position to be filled. Following testing, interviews and completion of other requirements for the job, the highest ranking individual will be interviewed by the General Manager or designee. Upon agreement between the General Manager or designee and department head, a background check, drug test, and physical will be performed prior to a job offer being made by the respective department head.
- A formal training program of at least two weeks' duration will be held for new bus operators. Mechanic training is performed on a one-on-one basis with an experienced mechanic during the probationary period.
- Operator candidates must satisfactorily meet the following basic requirements to be selected for employment:

- Possess a valid Driver's License or Commercial Driver's License (CDL), depending on the vehicle being operated, with proper classification or obtain same by the end of the training program
- No felony convictions
- No convictions for driving under the influence (DUI) or vehicular homicide or manslaughter
- No operator's license suspensions in the past five years
- Pre-employment DOT physical including a drug screen
- Complete an employment application
- Acquire police department verification of no felony convictions within the past three years
- Acquire Bureau of Motor Vehicle confirmation of a good driving record and have a valid operator's license.
- Pass standard physical exam (administered at TRT expense)

In accordance with Equal Employment Opportunity Commission guidelines, an applicant log will be maintained showing each applicant's race or national origin and sex, based upon visual observation; he/she may not ask such questions specifically. When applications are not made in person and applicants are not personally known to the manager, he/she may ask each applicant to fill out a self-identification form and advise the applicant that the information is not being sought for employment decisions but to meet Federal record keeping requirements. Any applicant logs or self-identification forms must be kept in completely separate files and must have no bearing on any employment decision. Applicants will be informed of this fact.

The role of the EEO Officer shall be to monitor the hiring and selection procedure in such a way that all applicants are given an equal opportunity for employment. In doing so,

- The EEO Officer will have access to files of all applicants interested in employment.
- Resumes of all applicants will be reviewed periodically by the EEO Officer.
- The EEO Officer will review and suggest revisions on all employment procedures to assure that they do not have discriminating effects and that they help attain goals.

C. TRANSFER AND PROMOTION POLICY AND PRACTICES

It is TRT policy to afford present employees the opportunity for transfers and promotions without regard to race, color, religion, sex, national origin, age, disability, or military status.

TRT makes every effort to promote from within and provide employees with transfer opportunities that qualify them for future promotional opportunities. It is the responsibility of management to provide developmental assistance by which minority and female employees can advance within the company.

It is TRT policy and practice to conduct individual performance appraisals after the first 6 months of employment. Administration and supervisory employees are then reviewed annually coinciding with anticipated salary increases, on or about May 1.

Promotions within management are based upon qualifications and potential to handle added responsibilities. The General Manager position is filled through a professional services contract between the City of Rocky Mount and First Transit.

D. TRAINING AND EDUCATIONAL OPPORTUNITY POLICY AND PRACTICES

TRT provides educational and training opportunities to its employees regardless of race, color, religion, sex, national origin, age, disability or military status.

TRT conducts initial orientation sessions with new employees.

It is the responsibility of all department heads to identify, encourage and implement training opportunities for all personnel. This is to be done with the primary goal of increasing the total organizational strength and effectiveness.

The training process could include but is not limited to:

1. One-on-one training between management and staff.
2. Local training courses, seminars, community colleges, trade schools, etc.
3. Regional and national training courses.

E. TERMINATION AND DISCHARGE POLICY AND PRACTICES

An employee may resign by presenting a written notice of resignation to the employee's supervisor.

An employee may be dismissed for unsatisfactory performance of duties, for disciplinary reasons, for other just causes, or for reduction in workforce. The employee may receive monies due upon dismissal.

Medical and life insurance will be paid through the effective date of termination of the employee.

Appeal Procedures

Any TRT employee who feels that he or she has been unjustly treated has the right to appeal the employment termination decision, both verbally and in writing, to his or her immediate supervisor. The employee's immediate supervisor is thereby required to respond to the appeal within five (5) days after receipt.

If the situation is not resolved at the immediate supervisor's level, the employee has the right to submit a written notice of appeal to the EEO Counselor. The EEO Counselor must respond to the employee within five (5) working days.

Any TRT employee who feels that he or she has been unjustly treated has the right to appeal the employment termination decision under the appropriate sections, terms and conditions of the bargaining agreement.

The EEO Officer will be apprised of all verbal and written appeals.

F. WAGES AND SALARIES

TRT complies with the Equal Pay Act of 1963 which requires all employers subject to the Fair Labor Standards Act to provide equal pay for men and women performing similar work.

