

<p><b>Title:</b> Equal Employment Opportunity (EEO) Policy</p>	<p><b>Resolution:</b> 24-08: Updated Equal Employment Opportunity (EEO) Policy</p>
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**Jefferson Transit Authority**

**Equal Employment Opportunity Policy**

Adopted: June 13, 2020  
 Amended: June 20, 2023  
 Updated: June 18, 2023

## Equal Employment Opportunity/Affirmative Action Policy and Program

### Statement of Policy

Jefferson Transit Authority has a strong commitment to the community we serve and its employees. As an equal opportunity employer, we strive to have a workforce that reflects the community we serve. No person is unlawfully excluded from employment opportunities based on race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age, genetic information, disability, veteran status, or other protected class.

Jefferson Transit Authority Equal Employment Opportunity (EEO) policy applies to all employment actions, including but not limited to, recruitment, recruitment advertising, hiring, selection for training, promotion, upgrading, transfer, demotion, layoff, termination, rates of pay or other forms of compensation, and treatment of employees.

All applicants and employees have the right to file complaints alleging discrimination. Any employee or applicant wishing to do so should contact either their direct supervisor, or in the case of an applicant, the EEO officer listed below, for instructions on how to start the process. Retaliation against an individual who files a charge or complaint of discrimination, participates in an employment discrimination proceeding (such as an investigation or lawsuit), or otherwise engages in protected activity is strictly prohibited and will not be tolerated.

Jefferson Transit Authority is committed to providing reasonable accommodations to applicants and employees who need them because of a disability or to practice or observe their religion, absent undue hardship.

Jefferson Transit Authority's General Manager, Nicole Gauthier, will maintain overall responsibility and accountability for Jefferson Transit Authority's compliance with its EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, the Jefferson Transit HR/Payroll and Benefits Administrator has been appointed as EEO Officer, with the contact information listed below:

Julie Ryan  
HR/Payroll & Benefits Administrator  
(360) 385-3020 x 119

As Jefferson Transit's EEO Officer, Ms. Ryan will report directly and acts with the General Manager's authority with all levels of management, labor unions, and employees.

All Jefferson Transit Authority management, and supervisory personnel, however, share in the responsibility for implementing and monitoring Jefferson Transit Authority's EEO Policy and

Program within their respective areas and will be assigned specific tasks to ensure compliance is achieved. Jefferson Transit Authority will evaluate its managers' and supervisors' performance in the same manner as they evaluate their successful implementation of other Jefferson Transit Authority policies and procedures.

Jefferson Transit Authority is committed to undertaking and developing a written nondiscrimination program that sets forth the policies, practices, and procedures, to which the agency is committed and make the EEO Program available for inspection by any employee or applicant for employment upon request.

The General Manager is committed to a workplace that acts upon its daily responsibility to treat all applicants and employees with dignity and respect, as well as equitably under the guidelines of our EEO Policy and Program.

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Signature – Nicole Gauthier, General Manager, Jefferson Transit Authority

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Date

## EEO PROGRAM

### Section 1. Dissemination Plan

#### 1. Internal Dissemination.

It is the policy of Jefferson Transit Authority to communicate the existence of its EEO policy and program to all employees, applicants, and potential applicants by:

- a. Providing written communications from the General Manager.
- b. Posting official EEO materials (e.g. Federal and state labor laws poster(s)) and Jefferson Transit Authority's policy statement on bulletin boards, near time clocks, in employees' breakrooms, and in the Human Resources office.
- c. Including the EEO Policy statement in Jefferson Transit Authority's personnel and operations manual, employee handbooks, reports, and manuals.
- d. Meeting with Jefferson Transit Authority department heads semiannually to discuss the EEO Program and its implementation.
- e. Meeting with employees and affinity groups to seek input on the program implementation.
- f. Conducting periodic EEO training for employees and managers.
- g. Conducting EEO training for all new supervisors or managers within 90 days of their appointment.
- h. Including EEO policy statement with new employee orientation materials, with a form requiring said new employee to sign acknowledging their understanding.

#### 2. External Dissemination

- a. Disseminating its EEO policy statement and program with any outreach or to any recruitment entities (e.g., employment agencies, educational institutions, minority, and women organizations).
- b. All recruitment ads (e.g., newspapers, magazines, websites, and social media) will state that Jefferson Transit Authority is an equal employment opportunity employer.

