

STAFF REPORT

DATE: February 28, 2022
TO: Sacramento Regional Transit Board of Directors
FROM: Greg Walters, EEO Officer
SUBJ: ADOPTION OF SACRAMENTO REGIONAL TRANSIT DISTRICT'S 2022-2025 EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Adopt the Equal Employment Opportunity Program for the period January 1, 2022 to December 31, 2025.

FISCAL IMPACT

None as a result of this action.

DISCUSSION

Sacramento Regional Transit District (SacRT) is a grant recipient of Federal Transit Administration (FTA) funds and subject to compliance with the FTA Circular 4704.1A. FTA guidance requires grant recipients have an EEO Program in place to ensure compliance with Title VII of the Civil Rights Act of 1964, and by incorporation, the Rehabilitation Act, Equal Pay Act, Age Discrimination in Employment Act, Vietnam Veterans' Readjustment Assistance Act of 1974 (as amended), and Part II, Section 110(a) of the FTA standard grant contract, as part of the grant approval process. The FTA Circular 4704.1A requires the EEO Program to include the following:

1. Statement of Policy
2. Dissemination of Information
3. Designation of Personnel Responsible for Carrying Out the EEO Program
4. Utilization Analysis
5. Goals and Timetables
6. Assessment of Employment Practices to Identify Causes of Underutilization
7. Monitoring and Reporting System

Pursuant to the revised FTA Circular 4704.1A, SacRT shall update and submit an EEO Program every four years to remain in compliance with federal laws and regulations. SacRT's EEO Program for the period January 1, 2022, through December 31, 2025 is

Exhibit A. Exhibits 1 through 4 of Exhibit A have been omitted for confidentiality reasons but are available to the Board members upon request. The list of Exhibits is listed in the table of contents and are referred to in the report.

See Attachment 1 for the current SacRT Diversity Profile.

Availability and Utilization Analysis

Placement goals are established based on availability and utilization analyses pursuant to federal guidelines. Availability analysis begins with reviewing external factors with requisite skills data coming from the 2018 American Community Survey (ACS) Census of Population data.

We discussed the types of recruitment for each job group (e.g. Administrators, Professionals, Skilled Crafts, Service Maintenance etc.) with SacRT HR personnel to identify the appropriate geographic recruiting areas in 2018 US Census to determine reasonable labor areas. United States, California, and Sacramento MSA census were used individually as combinations as appropriate.

Internal hiring data is incorporated by evaluating the percentage of minorities or women among those promotable, transferable, and trainable within our organization.

Internal and external weights were assigned to each factor for each job group. A combination of historical data and experience were used to determine the weights. Weights were never assigned to hide or reduce problem areas.

Final availability is established by multiplying weights by the component-specific data to produce weighted data for each component. Weighted data for each component was summed. This produced a final availability estimate for each sex and race/ethnic group, as well as for minorities in the aggregate.

Once final availability estimates were made for each job category, SacRT conducted a utilization analysis comparing the percentage of incumbents in each job category to the corresponding availability. This analysis was conducted based on activity during calendar year 2021.

SacRT updates the utilization and availability analysis annually to measure progress against the established goals, revise existing goals and establish new goals if necessary.

The General Manager/CEO has reviewed and approved the attached EEO Program for SacRT (Exhibit A). SacRT continues to work toward goal attainment through internal/external recruitment and outreach, local media and advertisement, training and promotional opportunities.

