



Meeting Date: **October 28, 2020**

Agenda Item: **D.2**

AGENDA SUMMARY REPORT

SUBJECT:

Discussion and Possible Approval of Equal Employment Opportunity (EEO) Plan Statement

SUMMARY:

In accordance with federal law, MTA must update its Equal Employment Opportunity Policy Statement every 4 years if MTA receives federal funding. Due to MTA receiving federal CARES funding, it is necessary for the updated policy statement to be approved by the Board of Directors and submitted to CalTrans.

STAFF RECOMMENDATION:

Approve Equal Employment Opportunity (EEO) Plan Statement.

ATTACHMENTS:

EEO Plan Statement

For Board consideration 10/28/20



Equal Employment Opportunity Program Policy Statement

October 28, 2020 Draft

Objective

Mendocino Transit Authority is an equal opportunity employer. In accordance with federal and state anti-discrimination law, it is the purpose of this policy to effectuate these principles and legal mandates. Mendocino Transit Authority prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by federal and/or state law. Mendocino Transit Authority conforms to the spirit as well as to the letter of all applicable laws and regulations.

Scope

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between Mendocino Transit Authority and its employees, including, but not limited to:

- Recruitment
- Employment
- Promotion
- Transfer
- Training
- Working conditions
- Wages and salary administration
- Employee benefits and application of policies

The policies and principles of EEO also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with Mendocino Transit Authority.

Dissemination and Implementation of Policy

The Human Resources department of Mendocino Transit Authority will be responsible for the dissemination of this policy. Directors, managers and supervisors are responsible for implementing equal employment practices within each department. The HR department is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations.

Procedures

Mendocino Transit Authority administers our EEO policy fairly and consistently by:

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- Posting all required notices regarding employee rights under EEO laws in areas highly visible to employees.
- Advertising for job openings with the statement "*We are an equal opportunity employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by federal and/or state law.*"
- Posting all required job openings with the appropriate state agencies.
- Forbidding retaliation against any individual who files a charge of discrimination, opposes a practice believed to be unlawful discrimination, reports harassment, or assists, testifies or participates in an EEO agency proceeding.
- Requiring employees to report to a member of management or an HR representative of any apparent discrimination or harassment. The report should be made within 48 hours of the incident.
- Promptly notifying Human Resources of all incidents or reports of discrimination or harassment and takes other appropriate measures to resolve the situation.

For additional information and details related to Mendocino Transit Authority's Anti-Harassment, Discrimination, Retaliation and Abusive Conduct Policy, please see MTA's Personnel Policies Section 5.

Remedies

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Violations of this policy, regardless of whether an actual law has been violated, will not be tolerated. 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 Mendocino Transit Authority believes appropriate under the circumstances.

Filing a Complaint with the DFEH or EEOC

Nothing in this policy will preclude an individual from filing a complaint with the California Department of Fair Employment and Housing (DFEH) and/or the Equal Employment Opportunity Commission (EEOC). Any form of retaliation is prohibited against an individual who pursues administrative relief through either agency, in addition to seeking relief under internal administrative procedures afforded by this policy. For more information on filing a complaint with the DFEH or the EEOC, please refer to the following information:

DFEH

Website: <https://www.dfeh.ca.gov/complaint-process/file-a-complaint/>

Phone: 800-884-1684

Email: contact.center@dfeh.ca.gov

Write to: 2218 Kausen Drive, Suite 100, Elk Grove, CA 95758

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EEOC

Website: <https://www.eeoc.gov/employees/charge.cfm>

Phone: 800-669-4000

Email: info@eeoc.gov

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