



EQUAL EMPLOYMENT OPPORTUNITY PLAN

POLICY STATEMENT

BATA is an equal employment opportunity employer. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, discipline, or any other aspect of personnel administration because of race, national origin, religion, color, age, sex, sexual orientation, gender identity, marital status, height, weight or a disability that is unrelated to the individual's ability to perform the duties of a particular job is prohibited except where a specific age, sex, or physical requirement constitutes a bona fide occupational qualification necessary to insure proper and efficient administration.

Any employee who believes that he/she has been discriminated against in any of the manners set forth above may file an appeal under the grievance procedure (**Attachment 5**) with the BATA Complaint Form (**Attachment 6**).

Please see **Attachment 1**, letter from the Executive Director and **Attachment 2**, EEO Officer Appointment Letter, for further statements of BATA's EEO Policy and its commitment to enforcement.

DISSEMINATION AND COMMUNICATION

The policy statement and official EEO materials including federal and state labor law posters will be made available to employees, applicants, and organizations outside the department/agency through employee handbooks, policy directives, posting in required areas of bulletin boards, near time clocks, employee break rooms, and employment and personnel offices, the Internet, statements on recruitment documents, advertising, and through notification to contractors, etc. Executive, managerial, and supervisory personnel will be advised of the policy, through meetings and/or training, with emphasis on individual responsibilities for implementation of the Policy.

Specifically, all employees who are authorized to hire, supervise, promote, and discharge employees, or who give advice or recommendations regarding such action will be made fully aware of and will implement BATA's equal employment opportunity responsibility. To ensure such, BATA will at a minimum take the following actions:

- Periodic meetings of supervisory staff will be conducted not less than semiannually, at which time the equal employment opportunity policy and its implementation will be reviewed, explained, and reaffirmed.
- Training for management/supervisory staff will be conducted periodically (new management/supervisory staff will be trained within 90 days of their appointment).

- All BATA personnel involved in the direct recruitment of employees will be made aware of the methods followed in locating and hiring minority, disadvantaged, and female employees and will be kept apprised of any affirmative action goals and timetables.
- BATA will conduct meetings with all employees and affinity groups to seek input on the program implementation.
- An Equal Employment Opportunity notice will be posted in locations visible to all applicants for employment as well as current employees.
- BATA will maintain a working environment free of harassment, intimidation, and coercion at all facilities in which employees are assigned to work.
- Each employee will receive a copy of BATA's Personnel Policy and Procedure Manual which includes this equal employment opportunity program.
- BATA will disseminate the EEO Policy to recruitment entities when there is outreach or advertising is being conducted. All recruitment ads will state that BATA is an equal employment opportunity employer.

DESIGNATION OF PERSONNEL RESPONSIBILITIES

A. Assigned EEO Officer

The Director of Administrative Services is designated as the Equal Employment Opportunity (EEO) Officer and is assigned the responsibility of overseeing the program and is given full authority to carry out the program and is given the responsibility to:

- Develop the EEO policy statement and written EEO program to the list of responsibilities.
- Review BATA's nondiscrimination plan with all managers and supervisors to ensure that the policy is understood.
- Review documents and concur in the hiring and promotion process (see **Attachment 7**, New Hire and Promotions Package Checklist).
- Periodically review employment practice policies, complaint policies, reasonable accommodation policies, performance evaluations, grievance procedures, and union agreements.
- Maintain awareness of current EEO laws, and ensuring the laws affecting nondiscrimination are disseminated to responsible officials.
- Provide EEO training for employees and managers.

- Advise employees and applicants of available training programs and professional development opportunities and the entrance requirements.
- Assist in collection and analyzing employment data, identify problem areas, set equal employment goals and timetables, and develop programs to achieve these goals, and establish specific remedies to eliminate any potential discriminatory practices.
- Maintain records and monitor internal audit and reporting systems to measure program effectiveness to determine where progress has been made and where further action is needed.
- Report no less than semiannually to the executive director on each department's progress in relation to the organization's goals and on contractor/vender compliance.
- Report to the BATA Board on progress in relation to achieving employment goals.
- Serve as liaison between BATA and community groups and governmental agencies.
- Audit posted EEO policy statements to ensure they are up-to-date.