Salaries for TRT employees are determined by recommendations from management to the City of Rocky Mount's Transit Administrator.

G. EMPLOYEES WITH DISABILITIES

Under the ADA and section 504 of the Rehabilitation Act, TRT has nondiscrimination responsibilities and shall not discriminate against "qualified individuals with disabilities". This shall include in every aspect of employment, including recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid or unpaid leave, fringe benefits, training, and employer- sponsored activities, including recreational or social programs.

A qualified individual with a disability is:

An individual with a disability who meets the skill, experience, education, and other job-related requirements of a position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of a job.

Moreover, the ADA definition of individual with a disability is very specific. A person with a "disability" is an individual who:

has a physical or mental impairment that substantially limits one or more of his/her major life activities;

has a record of such an impairment; or

is regarded as having such an impairment.

TRT will make every effort to expand the "outreach" to sources of qualified candidates with disabilities (i.e. Vocational Rehabilitation, Independent Living Centers and other disability-related organizations.)

H. SEXUAL HARASSMENT POLICY AND PRACTICES

TRT will not tolerate sexual harassment of its employees by anyone- -supervisors, other employees or clients. Persons harassing others will be dealt with swiftly and vigorously.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between employees that are acceptable to both parties are not considered to be sexual harassment.

Sexual harassment as defined by the Equal Employment Opportunity Commission is:

- unwelcome or unwanted sexual advances;
- requests and demands for sexual favors;
- verbal abuse or kidding that is sexually oriented and considered unacceptable by another individual;
- engaging in any type of sexually oriented conduct that would unreasonably interfere with another's work performance; and
- creating a work environment that is intimidating, hostile, or offensive.

This policy is to protect all employees. If it is proven that an employee has knowingly and intentionally falsely accused another employee of sexual harassment, it will be considered that such employee is guilty of harassment and will be appropriately disciplined.

It shall be the responsibility of the EEO Officer to advise any employee who feels she or he has been sexually harassed of the proper procedure for handling the complaint.

I. EEO GRIEVANCE PROCEDURE

It is the policy of TRT to provide a pleasant working environment for all employees. The complaint procedure outlined below will address discrimination complaints regarding race, color, religion, sex, national origin, age, disability, or military status.

Utilization of this complaint procedure will not in any way jeopardize current or prospective employment status.

Procedures are as follows:

- The EEO Counselor will receive all written complaints of discrimination. These complaints may be direct from the employee or referred from a supervisor or manager who has received a complaint from an employee. The EEO Counselor will submit copies of all written complaints to the EEO Officer.

- All discrimination complaints filed under this procedure will be accepted for investigation up to and including 30 days after the date of the alleged discriminatory act.
- All complaints will be properly recorded and signed by the complainant. Employees will be advised and counseled as to other avenues of redress including, but not limited to, the following:
 1. State of North Carolina, Department of Human Rights;
 2. Equal Employment Opportunity Commission; and
 3. City of Rocky Mount Human Relations Commission.
- All complaints will be investigated and processed by the EEO Counselor within 30 days of receipt.
- The complainant will receive written notification regarding the results of the investigation and the final disposition of the complaint including remedial actions to be taken.
- If the complainant disagrees with the findings and decisions of the EEO Counselor, he/she will be advised and counseled as to other avenues of redress including, but not limited to, the following:
 1. State of North Carolina, Department of Human Rights;
 2. Equal Employment Opportunity Commission; and
 3. City of Rocky Mount Human Relations Commission.
- The EEO Counselor will take necessary steps to ensure the confidentiality of all discriminatory complaint records and of any counseling done in the course of the complaint procedure.

V. UTILIZATION ANALYSIS

Equal employment opportunity assumes that the workforce of any given business concern should mirror the race and sex composition of the population. A major factor in assessing equal employment opportunity is the skill availability of the labor pool. Equal Employment Opportunity legislation (Title VII of the Civil Rights Act of 1964, as amended) and subsequent executive orders (Executive Order 11246, as amended), require that Federal contractors and subcontractors certify that they do not discriminate with respect to employment and the conditions thereof.

The assessment below views the total TRT workforce, provides a job classification breakdown according to minorities and non-minority females.

A. TAR RIVER TRANSIT WORKFORCE

The TRT workforce consists of 72 employees representing two major equal employment opportunity categories: management and professional. Within these categories, six occupational groups are represented: management, professional, craftsman, transportation equipment operator, laborer and clerical (see Exhibits V-1 and V-2). The only major subgroup reflected in the workforce is black. The General Manager, the top management position, is provided through a professional services contract between the City of Rocky Mount and First Transit.