### Section 2.0 – Designation of Personnel

The EEO Officer has the primary management responsibility, authority, and resources for ensuring full compliance with the provisions of this Policy, as amended, and its implementing regulations. The EEO Officer's appointment and a description of the position's basic responsibilities have been communicated to all levels of personnel in the agency. The responsibilities of the EEO Officer include, but are not necessarily limited to, the following:

1. Developing EEO policy statements and written EEO Program and developing a plan for dissemination of internal and external communication.

2. Collecting and analyzing employment data, identifying EEO problem areas, proposing goals and time tables;
3. Designing, implementing and monitoring internal review and reporting systems that measure the effectiveness of Jefferson Transit Authority's programs;
4. Concurring in the hiring and promotion processes. Periodically reviewing employment practices, and policies (e.g., hiring, promotions, and training), complaint policies, reasonable accommodation policies;
5. Serving as liaison between Jefferson Transit Authority, Federal, State and local governments, regulatory agencies, minority, handicapped and women's organizations and other community groups;
6. Maintaining awareness of current EEO laws and regulations, and ensuring the laws and regulations affecting nondiscrimination are disseminated to responsible officials;
7. Assisting management in arriving at effective solutions to EEO problems, including outreach efforts;
8. Regularly reviewing Jefferson Transit Authority's employment practices policies, in conjunction with human resources (e.g., hiring, promotions, training), complaint policies, reasonable accommodation policies, performance evaluations, grievance procedures, and union agreements.
9. Providing EEO training for employees and managers.
10. Concurring in all systems and processes for hires and promotions as well as training and development programs.
11. Ensuring employment discrimination complaints are processed effectively and efficiently, referring them to outside investigators when necessary.
12. Auditing postings of the EEO policy statement to ensure compliance information is posted and up to date.
13. Meeting semiannually with department heads and General Manager to discuss each department's progress in relation to Jefferson Transit Authority EEO compliance.

The EEO Officer reports directly to the General Manager on EEO issues. The incumbent advises agency department heads with respect to hiring, promotion, discipline, training and discharge and all other aspects of employment. Human Resources, General Manager and agency department heads actively participate in periodic audits of all aspects of employment, thereby identifying and removing barriers obstructing the achievement of specified goals and objectives. They also hold regular discussions to ensure agency policies and procedures are being followed. In conjunction with the EEO Officer, they maintain and update the personnel database for generating reports required for the nondiscrimination program. They cooperate with the EEO Officer in the review and investigation of complaints. They also encourage employee participation to support the advancement of the EEO Program (e.g., professional development and career growth opportunities, posting promotional opportunities, shadowing, mentoring).

## Section 3.0 – Employment Practices

One of the primary goals of this EEO policy is to affirmatively include in all employment practices those who have been disadvantaged in the past due to oversight and/or discriminatory practices and to ensure nondiscrimination in treatment in all current aspects of employment. Jefferson Transit Authority shall routinely conduct detailed assessments of current employment practices to identify those practices that operate as employment barriers and unjustifiably contribute to underutilization. Any problem areas that are identified shall have a proposed remedial, affirmative action included in the EEO program. The assessment shall include:

1. Outreach in recruitment and employment selection procedures;
2. Seniority practices, job upgrades, and promotional opportunities and procedures;
3. Compensation determinations and benefits administration;
4. Disciplinary procedures and terminations (voluntary and involuntary); and,
5. A reasonable assessment of external factors which may lead to underutilizations.

Jefferson Transit Authority has reviewed its employment practices. Specifically, Jefferson Transit Authority has reviewed its hiring activity, promotional activity, transfer activity, and terminations. In any instance where the statistical/numerical thresholds were met as identified in the Circular 4704.1A, a more in-depth review of that employment activity and its selection process has been undertaken and corrective action taken as appropriate. Jefferson Transit Authority has set forth the following course of action:

**Recruitment and Hiring:** The EEO Officer for Jefferson Transit Authority shall review the composition of the applicant flow by minority group status and sex on an ongoing basis. EEO Officer shall maintain a register at the point of receiving applications for employment, indicating the name of the applicant, the minority group status (African American, Hispanic, Native American, Asian, or Pacific Islander and Multi-Racial) and sex of the applicant and the job applied for. The contents of this register will be summarized according to the position for which employment applications were received and the applicant flow compared with the availability analysis figures. An analysis will be made to see whether any variations are due to mistakes in the availability analysis, failure to maximize minority and female applicant flow, or some other cause. Final dispositions shall be reviewed as well. Remedial actions shall be taken, if necessary, and as applicable.