Ms. Christine Davis, Director of Administrative Services
 Ph. 231-778-1036
 Fax: 231-932-2025
 Email: davisc@bata.net

BATA will utilize an attorney for legal expertise in the investigations of a case and fully understands that the attorney cannot be the same attorney who represents the organization in an EEO complaint arising from the same case. In the event of a conflict of interest, the matter will be addressed through procedures designed to safeguard the integrity of the EEO complaint. Whether the conflict is real or presents the appearance of a conflict, to maintain the integrity of the EEO investigative and decision-making process BATA will enter into a formal contract with a third party (attorney, private contractors, parallel sub-components within a department or agency, and other federal agencies) to investigate a complaint.

B. Executives, Managers, and Supervisors

Executives, managers, and supervisors are responsible for assuring that recruitment for vacancies is handled in a manner to attract a qualified, diverse applicant pool and that hiring decisions are based on job-related factors. Executives, managers, and supervisors are responsible for making reasonable efforts to assure that all employees are provided a work environment that gives every employee the opportunity to succeed.

Employees shall be treated in a non-discriminatory manner, consistent with applicable law, rules, regulations and policies.

Responsibilities:

- Cooperating with the EEO Officer in review of information and investigation of complaints.
- Participating actively in the periodic audits of all aspects of employment to identify and remove barriers obstructing the achievement of specified goals and objectives.
- Holding regular discussions with other managers, supervisors, employees, and affinity groups to ensure agency policies and procedures are being followed.
- In conjunction with the EEO Officer, maintaining and updating the personnel database for generating reports required with the nondiscrimination program.
- Encouraging employee participation to support the advancement of the EEO program.

C. Administration of Equal Employment Opportunity Activities

The Executives, Managers, and Supervisors are responsible to undertake activities necessary to implement equal employment opportunity activities consistent with the plan. Overall Equal Employment Opportunity responsibilities shall be coordinated with the Human Resources Manager. Activities in this area may include:

- (1) Implementing the EEO Plan through internal and external communication techniques.
- (2) Consulting with human resource and departmental personnel responsible for the development of a plan to forecast departmental workforce needs.
- (3) Identifying steps that will be taken to assure equal employment opportunity in developing pools of potential qualified employees, including identifying areas where equal employment equal opportunity improvement is necessary and recommending actions for solving them.
- (4) Reviewing personnel policies, selection processes, and record keeping procedures that affect equal employment opportunity. Employment data, practices and policies will be analyzed to determine if these afford equal employment opportunity. Appropriate steps to remedy any identified barriers will be taken in accordance with applicable law, rules, and regulations and as approved by the State Personnel Director.
- (5) Analyzing employment practices, including reassignments and promotions, and programs offered to employees, including training and other professional development activities to ensure that such activities occur in a non-discriminatory manner.
- (6) Reporting data related to the composition of the workforce by race, gender, and disability status.
- (7) Coordinating Section 504/ADA/reasonable accommodation activities.
- (8) Investigating allegations of illegal discrimination and sexual harassment complaints.

GOALS AND TIMETABLES

Establishing Year 2017

BATA will make a good faith effort to meet the designated goals as established. Meetings will be held minimally semiannually to review goals (below), ensure processes are being followed, and access accomplishments and/or address shortfalls. These goals will be established as they relate to the utilization of minorities and women in all job categories. Below is the action plan BATA is committed to in order to meet current and future goals resulting from the workforce analyses (subject to current Bargaining Unit Agreement language):

Goals: Eradicate discrimination in the workplace by enforcing internal and external (Federal) equal employment opportunity laws, regulations, and policies.

HIRES, PROMOTIONS, TRAINING, DISCIPLINE, TERMINATIONS

Hires/Applicants

Year 2016 Applied/Hired Applicants – (See Attachment 8A Hires)

(applications only kept on file for 1 year-no applicant information available)

The Four-Fifths Adverse Impact analysis by Job Category of Applicants and Hires for 2016 revealed the following Potential Adverse Impact – (See **Attachment 3B Utilization Analysis**)

- 1-Officials and Administrators, White Males with a selection rate of 0.0% to 1.0% for White Females
- 2-Professionals, White Females – with a selection rate of 0.0% to 28.6% White Males
- 3-Technicians, None
- 4-Protective Service, None
- 5-Paraprofessionals, White Females -with a selection rate of 0.0% to 12.5% White Males
- 6-Administrative Support, White Females – with a selection rate of 10% to 40% White Males
- 7-Skilled Craft, None
- 8-Service-Maintenance, White Male/Females, Black Males, Hispanic/Latino Males – with selection rates of 6.1% for males and 37.5% for Females; H/L and Black Males with a 0.0% selection rate.