SacRT Diversity Profile January 1, 2022
POPULATION BY RACE WITH JOB PERCENTAGES

Job Categories	Total	Female		White		Black		Hispanic		Asian		American Indian		Pacific Islander		2 Or More		Minorities	
		#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Executives / Senior Level Officials and Managers	9	7	77.8	4	44.4	1	11.1	2	22.2	2	22.2	0	0	0	0	0	0	5	55.6
First/Mid-Level Officials and Managers and Supervisor	137	36	26.3	74	54	25	18.2	19	13.9	10	7.3	2	1.5	1	0.7	6	4.4	63	46
Professionals	24	17	70.8	9	37.5	7	29.2	0	0	6	25	0	0	0	0	2	8.3	15	62.5
Technicians	50	28	56	27	54	4	8	8	16	11	22	0	0	0	0	0	0	23	46
Administrative Support	115	64	55.7	41	35.7	31	27	20	17.4	10	8.7	2	1.7	2	1.7	9	7.8	74	64.3
Craft Workers	136	3	2.2	48	35.3	14	10.3	34	25	31	22.8	0	0	1	0.7	8	5.9	88	64.7
Service Maintenance	762	246	32.3	168	22	301	39.5	129	16.9	95	12.5	9	1.2	26	3.4	34	4.5	594	78
Total:	1233	401	32.5%	371	30.1%	383	31.1%	212	17.2%	165	13.4%	13	1.1%	30	2.4%	59	4.8%	862	69.9%

RESOLUTION NO. 2022-02-013

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

February 28, 2022

**ADOPTION OF SACRAMENTO REGIONAL TRANSIT DISTRICT'S 2022-2025
EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Equal Employment Opportunity Program for Sacramento Regional Transit District for the period January 1, 2022 through December 31, 2025, attached hereto as Exhibit A, is hereby approved.

STEVE MILLER, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary

Equal Employment Opportunity (EEO) Program

**SACRAMENTO REGIONAL TRANSIT DISTRICT
1400 29th Street
Sacramento, CA 95816
(916) 321-2800**

January 1, 2022 – December 31, 2025

**Dun's #: 04-894-7139
EIN (tax) #: 94-1338218**

EEO Contact:

Greg Walters, EEO Officer
Sacramento Regional Transit District
P.O. Box 2110
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EXHIBITS

- Exhibit 1: Job Group Analysis Summary with Supporting Documentation
 - Exhibit 2: Availability Analysis for January 1, 2022
 - Exhibit 3: Workforce Analysis
 - Exhibit 4: Utilization Analysis
 - Exhibit 5: Four-Fifths Analysis (hires, promotions, terminations & discipline)
 - Exhibit 6: Organization Chart
 - Exhibit 7: 2022-2025 Goals and Timetables
 - Exhibit 8: Harassment, Discrimination and Retaliation Prevention Policy
- For information regarding the first four exhibits, contact Greg Walters, EEO Officer at (279) 234-8377

BACKGROUND

Sacramento Regional Transit District (SacRT) is a public agency providing transit services to the Sacramento County region. SacRT serves its community with pride and a strong commitment to a workforce that reflects the rich diversity of the region it serves.

SacRT is an Equal Employment Opportunity employer and is subject to the requirements outlined in circular 4704.1A produced by the Federal Transit Administration. SacRT must comply with the provisions of Federal law, including Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000e); Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); Equal Pay Act of 1963, as amended (29 U.S.C. § 206(d)); Age Discrimination in Employment Act of 1967, as amended (29 U.S.C. § 621 et seq.); Title II of the Genetic Information Nondiscrimination Act of 2008, as amended (42 U.S.C. § 2000ff); 49 U.S.C. § 5332(b) of the Federal Transit Act; U.S. Department of Transportation (DOT) EEO implementing regulations (49 CFR Part 21), and the FTA Master Agreement.

Section 504 of the Rehabilitation Act of 1973 prohibits employment discrimination on the basis of disability for projects, programs, and activities that receive Federal funding. Military veterans' employment and reemployment rights are covered under the Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. §§ 4301–4335).

The Circular requires SacRT take steps to guarantee equal employment opportunity. For example, for minorities and women, such steps include the development of short- and long-term hiring and promotion. For protected veterans and individuals with disabilities, such steps will include a thorough review of the company's outreach efforts to determine the effectiveness of such efforts in closing the hiring and/or utilization gaps. It is toward this end that the following EEO Program for the Sacramento Regional Transit District (SacRT) was developed.

