

# Equal Employment Opportunity and Affirmative Action Plan

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## Summary of Policy

It is our policy that decisions affecting employment practices such as recruitment, hiring, training, promotions, terminations, transfers, layoffs, compensation, benefits, education, and tuition reimbursement, and other terms and conditions of employment shall be made without regard to sex (including sexual orientation), race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability medical condition (including cancer), age (over 40) marital status, veteran status, or any other status protected by applicable federal or state statutes. This policy shall also protect employees exercising their rights under the Family and Medical Leave Act, the Pregnancy Discrimination Act, and related statutes. Employment practices will be reviewed routinely to ensure consistency with this policy.

We are committed to creating and maintaining an environment that values diversity and ensures that all employees are free from discrimination and unlawful harassment. It is also our policy to establish an Affirmative Action Plan (AAP) consistent with its obligations as a recipient of federal funds.

All employees are to conduct themselves in accordance with this Policy. Managerial and supervisory personnel are responsible for maintaining compliance with these policies in addition to providing leadership in the implementation of AAP goals, diversity efforts, and in ensuring a work environment free from discrimination and harassment.

## Historical Perspective

Every three years, the agency is required to submit an updated Equal Employment Opportunity/Affirmative Action Plan to

the Federal Transit Administration (FTA) for approval. After we receive approval from FTA, the plan is submitted to the Board for adoption.

The DEOD maintains, reviews and revises an AAP annually to ensure equal employment opportunity and to promote affirmative action. The DEOD recommends concurrence or non-concurrence with all hiring decisions where an employment goal has been established for a classification or position(s) to ensure equitable representation of minorities and women in the workforce.

The Board adopted its first EEO/AAP in 1993. The FTA granted conditional approval of the plan and granted final approval in 1996 after the Board adopted its 1995 plan update.

Since 1995, a number of personnel, structural, and organizational changes have occurred that affected the implementation of the EEO/AAP. For example, the agency entered into a Consent Decree in October 1996 to settle a Title VI lawsuit filed by transit-dependent bus riders. As a result, we modified our long range transportation plans, major capital projects, and annual budgets. In December 1996, the Public Transportation Services Corporation was created by the agency as a public entity and a governmental nonprofit- public benefit corporation under the California Non-Profit Public Benefits Corporation Law.

Through labor negotiations, a new Bus Operator designation, "Business District Operation Facility" (BDOF), was created to fill the increased need for drivers. The goal was to fill 300 BDOF vacancies per year. In addition, in 1997 the Transit Police Unit was merged with the Los Angeles County Sheriffs Department and the Los Angeles Police Department. The

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merger affected more than two-thirds of the Protective Service Category, leaving only those designated as Security Guard I, Security Guard II, and Service Inspector with the agency.

In developing the 1998 update, the DEOD incorporated these changes to reflect the agency's composition and structure. In addition, the EEO policy expanded protections based on sexual orientation and further references protections covered by the American with Disabilities Act, the Pregnancy Discrimination Act, the Family and medical Leave Act, and the California Family Rights Act. The plan incorporated new electronic media such as email and intranet website in the dissemination of internal communications. It also included a designation of the day-to-day responsibility for overall effectiveness and implementation of the EEO/AAP to the Executive Officer of Human Resources and reflects the new organization structure. The 1998 plan revised the Employment Utilization Goals as well.

The Board has not yet to adopt the 2002 update to the EEO/AA. At the time, the FTA did not want to act on the Plan until the 2000 census format was available. The 2002 update was prepared based on the 1990 census format. The 2000 census format was not made available until December 2003. At the time of the 2003 publication, FTA informed us that they would not be rendering a decision on any recipient's 2002 Plan.

Recently we were notified by the FTA Regional Director to begin preparation of our 2005 Plan and to use the 2000 format. FTA has given a deadline of March 2005 for recipients to complete their Plans. Once the Plan has been submitted for FTA approval, the Plan will be brought forward for Board consideration.

## Last Board Action

May 27, 1999 – Equal Employment Opportunity and Affirmative Action Plan

The Board adopted the Equal Employment Opportunity/Affirmative Action Program 1998 Update.

## See Related

California Code of Regulations, Title 2, Division 4, Chapter 5

Government Code § 12990

Public Utilities Code § 130051.19