BATA has implemented a New Hire and Promotions Package Checklist (**Attachment 7**) to ensure compliance. This check list will be utilized for all new hires and for all non-bargaining unit position postings and promotions. BATA will make good faith efforts to reduce potential adverse impacts currently within their recruitment efforts by 2020 by increasing female and minority applicants and new hires by maintaining a file of resumes and contact information for potential candidates from underrepresented groups.

Promotions

Year 2016 Promotions – (See Attachment 8B Promotions)

The Four-Fifths Adverse Impact Analysis by Job Category for Promotions revealed no Potential Adverse Impact at this time. BATA’s goal is to continue this trend throughout 2020 with semi-annual reviews.

BATA will make good faith efforts to reduce potential adverse impacts currently within their recruitment efforts by 2020.

Training

Year 2016 Training – (See Attachment 8C Training)

The Four-Fifths Adverse Impact Analysis by Job Category for Training revealed no Potential Adverse Impact at this time. BATA’s goal is to continue this trend throughout 2020 with continued training for all employees.

Terminations

Year 2016 Terminations – (See Attachment 8D Terminations)

The Four-Fifths Adverse Impact Analysis by Job Category for Terminations revealed one (1) Potential Adverse Impact, 33% White Female involuntary termination within the Officials & Administrators job category.

Contributing factor: BATA hired a “change agent.” As a result, certain positions were restructured, eliminated, etc. This staff position was affected. BATA is currently stabilized; the goal is to continue this trend throughout 2020 with semi-annual reviews.

BATA will make good faith efforts to reduce potential adverse impacts currently within their recruitment efforts by 2020.

Discipline

Year 2016 Discipline – (See Attachment 8E Discipline)

The Four-Fifths Adverse Impact Analysis by Job Category for Discipline revealed no Potential Adverse Impact at this time. BATA’s goal is to continue this trend throughout 2020 with semi-annual reviews.

BATA will make good faith efforts to reduce potential adverse impacts currently within their recruitment efforts by 2020.

Year 2016 Equality in Wages – (See Attachment 9)

The chart reflects that those with *less than* 3 years’ length of service and *UNDER* the age of 40 within an Administrative Level 5 have increased wages over those with equal to or more than 3 years’ length of service *OVER* the age of 40 within an Administrative 5. This has a Potential

Adverse Impact on this protected class. The chart also shows a Potential Adverse Impact on Females *OVER* 40.

BATA will review current market values, re-evaluate employee compensation vs. relative experience, education, etc. Goals for eradicating current adversities will be ongoing. BATA will make good faith efforts to reduce Potential Adverse Impacts currently within their recruitment efforts by 2020.

ACTION PLAN

An Action Plan is intended to be a multi-year effort as indicated in the Goals and Timetables. This Plan is also designed to be a "living" document that grows and changes in response to the emerging needs of the organization. The following present the programmatic objectives, strategies, and measures designed to achieve the identified goals.

Vacancies: If vacancies become available in the underutilized areas of Technical, Protective Services, Skilled Craft and Service/Maintenance, BATA will concentrate on recruiting methods to try to draw more female, minority, disabled and veteran applicants for consideration in filling these vacancies.

Maintain a file of resumes and contact information for potential candidates from underrepresented groups. Include the ways in which the work would help underrepresented populations in all messages. Furthermore, partner with minority-serving institutions in the area to develop recruitment plans.

Additionally, when using an outside agency for recruitment, BATA will ensure that the agency does not search for candidates of a particular age, race or color.

Employment decisions shall be made on job-related criteria and BATA will provide opportunities for entry and promotions into non-traditional jobs.

BATA has implemented a New Hire and Promotions Package Check list (**Attachment 7**) to ensure compliance. This check list will be utilized for all new hires and for all non-bargaining unit position postings and promotions.

Promotional opportunities: All employees will be kept informed of promotional opportunities that exist within BATA through on-line job postings, bulletin boards throughout the county worksites, email notifications and advertising in the organizational newsletter.

BATA will recruit and hire with EEO principles in mind, by implementing practices designed to widen and diversify the pool of candidates considered for employment openings, including openings in upper level management.

BATA will make sure promotion criteria are made known and that job openings are communicated to all eligible employees.

Job experiences: BATA encourages all employees to take advantage of different work experiences that may enable them to qualify for promotions.

Training for advancement: BATA encourages the efforts of all employees who wish to upgrade their skills. Tuition reimbursement and educational programs shall be available to all employees without discrimination, within the organization's budget.