REPORTING PERIOD

This EEO Program is designed to cover the following reporting period:

- EEO Program implementation period: 1/1/2022 – 12/31/2025
- Transaction period: 1/1/2021 – 12/31/2021

STATEMENT OF PURPOSE

This EEO Program has been designed to bring women and men, members of minority groups, protected veterans, and individuals with disabilities into all levels and segments of Sacramento Regional Transit District's (SacRT) workforce in proportion to their representation in the qualified relevant labor market.

This Equal Employment Opportunity (EEO) Program is an analysis of SacRT's workforce composition to determine whether percentages of sex, race or ethnic groups in occupational categories are substantially similar to the percentages of those groups available in the relevant job market who possess the similar, basic job-related qualifications. This EEO Program should service as a management tool to bring women and men, and members of minority groups, protected veterans, and individuals with disabilities into all levels and segments of SacRT's workforce in proportion to their representation in the qualified, relevant labor market.

The EEO Program, therefore, is a detailed, results-oriented set of procedures which, when carried out, results in full compliance with equal employment opportunity requirements through the equal treatment of all people.

The manner in which this is to be accomplished becomes technical and somewhat complicated. There are several reasons for this. First, SacRT is subject to and must address a variety of State and Federal laws and guidelines pertaining to equal employment opportunity and affirmative action. These guidelines and requirements are in themselves somewhat technical and complex. Furthermore, in determining SacRT's current equal employment opportunity position and its desired future achievements, numbers, percentages, statistics, and numerous calculations and computations must come into play.

The technical, legal, and mathematical aspects of the EEO Program, however, all have one common purpose—to allow us to properly identify three key concepts:

1. Where we stand now,
2. Where we must go,
3. How best to get there.

These three concepts are the EEO Program

CHAPTER 1: ORGANIZATIONAL PROFILE / WORKFORCE ANALYSIS

Sacramento Regional Transit District's Equal Employment Opportunity Office conducted a workforce analysis which accounts for all SacRT employees. Employees are first identified by gender, race, job title by organizational unit. Within each organizational unit, employees are then grouped by job category (officials and administrators, managers, supervisors, professionals, technicians, administrative support, crafts, and service and maintenance). This is one snapshot view of SacRT's workforce on December 31, 2021. Data was gathered from SacRT's Human Resources employee roll for calendar year 2021, dated as of December 31, 2021.

See Exhibit 1 for the ***Workforce Analysis Summary and supporting documentation*** for the listing of race and gender headcount by organizational unit.

CHAPTER 2: JOB GROUP ANALYSIS

Following completion of the Workforce Analysis, similar or related job titles were then assigned to job groups for the purpose of conducting a job group analysis. Grouping similar jobs together during a job group analysis is appropriate to ensure every job group is large enough to permit meaningful comparisons of incumbency to availability for goal setting. By grouping similar job titles together and increasing the number of employees involved, a meaningful comparison is possible. Consequently, goals established to correct problem areas are more likely to result in the identification of legitimate problem areas.

Each job group appears on a Job Group Report with a job group name and number. The report lists each job title in the job group. For each job title, the worksheet provides the following information: EEO reporting category, job title, number of employees per each job title by gender and race/ethnicity. The count is effective as of January 1, 2022.

Based on guidelines established by the U.S. Department of Transportation (UMTA Circular 4704.1A, as amended), the job group analysis was developed to identify areas of underutilization and to set appropriate goals and timetables. The job group analysis was developed based on the following guidelines:

1. A job group must be comprised of jobs that are similar in content and requisite skills.
2. Job groups must be comprised of jobs with similar pay grades. Pay should be considered in conjunction with job content. Large differences in pay when paired with job title and location may suggest unacceptable job grouping.
3. Job groups should consist of jobs with similar opportunity; i.e., training, job movement and other employment benefits.