Jefferson Transit Authority reviews all its position descriptions, position titles, application forms, interview procedures, skills testing procedures (if any), final selection process and similar matters to determine whether they interfere with hiring and advancement of qualified minorities and women. At present, no problems have been found to exist. However, the EEO Officer still coordinates strategic outreach directed toward those groups underutilized within this EEO program. Particular emphasis will be given to positions in those categories that are underutilized for the job category in which the vacancy exists. No external factors were

identified that may influence the full participation of minorities, women, the disabled, and veterans.

When a vacant position is identified, normal hiring procedures are as follows:

1. Internal posting for all current employees, typically concurrent with external recruitment.
2. Current available positions will always be posted on Jefferson Transit Authority website.
3. Additional outreach may include: Newspaper advertisements (including print and online posting), social media postings (i.e. LinkedIn, Craigslist, Indeed), WorkSource, physical signs strategically posted in high traffic areas, and WSTA website. EOE statement is always part of any outreach.
4. Voluntary applicant information sheet has been added to application packet for purposes of compiling statistical results. Analysis will provide demographic information regarding race, sex, and any other protected groups.
5. Upon the closing date for posted position, HR reviews all submittals for completeness of application packet.
6. Members of the interview panel, including position's supervisor, screen each application packet for knowledge, skills, and ability. Applicants meeting the minimum requirements are advanced for skills testing.
7. Skills testing is administered by a third-party business that is certified and meets FTA testing guidelines as outlined in FTA Circular 4704.1A, Section 2.2.6. Applicants recommended as passed in testing process are offered an interview.
8. At the interview point, applicants provide five-year employment driving record, and are given an oral interview. Interviews are scored by each member of the selection panel.
9. Background/reference checks are conducted on the top scoring candidates.
10. Candidate recommended for hire is given a conditional offer of employment, pending completion of a successful drug urinalysis screening and a fit-for-duty test (by position).

**Promotions and Transfers:** Jefferson Transit Authority shall also analyze its transfer and promotion practices, and annually thereafter. All formal and informal training programs (when budgets permit) will be reviewed for inclusion and diversity. Types of trainings related to promotions and transfers offered, budget permitting, may include the following:

- Training to employees, personnel, and management staff on proper interview techniques
- Counseling to assist employees in identifying promotional opportunities
- Training and education programs to increase promotion and transfer opportunities
- Leadership training for identified talent

**Compensation:** Jefferson Transit Authority retained the services of Cabot Dow in 2023 to evaluate the strengths and weaknesses of Jefferson Transit Authority's current compensation philosophy, policy and practices, including salary matrix, job descriptions, pay classification, merit, promotions, and internal equity for non-represented staff. Jefferson Transit Authority

requested recommendations for changes to the compensation philosophy, policies or practices that supported the organization's strategic priorities including:

1. Market percentile for minimum, midpoint, and maximum ranges;
2. Ability for employees to move and advance within the current classification structure and pay ranges;
3. Methods and options related to market study implementation other than across the board implementation;
4. Recommendations regarding equity adjustments for existing employees who have fallen behind market; and
5. Current policies relating to merit increases and flexibility to move outside the pay structure.

The results of the study found that Jefferson Transit Authority's starting salary ranges were, on average, 5% lower than the market, with some positions being more than 15% lower. Jefferson Transit Authority adjusted its salary ranges accordingly following completion of the study.

EEO Officer prepares or, at a minimum, reviews all hiring offers. Offers exceeding the minimum of the hiring range require General Manager level approval.

Represented employees are compensated according to the current Collective Bargaining Agreement with the ATU.

**Seniority Practices:** Competition for positions is based on knowledge, skills, and ability. Offers are not made based on seniority.