BATA will ensure selection criteria do not disproportionately exclude certain racial groups unless the criteria are valid predictors of successful job performance and meet the employer's business needs. For example, if educational requirements disproportionately exclude certain minority or racial groups, they may be illegal if not important for job performance or business needs.

The Exit Interview will continue to be used to assist in evaluating turnover causes that may be attributable to discrimination and appropriate follow up action to be taken.

Review the current pay system to ensure it meets Equal Pay obligations and is consistent with our Organizational Objectives and Values. Provide guidance and advice to those involved in determining staff salaries and inform staff as to how the pay system operates and how their own pay is calculated.

BATA will monitor for EEO compliance by conducting self-analyses to determine whether current employment practices disadvantage people of color, treat them differently, or leave uncorrected the effects of historical discrimination in the company.

WAGE ANALYSIS VS. AGE, SEX, DISABLED AND VETERAN STATUS

In line with BATA's commitment to achieve equal opportunities for all staff, the organization supports the principles that all employees should receive equal pay for the same or like work or work rated as equivalent or of equal value.

- We aim to eliminate any sex and or age bias in our pay system.
- We understand that equal pay between men and women of all ages is a legal right.

CURRENT EMPLOYMENT PRACTICES

HIRING

Recruitment/Applicants

BATA values diversity and believes that a range of backgrounds brings a variety of ideas, perspectives and experiences that will create a productive work environment in which talents are fully utilized and BATA's objectives are met.

Activities such as hiring of employees, are conducted without regard to race, color, religion, gender, gender identity or expression, sexual orientation, national origin, genetics, disability, or

age. Recruitment is a shared responsibility between the Human Resources Manager and the department(s). Qualified applicants who reflect the composition of all such persons in the relevant labor market will be sought. All personnel involved in the recruiting, screening, and selection processes will be properly trained to ensure the elimination and absence of bias in all personnel actions. Additionally, BATA prohibits unlawful harassment of applicants in any form.

Recruitment of applicants to assure equal opportunity may include the following employment resources:

- (1) When there is outreach or advertising to requirement entities (e.g., employment agencies, educational institutions, minority, and women organizations, BATA will disseminate their policy to those entities.
- (2) Posting of vacancy(s), internally or externally (e.g., targeted newspapers, trade, professional and other media's, e-mail, Internet) will include the "equal employment opportunity employer" statement.
- (3) Contacting universities, colleges, schools and professional organizations.
- (4) Use of career development programs (e.g., internships and career fairs, speaking to schools and youth groups, departmental training programs).
- (5) Referral agencies (e.g., Michigan Works, etc.)

The department will make hiring decisions based upon an evaluation of its workforce needs and an evaluation of a person's qualifications and ability to satisfactorily perform the essential duties of the position, with or without accommodation, consistent with applicable law, rules, regulations, and if applicable, in accordance with any contractual requirements.

Contracted/Temporary Labor Services

All contracted and/or temporary labor services who receive payments from BATA where funding originates from any federal assistance are subject to the provisions of all applicable EEO federal, state and local laws.

Written contracts shall contain a non-discrimination language component, ensuring that it does not engage in employment discrimination.

TRAINING AND PROMOTION

Training

BATA recognizes that its most important resource is its employees. BATA is committed to the training and development of its entire workforce so that they will gain the necessary skills to reach their full potential. This will assist in enabling the organization to achieve its aims and objectives that are to provide delivery of safe, high quality, efficient and reliable transportation service to the community through a well-trained and supported working team. By increasing the

skills and knowledge of its staff the organization will produce confident, highly qualified staff working as an effective and efficient team.

The individual training and development needs will be identified through:

- A training needs analysis questionnaire
- An annual performance appraisal
- Requests from employees.

The training and development needs identified will be met through a variety of activities depending on the nature and extent of the requirements deemed necessary after assessment.

All internal training provided by the organization will be of no cost to the employee. External courses and professional qualifications may be fully or partly funded by the organization depending on the nature of the training. Employees are responsible for their own development and as such may inform the organization of their development needs and take part in prescribed development activities. As part of the organization's continuing commitment to training and development, employees are asked to provide feedback on the value and effectiveness of the training and development they undertake. This information will be used to assess and improve the training process.

This policy respects equal opportunities and applies to all employees.

Promotions

In accordance with the principles of equal employment opportunity, BATA will 1) promote employees based on experience, training, and ability to perform duties of a higher level, and 2) encourage employees to participate in available career advancement activities with the department, e.g., training programs (internal and external) and tuition reimbursement (if available).