4. Job groups, if appropriately constructed, may crossover into other department units but not across EEO categories.
5. The size of the employer's workforce will be a major factor in determining how well the above criteria can be met in creating job groups.

See Exhibit 2 for the ***Job Group Analysis Summary with supporting documentation*** for the listing of the job titles and the associated race and gender headcounts by job group.

CHAPTER 3: DETERMINING AVAILABILITY

"Availability" is an estimate of the proportion of each sex and race/ethnic group available and qualified for employment at SacRT for a given job group in the relevant labor market during the life of the EEO Program. Availability indicates the approximate level at which each race/ethnic and sex group could reasonably be expected to be represented in a job group if Sacramento Regional Transit's employment decisions are made without regard to gender, race, or ethnic origin. Availability estimates, therefore, are a way of translating equal employment opportunity into concrete numerical terms. Correct comparisons of incumbency to availability, worthwhile and attainable goals, and real increases in employment for problem groups depend on competent and accurate availability analyses. With valid availability data, we can compare the percentages of those who could reasonably be expected to be employed versus our current employment (from the workforce analysis), identify problem areas or areas of deficiency, and establish goals to correct the problems.

Steps in Comparison of Incumbency to Availability

Identify Availability Factors

The following availability factors are required of federal government contractors for consideration when developing availability estimates for each job group:

1. External Factor: The external requisite skills data comes from the 2018 American Community Survey (ACS) Census of Population data.

Reasonable labor area: For each job group an analysis was performed with SacRT talent acquisition and HR personnel to determine the appropriate geographic recruiting areas in 2018 US Census. United States, California, and Sacramento MSA census were used individually as combinations as appropriate.

2. Internal Factor: The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization.

Assign Internal and External Factor Weights: Weights were assigned to each factor for each job group. A combination of historical data and experience were used to determine the weights. Weights were never assigned to hide or reduce problem areas.

Identify Final Availability: Weights were multiplied by the component-specific data to produce weighted data for each component. Weighted data for each component was summed. This produced a final availability estimate for each sex and race/ethnic group, as well as for minorities in the aggregate.

CHAPTER 4: UTILIZATION ANALYSIS

Once final availability estimates were made for each job category, SacRT conducted a utilization analysis comparing the percentage of incumbents in each job category to the corresponding final availability.

SacRT worked with third party vendor Hudson Mann in the development of the availability and utilization analysis effective January 1, 2021 to measure SacRT's performance in calendar year 2021.

SacRT updates the utilization analysis annually to measure progress against the established goals.

CHAPTER 5: PLACEMENT GOALS AND TIMETABLES

For calendar year 2021, SacRT met its underutilization goals for minorities in the manager and supervisor job groups, the only two that had an underutilization at the start of the year. For females, underutilization goals in the supervisor and service groups were not met. See future short and long-term goals for more information.

In 2021, SacRT hired 6.11% veterans beating the 5.7% federal guideline. SacRT hired 8.4% veterans beating the 7% guideline. Overall, SacRT has a workforce of 4.3% veterans and 4.75% persons willing to identify as disabled. We will continue our outreach and efforts to meet the federally established goals.

These goals take into account the availability of basically qualified persons in the relevant labor area. They also take into account anticipated employment opportunities with our organization. Selections will occur only from among qualified applicants. Goals do not require the hiring of a person when there are no vacancies or the hiring of a person who is less likely to do well on the job ("less qualified") over a person more likely to do well on the job ("better qualified"), under valid selection procedures. Goals do not require that SacRT hire a specified number of minorities or women, veteran or persons with disabilities.

A goal is a guidepost against which SacRT, a community group, or a compliance agency can measure progress in remedying identified deficiencies in SacRT's workforce. By setting realistic goals, SacRT should be able to meet the goals,

assuming we conduct effective recruitment and advertising efforts to ensure an adequate pool of qualified minority, female, veteran, and disabled applicants. These goals will be reached primarily through recruiting and advertising to increase the pool of qualified minority, female, veteran and disabled applicants and through implementation of our action-oriented programs (see Chapter 9).