**Benefits:** All employee benefits, facilities, sponsored recreation, social events, and special programs such as educational assistance are, and will continue to be, available to all employees without regard to minority group status, sex, or represented or non-represented status. Eligible employees are those who work thirty (30) or more hours per week. Employees working more than 19.5 hours per week are eligible for pension benefits.

**Turnover/Retention/Terminations:** Jefferson Transit Authority's human resources are its most important resource. While employees leave for a variety of reasons, turnover is always a great loss to Jefferson Transit Authority. The EEO Officer reviews termination data to ensure that the workplace is bias free. An exit interview is completed by HR/PR Administrator to discuss with the employee the reasons they are choosing to leave.

**Discipline:** Managers and supervisors evaluate and will continue to evaluate disciplinary action in a non-discriminatory manner pursuant to Jefferson Transit Authority Personnel Policy. In addition, managers and supervisors will consult with the EEO Officer to ensure that any disciplinary actions for violations of Jefferson Transit Authority's policies as stated in the



personnel policy are applied in a non-discriminatory manner. Disciplinary actions include warnings, suspensions, and terminations. All employees have the right to appeal an adverse action. Employees are also informed that they have the right to file an employment discrimination complaint with the EEOC or Human Rights Commission. Notices are posted on bulletin boards and give pertinent information.

Standard disciplinary procedures, barring any incident requiring immediate termination, follow a uniform set of steps.

1. Verbal counseling (training, refresher training)
2. Written verbal warning
3. Written reprimand with or without unpaid suspension
4. Termination of employment

Any represented employee suspended or discharged by Jefferson Transit Authority under the terms of the JTA discipline policy, will have the ATU notified of such suspension or discharge within twenty-four (24) hours. If the represented employee believes the suspension or discharge to be unjust, that the employee has the right to file a grievance as outlined in the current Collective Bargaining Agreement.

**Training:** Jefferson Transit Authority encourages all employees to seek training to develop skills and may offer different training programs as applicable and where budgets permit, to all employees to ensure the workforce can improve their skills to provide greater opportunities for career development and progression. Jefferson Transit Authority also provides appropriate Equal Employment Opportunity and related training to all supervisors and managers within 90 days of hire or entering such supervisory/management roles. Jefferson Transit Authority conducts an annual All Staff Training Day to keep employees compliant with required training.

#### **Section 4.0 – Complaint Process**

The success of the Equal Employment Opportunity program depends largely on the attitude of the community as well as the employee. Opinion as to what constitutes fair and equal opportunity and treatment may vary widely, and grievances may result. The following steps shall be taken immediately for any grievance arising from the employee-supervisor and Jefferson Transit Authority-community relationships:

##### **Reporting the Grievance**

The employee, applicant, or citizen (complainant) shall bring their grievance to the attention of the Department Manager who will investigate as necessary to determine the cause of the complaint and work with the complainant to affect an equitable solution. Every effort shall be made to resolve the difficulty at this level. When a grievance is against a Department Manager, the complainant may file the complaint directly with the General Manager. The Finance Manager will keep Jefferson Transit Authority's insurance pool informed of potential liability issues.

Any complainant bringing forward an issue is advised of the process, including confidentiality, and that retaliation is prohibited. Any employees that might be party to the issue will be counseled on confidentiality and retaliation as well.

### **Investigation**

At the option of either party, the EEO Officer shall interview both parties and conduct additional investigations when necessary. Reports and recommendations shall then be made to the General Manager for resolution.

### **Resolution of Complaint**

If mutual agreement cannot be achieved, and resolution is required by the General Manager, signed statements detailing the grievance and specific investigation action shall be obtained by the EEO Officer from the complainant, Jefferson Transit Authority employees and the Department Manager. The EEO Officer shall forward these statements, along with their own investigation report and recommendations, to the General Manager for resolution.

EEO Officer shall maintain an electronic file with all documents related to any complaint for six years past the end of the grant project period. Complaints, investigative status, and resolutions will be tracked on a dedicated log. These complaints and resolutions will be maintained on JTA's secure server system for tracking and reporting purposes. All complaints will be retained for the minimum 6 year period beyond the end of the project, in compliance with WSDOT's Consolidated Grant Guidebook.