- BATA will advise all employees of available training programs and entrance requirements for each job category.
- BATA will periodically review the training and promotion potential of minority and female employees and will encourage eligible employees to apply for such promotions.

Discipline

BATA understands that a person's race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information may not be considered when making decisions about discipline or discharge. For example, if two employees commit a similar offense, an employer may not discipline them differently because of their race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information.

Wages

BATA currently adheres to the Bargaining Unit language pertaining to pay increases for all Bargaining Unit Employees. For all Exempt and Non-Exempt Non-Bargaining Unit employees, BATA utilizes a wage scale with annual merit increases.

Bargaining Unit employee wages are at a set length of service rate. Non-Bargaining Unit Exempt employee pay scale is set with a Minimum, Midpoint and Maximum Annual Wage amount, subject to Executive Director's authority to override all amounts and current Market Value changes.

BATA in good faith does not practice wage discrimination because of the individual's race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information.

ASSESSMENT OF EMPLOYMENT PRACTICES

BATA will continually review its policies and practices, taking specific steps to ensure that wages, working conditions and employee benefits, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination will be taken without regard to illegal considerations. BATA will maintain a working environment that is free of harassment, intimidation, and coercion at all sites and in all facilities. The following procedures will be followed:

- Periodic inspection of all job sites will be conducted to ensure that working conditions and employee facilities do not allow discriminatory treatment of personnel.
- The spread of wages paid within each job classification will be periodically evaluated to determine any evidence of discriminatory wage practice.
- BATA will periodically review a representative sample of personnel actions to determine whether there is evidence of discrimination. Where evidence may be found, corrective action will promptly be taken.
- Discrimination or civil rights complaints should be filed with the BATA Human Resources Manager who will investigate all such complaints and will take appropriate corrective action if necessary. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, every complainant will be informed of avenues of appeal.

MONITORING AND REPORTING

BATA has established in 2017 an effective internal EEO monitoring and reporting system. EEO progress will be reviewed semi-annually among BATA management. This process will allow BATA to take corrective action in its EEO practices throughout the year, if necessary. (Bay Area Transportation Organizational Chart – see **Attachment 10**)

The system is set up as follows:

- On a quarterly basis (every 3 months) the Executive Director and EEO Officer will meet to discuss the progress of the EEO program and results of the Goals and Action Plan and how these are being monitored, etc.

- On a semi-annual basis (every 6 months) the Executive Director, EEO Officer and all management and supervisory staff will assess accomplishments or shortfalls by analyzing the EEO goals and statistics of current employment practices and policies. The Executive Director, EEO Officer, Human Resources Manager, and staff will look at employees in each job category by race, national origin, religion, color, age, sex, marital, status, height, weight or a disability for a disparate impact within the following:
 1. Individuals who have applied for promotion or transfer vs. those promoted or transferred if applicable.
 2. Applicants that have applied for a position vs. those who were hired.
 3. Disciplinary actions and terminations by race, national origin, religion, color, age, sex, marital, status, height, weight or a disability will also be assessed for negative patterns.
 4. Current policies and procedures, as well as union contract language to ensure there is no disparate impact within any of the language.
 5. Current employees pay wage vs. pay increases and bonuses cross referenced by sex, race, age, disability, etc.
 6. All current and future collective bargaining agreements will be reviewed by the EEO Officer to ensure there is not a disparate impact.

This will enable Bay Area Transportation Authority to review current findings, identify areas of non-compliant and/or failures to embrace the policy.

Meeting minutes will contain topics covered, areas identified as having a Potential Adverse Impact, Action Plan updates/changes and follow up actions.

All complaints will be logged on a spreadsheet, indicating the complainant, basis of the complaint(s), the protected group, date of initial contact, date of resolution, the resolution reached, and the name of the investigator. The Executive Director shall be notified each time an addition or update is made to the complaint log and the log will be reviewed for any trends at the semi-annual meeting with the Executive Director, EEO Officer, and Human Resources Manager.

There is no data to report; this Monitoring and Reporting System has recently been established and an initial administrative meeting is scheduled for **June 2017**.

Last Revised On: 9/19/2019 9:14:41 AM

Attachment 1

Letter from the Executive Director



Bata delivers safe, high quality, efficient and reliable transportation service in its region that link people, jobs and community.

Bay Area Transportation Authority has a strong commitment to the community we serve and our 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.

