Policies and Procedures   No. 25

SUBJECT: Board Approval: **6/19/2014**

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM FOR EMPLOYEES AND CONTRACTORS

PURPOSE:

To establish a policy of equal opportunity employment.

BACKGROUND:

Federal regulations require the adoption of an approved Equal Employment Opportunity (EEO) program as a condition of receipt of federal funds.

The MTS EEO Program requires the annual setting of goals and contains monitoring and reporting requirements relative to attainment of those goals. It sets forth public dissemination procedures, recruiting, selecting and hiring procedures, and grievance procedures. In addition, it incorporates an EEO Program for the employees of MTS' contractors. The program is revised annually and the full plan is on file with the Clerk of the Board.

POLICY:

25.1   It is the policy of the San Diego Metropolitan Transit System, San Diego Transit Corporation and San Diego Trolley, Inc. (collectively, "MTS"), as well as its third-party contractors, to recruit, hire, train, and promote all applicants and employees in accordance with the California Fair Employment and Housing Act ("FEHA") and Title VII of the Civil Rights Act of 1964, as amended. MTS will ensure that its recruitment, selection, hiring and promotion procedures do not adversely affect the employment of persons protected by FEHA and Title VII. Furthermore, MTS will ensure that all hiring and promotional criteria, requirements and tests are job-related. MTS will adhere to the provisions of Executive Order 11246, the Equal Employment Opportunity Commission (EEOC) guidelines, and all other applicable standards consistant with California and federal laws.

Metropolitan Transit System (MTS) is a California public agency and is comprised of San Diego Transit Corporation and San Diego Trolley, Inc. nonprofit public benefit corporations, in cooperation with Chula Vista Transit and National City Transit. MTS is the taxicab administrator for eight cities and the owner of the San Diego and Arizona Eastern Railway Company.

MTS member agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.

25.2 It is the policy of MTS to assure that discrimination based on race, color, religious creed, ancestry, national origin, sex, gender, age, marital status, medical condition, physical disability, mental disability, genetic information, gender identity, gender expression, sexual orientation, or military and veteran status does not occur in relationships that may exist between these organizations and any employee or applicant for employment. Such relationships may be defined as, but not limited to, recruitment, hiring, promotion, compensation, benefits, terminations, transfers, layoffs, recalls, company-sponsored training, education, and social and recreational programs. Goals and timetables with specific measurement and evaluation factors will be established to help measure management's progress with remedying discrimination.

25.3 The responsibility for the implementation of the EEO Program is assigned to the Director of Human Resources and Labor Relations. All management personnel within MTS are expected to support and implement the EEO Program in performance of their job duties and responsibilities. Any employee or applicant who feels they have been discriminated against has the right to file a complaint alleging discrimination with the Director of Human Resources and Labor Relations. If the Director of Human Resources and Labor Relations is involved in the complaint, the complaint should be filed with and will be processed by the General Counsel.

25.4 In the development and implementation of their employment and promotional policies, MTS will base decisions solely on the individual's qualifications (merit) and the feasibility of any necessary job accommodations.

PROCEDURES:

An outline of basic procedures included in the Program is as follows:

Annual

- Director of Human Resources and Labor Relations will conduct utilization study to determine needs and set goals to eliminate underutilization.

- Chief Executive Officer will approve goals to correct any underrepresentation.

- Manager of Human Resources will update lists of women's and minority media, community organizations, and college minority placement offices.

- Director of Human Resources and Labor Relations will communicate EEO Program to all employees.

- Various aspects of Program will be featured from time to time in MTS publications.

- Briefings will be held with various underrepresented groups.

Reports

- At the beginning of each fiscal year, the EEO report for the preceding year will be posted on the MTS intranet. The report will include employment results and an EEO summary.

Records

- Contractors awarded construction contracts greater than $10,000 will submit monthly Employment Utilization Reports (CC-257).

- Contractors awarded nonconstruction contracts greater than $50,000 and with 50 or more employees will submit annual Workforce Reports.

- Director of Human Resources and Labor Relations will maintain a record on each job applicant, promotional opportunity, termination data, and referral of applicants (follow-up action and feedback on disposition of those recommended).

Posting/Notification

- EEO Policy will be posted on the Agency intranet and contained in employee handbook.

- All employment ads will contain "San Diego Metropolitan System is an Equal Opportunity Employer."

- Required federal and state posters will be displayed in employee lounge.

- All successful contractors shall be notified of their obligations under MTS' EEO Program for contractors.

POLICY.25.EEO FOR EMPLOYEES AND CONTRACTORS

This original policy was adopted on 10/18/84.
Policy revised on 8/13/92.
Policy revised on 10/26/95.
Policy revised on 5/27/99.
Policy revised on 2/26/04.
Policy revised on 4/10/08.
Policy revised on 6/19/14.