### **Confidentiality**

Confidentiality will be maintained to as high a level as possible given the nature of the matter and the needs of Jefferson Transit Authority and its employees to process the grievance.

## **Section 5.0 – Monitoring and Reporting**

To ensure our Equal Employment Opportunity Program remains effective, Jefferson Transit Authority will review its statistical data pertaining to our external applicant flow data, internal promotional activity, grievance, separation activity and EEO complaint activity on an annual basis with supervisors and the General Manager. The EEO Officer will review union contracts to ensure there is no disparate impact. The EEO Officer will do this to help understand the current overall demographics of our workforce and to determine if there are any disparate impacts to address based on our employment practices and opportunities for improvement. JTA's EEO program began in June 2020. JTA had not had the requirement for statistical analysis prior to that date nor had the data been collected. JTA implemented required statistical analysis reporting for applicants, promotions, disciplinary actions, terminations, and training cross-referenced by sex and race.

**Agency Monitoring:** After reviewing and analyzing this data, the EEO Officer will meet with the General Manager and department heads annually to share the results of the employment

activity mentioned above and make any necessary recommendations. In 2017, Jefferson Transit Authority conducted an analysis of the workforce using the EEOC Form 164 and notified EEOC that we are not required to report. Results of this analysis are under Attachment C. From these meetings, the EEO Officer will make any necessary changes to the plan for Jefferson Transit Authority to continue its commitment as an equal opportunity employer and an employer of choice.

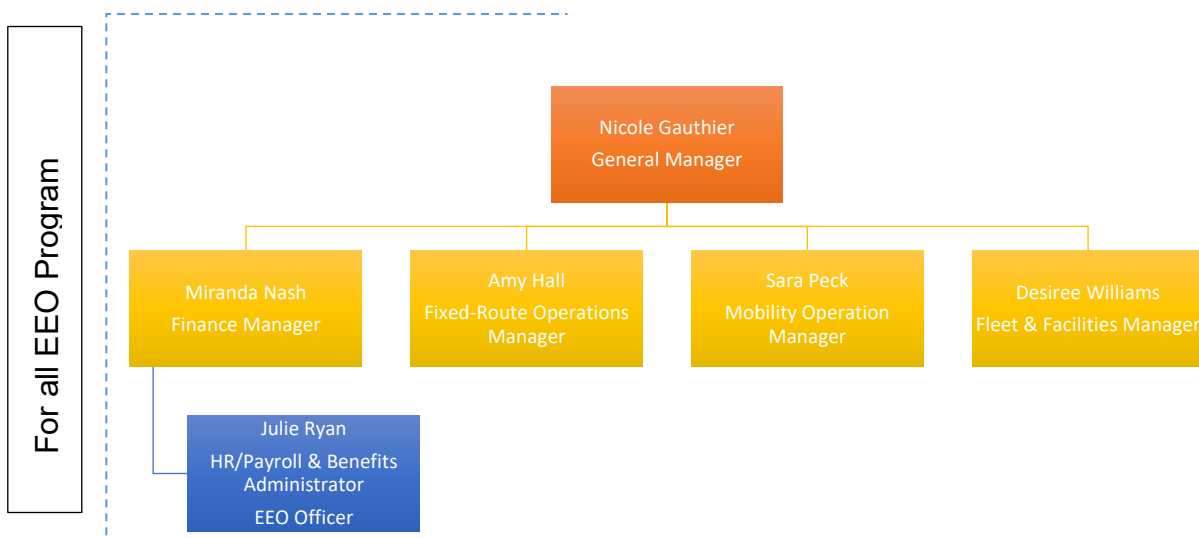
Any action plans made to counteract disparate impacts uncovered will be evaluated, at a minimum, semiannually. The agenda for these meetings will include:

- Dissemination
- Utilization analysis
- Statistical employment practices
- Timeframe to reach goals
- All identified barriers
- Status of complaints and/or investigations
- Progress of the action plan

Documented actions will be taken to implement plans for minority and female job applicants or employees. Management will be informed of the program’s effectiveness at semiannual meetings.

Currently, Jefferson Transit Authority does not have any subrecipients or vendors which meet the threshold of agency oversight of their EEO Program.

### Attachment A: Organizational Chart



**ATTACHMENT B: Board Resolution**