Bay Area Transportation Authority Equal Employment Opportunity (EEO) Policy applies to all employment actions including, but not limited to, recruitment, advertising, hiring, selection for training, promotion, transfer, demotion, layoff, termination, rates of pay or other forms of compensation.

All applicants and employees have the right to file complaints alleging discrimination. Bay Area Transportation Authority encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. 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.

Bay Area Transportation 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.

As Bay Area Transportation Authority's Executive Director, I maintain overall responsibility and accountability for Bay Area Transportation Authority's compliance with its EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I have appointed Ms. Christine Davis, Director of Administrative Services, as Bay Area Transportation Authority's EEO Officer. Ms. Davis will report directly to me and acts with my authority with all levels of management, labor unions, and employees.

All Bay Area Transportation Authority executives, management, and supervisory personnel, however, share in the responsibility for implementing and monitoring Bay Area Transportation Authority's EEO Policy and Program within their respective areas and will be assigned specific tasks to ensure compliance is achieved. Bay Area Transportation Authority will evaluate its managers' and supervisors' performance on their successful implementation of Bay Area Transportation Authority's policies and procedures, in the same way Bay Area Transportation Authority assesses their performance regarding other agency's goals.

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

I am personally 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.

EEO Program Officer
Ms. Christine Davis, Director of Administrative Services
3233 Cass Road
Traverse City, MI 49684
Phone: 231-778-1036
Fax: 231-932-2025

Kelly Dunham, Executive Director

Date

Attachment 2

Appointment Letter



Bata delivers safe, high quality, efficient and reliable transportation service in its region that link people, jobs and community.

March 7, 2019

MDOT
Cadillac TSC
7915 South US131
Highway Cadillac, MI 49601

Dear Sir/Madam:

This letter is to advise you that the following company official has been appointed to serve as our EEO Officer. She will assure you that the Bay Area Transportation Authority is in full compliance with Equal Employment Opportunity Requirements. She has full authority to carry out all required EEO-related duties.

Name: Ms. Christine Davis, Director of Administrative Services
EEO Officer
Location: 3233 Cass Road, Traverse City, Michigan 49684
Phone: 231-778-1036
Fax: 231-932-2052

Sincerely,

Kelly Dunham
Executive Director
Bay Area Transportation Authority
3233 Cass Road, Traverse City, Michigan 49684
Office Phone: 231-933-5544

Attachment 3



Bata delivers safe, high quality, efficient and reliable transportation service in its region that link people, jobs and community.

2013-2017 Census – Total Population by County (labor force)

Census 2013-2017	Antrim	Benzie	Gr. Trav.	Kalkaska	Leelanau	Wexford
Civilian labor force 16+years	53.9%	56.2%	64.4%	54.0%	56.5%	57.2%
Civilian labor force 16+, FEMALE,	49.2%	52.9%	61.5%	50.6%	51.3%	51.5%
Veterans	1,915	1,768	6,776	1,357	1,635	2,750
Persons with disabilities under age 65	11.6%	10.9%	9.1%	13.8%	7.1%	12.0%

*Source: www.census.gov/quickfacts 2013-2017

Attachment 3B

UTILIZATION ANALYSIS

Organizational Display 3/2019

Employment numbers are for full-time employees only

2019 BATA Workforce Analysis

Job Category	Total	Percentage	Male					Female				
			W	B	H/L	ASIAN	AI/AN	W	B	H/L	ASIAN	AI/AN
Officials & Administrators	7	100%	57.1%					42.9%				
Professionals	5	100%	60%					40.0%				
Technicians	1	100%	100%									
Protective Services	0											
Paraprofessional	0											
Administrative Support	9	100%	33.3%					66.7%				
Skilled Craft Workers	5	100%	80%			20%						
Service-Maintenance	65	100%	75.5%		3.1%%			20.0%				1.5%

Total:	92	Total Male	63	Total Female	29
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Abbreviations:

W	White
B	Black or African American
H/L	Hispanic or Latino
Asian/Pacific Islander	Asian
AI/AN	American Indian or Alaska Native

BATA Workforce: Other

Sex	Veteran	Disability
Male	7	0
Female	1	1
Totals	8	1

Community Labor Statistics: Statistics from the relevant labor area, including Grand Traverse, Antrim, Leelanau, Kalkaska, Wexford, and Benzie Counties, from which Bay Area Transportation Authority recruits employees, was compiled for comparison to BATA's workforce. A copy of this data is included for 2015-2016 (**Attachment 4**). Underutilization Analysis: An underutilization analysis of the relevant labor area was compiled to determine if any minorities or women were being underutilized in one or more EEO Job Classifications. This data is also included in this document (**Attachment 3A and Attachment 4**).