B. LABOR MARKET

The relevant labor market for TRT has been determined to be the City of Rocky Mount. 60.8 percent of the population is minority and more than 92 percent of this group is black. Only 4.8 percent of Rocky Mount's MSA population consists of minorities other than blacks.

Females comprise 54.0 percent of the workforce. The minority workforce is small but consistent with the norm for comparable communities. The statistics for minorities other than blacks are also comparable.

The TRT workforce is both small and stable. Therefore any and all goals must be predicated upon job turnover among the current staff.

C. GOALS

Through the assessment of the current level of minority and female employment in TRT and the availability of minorities and women, quantifiable patterns emerged. Due to the small numbers of individuals involved in the percentage, a variance of 1-10 is considered to be within proper utilization levels. An assessment of each TRT occupational group will further illuminate the facts.

1. Management

Within this category both minorities and females are well represented. Our goal is to maintain representation of females and minorities at the availability level or above.

2. Professional

Again, both minorities and females are over utilized and well represented. There is no need to set corrective goals for this category. Our goal is to maintain representation of females and minorities at the availability level or above.

3. Transportation Equipment Operator

Operators comprise more than 93 percent of the workforce. Based upon their percent of the workforce, both females and minorities are well represented. Based upon availability, both minority and female groups are utilized. Our goal is to maintain representation of females and minorities at the availability level or above.

APPENDIX A

JOB DESCRIPTION: EEO OFFICER

JOB DESCRIPTION

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION OFFICER

General Description

Reporting directly to the City of Rocky Mount Transit Administrator, the Equal Employment Opportunity (EEO) Officer is assigned the following duties and responsibilities:

Duties

- Assists in the identification of areas in need of improvement and establishes objectives and goals to implement Equal Employment Opportunities policies.
- Attends related meetings and seminars.
- Participates by active involvement with minority organizations and community action groups.
- Audits hiring and promotion patterns.
- Periodically reviews qualifications of employees to assure that full opportunities for transfers and promotions are given to all minorities and women.
- Meets with new employees to inform them of TRT's Equal Employment Opportunity Program.
- Ensures that posters are properly displayed in conspicuous and accessible locations and EEO information is adequately disseminated throughout the organization.
- Counsels all employees regarding career development and promotions.
- Performs other duties as assigned.

Responsibilities

- Develops policy statement, EEO programs, and internal and external communication techniques.
- Assists in the identification of EEO problem areas.

- Assists corporate management in arriving at solutions to EEO problems.
- Designs and implements audit and reporting systems that will measure the effectiveness of TRT's EEO program, indicate need for remedial action, and determine the degree to which the goals and objectives are progressing.
- Periodically reviews hiring and promotion patterns to ensure objectives are met.
- Serves as liaison between minority organizations and community action groups.
- Keeps management informed of latest developments in the entire EEO area.
- Gives assistance to all management in the establishment of appropriate goals and timetables.
- Discusses the program regularly with management personnel.
- Ensures that minority and women employees are afforded a full opportunity and are encouraged to participate in all company sponsored educational, training, recreational, and social activities.

APPENDIX B

JOB DESCRIPTION: EEO COUNSELOR

JOB DESCRIPTION

EEO COUNSELOR

General Description

The EEO Counselor shall coordinate directly with the EEO Officer but shall not be under the direction of the EEO Officer in matters concerning the investigation and resolution of EEO complaints. The EEO Counselor is assigned the following duties and responsibilities:

Duties

- Assists in the identification of areas in need of improvement and helps to establish objectives and goals to implement EEO policies.
- Assists in auditing hiring and promotion patterns.
- Receives and investigates complaints concerning EEO matters.
- Works with the complainant and others as necessary to resolve any complaint.
- When required, works with the City's Corporate Counsel, other attorneys and appropriate agencies to resolve any complaint.
- Performs other duties as assigned.

Responsibilities

- Assists in the identification of EEO problem areas.
- Assists corporate management in arriving at solutions to EEO problem areas.
- Keeps the EEO Officer and management informed of the latest developments in the entire EEO area.
- Assists the EEO Officer in the establishment of appropriate goals and timetables.
- Discusses complaints and possible solutions with supervisors and management personnel as necessary.
- Fulfills all necessary investigations and responsibilities connected with grievances that are filed with regard to the EEO Program.