Results: The results of the utilization and workforce analyses were used to form our goals and timetables as outlined in the Action Plan. The census statistics show that the area from which we draw our employees has 6.57% minority (race) population and 50.27% (female) (2015/2016 Data). Bay Area Transportation Authority has an approximate 6% (Full-time) underutilization of minorities (race) and approximately 60% (Full-time) underutilization of minorities (female). The Underutilization Analysis shows that minorities (race and females) are underutilized in the areas of Professionals and Service-Maintenance. BATA has set a goal to:

- Increase the number of employed females 5 each year; by 2020

Current demographics indicate that there is a 50.27% female population.
BATA's current female staffing level has an underutilization of 30%.
BATA requires 1 female to reach parity. In the category of Professionals and the 30% underutilization in the job category of Service-Maintenance, BATA requires 19 females to reach parity.

- Maintain/increase the current employed minority group 1.25 each year; through 2020

Current demographics indicate that there is a 6.57% minority (race) population.
BATA's current staffing level employs 4.7% minorities (race). BATA requires 5 additional minorities to reach Parity.

- Increase the number of disabled persons (certain job requirements will not allow specific disabilities to perform the job. BATA will attempt to provide reasonable accommodations within MDOT and organizational guidelines) by 1% and increase veterans by 2%; through 2020

BATA's current staffing level employs 15.59% "identified" veterans and 1.83% "identified" disabled employees.

Attachment 4



Bata delivers safe, high quality, efficient and reliable transportation service in its region that link people, jobs and community.

2010-2017 Census – Total Population by County (sex and race)

Population by Sex	Antrim	Benzie	Gr. Trav.	Kalkaska	Leelanau	Wexford	Total	% of Total
Total	23,580	17,525	86,986	17,153	21,708	32,735	23,580	
Male	49.8%	49.6%	49.0%	51.2%	49.3%	49.9%	298.80 %	/6=49.80%
Female	50.2%	50.4%	51.0%	48.8%	50.7%	50.1%	301.20 %	/6=50.20%

Population by Sex	Antrim	Benzie	Gr. Trav.	Kalkaska	Leelanau	Wexford
Total	23,580	17,525	86,986	17,153	21,708	32,735
Male	11,743	8,692	42,623	8,782	10,702	16,335
Female	11,837	8,833	44,363	8,371	11,006	16,400

*Breakdown of percentages

Population by Race	Antrim	Benzie	Gr. Trav.	Kalkaska	Leelanau	Wexford
White alone, percent	96.7%	95.8%	95.3%	96.0%	93.0%	96.2%
Black or African American alone, percent(a)	0.4%	0.7%	0.7%	0.5%	0.7%	0.6%
American Indian and Alaska Native alone, percent(a)	1.1%	1.6%	1.3%	0.9%	3.8%	0.7%
Asian alone, percent(a)	0.3%	0.4%	0.7%	0.6%	0.6%	0.6%
Native Hawaiian and Other Pacific Islander alone, percent(a)	0.1%	Z	0.1%	Z	Z	0.1%
Two or More Races, percent	1.5%	1.5%	1.9%	2.0%	1.9%	1.8%
Hispanic or Latino, percent(b)	2.3%	2.6%	2.9%	2.1%	4.4%	1.9%
White alone, not Hispanic or Latino, percent	94.8%	93.6%	92.9%	94.1%	90.0%	94.6

*Source: County Statistics from 2010 – 2017 www.census.gov/quickfacts

“Z” Value greater than zero but less than half unit of measure shown

Attachment 5



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EEO COMPLAINT PROCEDURES

Retaliation

Bay Area Transportation Authority encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Bay Area Transportation Authority to promptly and thoroughly investigate such reports. Bay Area Transportation Authority prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

Sexual harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment

Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of his or her relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive

work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or by someone not directly connected to Bay Area Transportation Authority (e.g., includes, but not limited to an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Reporting an Incident of Harassment, Discrimination or Retaliation

Bay Area Transportation Authority encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have been the victim of such conduct should discuss their concerns with their immediate supervisor, any member of the personnel practices committee, human resources or any ombudsman. See the complaint procedure described below.

In addition, Bay Area Transportation Authority encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. Bay Area Transportation Authority recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Complaint Procedure

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, human resources department or the EEO Officer.

Bay Area Transportation Authority encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and,

where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as Bay Area Transportation Authority believes appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to BATA's Executive Director.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

Please reference **Attachment 6**, Complaint Form, this form may be used but is not required.

Ms. Christine Davis, Director of Administrative Services
EEO Officer
Bay Area Transportation Authority
3233 Cass Road
Traverse City, MI 49684
Phone: 231-778-1036
Fax: 231-932-2052

Attachment 6



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Bay Area Transportation Complaint Form

EEO Officer, Christine Davis, Director of Administrative Services /Phone: (231) 778-1036 /Fax (231) 932-2052 / Email: davis@c@bata.net

Section 1 – Complaint Information

Your legal name					
Your mailing address					
City		State		Zip Code	
Telephone Number - Home / Cell					
Date of Birth		Your sex/gender			

Have you previously filed this complaint with any federal, state, or local anti-discrimination agency? Yes No

If yes, what agency?

--

Section 2 – Discrimination Information

1. Please indicate the AREA(S) in which the discrimination occurred:

- Employment Application Retaliation

2. Please indicate the ACTION(S) that the organization/individual took against you:

- | | |
|---|--|
| <input type="checkbox"/> Demotion | <input type="checkbox"/> Failure to Train |
| <input type="checkbox"/> Denied Accommodation or Modification | <input type="checkbox"/> Forced to Quit/Retire |
| <input type="checkbox"/> Denied Benefits | <input type="checkbox"/> Harassment |
| <input type="checkbox"/> Layoff | <input type="checkbox"/> Reduced Hours |
| <input type="checkbox"/> Discipline | <input type="checkbox"/> Reduced Pay |
| <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Suspension |
| <input type="checkbox"/> Undesirable Assignment/Transfer | <input type="checkbox"/> Failure to Promote |
| <input type="checkbox"/> Failure to Hire | <input type="checkbox"/> Termination |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Unequal Pay |

Attachment 7



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NEW HIRE AND PROMOTIONS PACKAGE CHECKLIST

To: EEO Officer

From: _____

Requisition/Job Posting # _____

Date received: _____

Date returned from EEO Officer: _____

EEO Officer Comments:

For EEO Use Only	Concurrence Compliance Checklist
-------------------------	---

Proper Posting

- ___ Checked requisite posting period
- ___ Compared posting to job description
- ___ Reviewed justification for internal only posting and/or external posting (if applicable)
- ___ Verified Recruitment Plan – Ensure memo/e-mail is a part of the packet

Job Description Review

- ___ Determine whether this is an (1) *existing position* title or a (2) *newly created* position title
- ___ Examine whether the department currently has incumbents in this position
- ___ Check the reporting relationship to ensure it is appropriate for the position
- ___ Ascertain whether the position title is appropriate for the overall nature of the duties described
- ___ Review job descriptions for similar positions to check for consistency
- ___ Review the salary grade; and confirm that it is appropriate for the job/position title

___ Confirm the position has been placed in the proper EEO category.

___ Review general summary section to ascertain whether the description accurately reflects the core essence of the position. Examine each essential duty to determine whether the highest priority duties are consistent with duties ordinarily performed by an employee in this position. The most essential duty will be one which the position would not exist but for that function. It will be the function most frequently performed. Essential functions will be listed in order of priority.

___ Review the education and experience required by the job description. Verify that it is consistent with level of education and amount of experience typically required by incumbents in this position or similar positions. Determine whether the requisite qualifications are justified by business necessity for performance of this position.

___ For a supervisory or management position, review the organization chart and confirm that the position is appropriately titled by (a) comparing with similar positions, and (b) identifying the positions which are direct reports and reviewing the level of experience and education required for the subordinate staff. Identify whether supervisory or management experience is required; if so, determine whether the supervisory or management experience is specific and consistent with the nature of the position.

___ Review exempt/non-exempt status.

Applicant Pool Analysis

___ Qualification verification of (a) candidates selected for interview, or (b) audit/re-screen all applicants

___ Confirm whether all candidates interviewed are eligible; justification for eligible candidates not interviewed

___ Diversity check/utilization reviewed

Compensation Analysis

___ Determination of internal salary parity

___ Justification for placement level in range

Interview Review Process Examination

___ Diversity in interview panel

___ Interview packet review (questions, ranking, inappropriate remarks)

Finalizing Review

___ Identify EEO concerns, if any

___ **If rejected, discuss issue with HR representative, if appropriate** — Note concurrence on packet or attach justification for rejection if unable to resolve EEO concerns

Attachment 10 – Org Chart