Looking forward SacRT will review and monitor recruitment practices to ensure all groups, particularly the underutilized groups receive notice and opportunities to apply and gain employment. To this end, SacRT has expanded outreach efforts through increased participation in job fairs and public networking. SacRT will also consider and evaluate opportunities for future trainee, mentorship and apprentice programs.

SacRT reviewed its utilization analysis, annual vacancy projections, staffing needs and recruitment and selection strategies before setting numerical and percentage (using the whole-person rule) hiring goals and timetables for the next four-year period.

Short-term goals of one year are the target percentage of hires in underutilized categories and job groups. For example, if the availability analysis indicates 25% and SacRT is at 22%, the first-year goal is to hire at least 25% of new employees from that underutilized job category. The two to four-year goals represent the actual number of employees to increase in that job group using the whole person method.

Interestingly, SacRT has only three females out of 91 employees in skilled crafts (2.2%). The female availability rate is 2.6%. Statistically this does not qualify as underutilization but we are including it because we need greater female representation in this job group.

Goals are established within each of the job groups at no less than the current availability data for the job group. Below are SacRT's hiring goals and timetables for the next four years (January 1, 2022 through December 31, 2025):

Managers

Hispanic Availability 17% - SacRT Utilization 11.9%		Increase: 4
One year goal – 17% of hires are Hispanic	2 Yr. Goal 17% +3	3 - 4-year goal +1

Asian Availability 14.2% - SacRT Utilization 9.5%		Increase: 2
1 year goal 14% of all hires	2 year goal 14% + 1 hire	3 -4 year goal +1

Supervisors

Female Availability 24.7% - SacRT Utilization 20%		Increase: 5
1 year goal 24.7% of hires	2 year goal 24.7% +4	3-4 year goal +1

Native Hawaiian/Pacific Islander Availability 1.6% - SacRT Utilization 0		Increase: 1
1.6% of hires; min of 1	2-4 year goals: Maintain 1.6% Utilization Rate	

Hispanics Availability 18.5% - SacRT Utilization 14.7%		Increase: 4
1 year goal 18.5% of hires	2 -4 year goal 18.5% +4	

Asian Availability 11.3% - SacRT Utilization 9.5%		Increase: 2
1 year goal 11.3% of hires	2 year goal 11.3% +1	3-4 year goal +1

Professionals

Hispanics Availability 16.2% - SacRT Utilization 0		Increase: 4
1 year goal 16.2% of hires	2 - 4 year goal Maintain 16.2% + 4	

Administrative Support

Female Availability 67.1% - SacRT Utilization 64.4%		Increase: 2
1 year goal 67.1% of hires	2-4 year goal +2	

Skilled Labor/Crafts

Females Availability 2.6% - SacRT Utilization 2.2%		Increase: 2
1 year goal 2.6% of hires min of 1	2-4 year goal +1	

Service and Maintenance

All Female Availability 45.2% - SacRT Utilization 32.3%			Increase: 96
1 year goal 45.2% of hires	2 year goal 45.2% + 36	3 year goal +30	4 year goal +30

All categories

Veterans

Federal Guidelines (2022) 5.7% - SacRT Utilization 4.75%		Increase: 18	
1 year goal 5.7% of hires	2-4 year goal +18		

In 2021, SacRT hired 6.11% veterans beating the 5.7% federal guideline. SacRT hired 8.4% veterans beating the 7% guideline. Overall, SacRT has a workforce of 4.3% veterans and 4.75% persons willing to identify as disabled. We will continue our outreach and efforts to meet the federally established goals.

Disabled

Federal Guidelines (2022) 7% - SacRT Utilization 4.3%		Increase: 12	
1 year goal 7% of hires	2-4 year goal +12		

CHAPTER 6: DESIGNATION OF RESPONSIBILITY

As part of its efforts to ensure equal employment opportunity to all individuals, key individuals have been designated specific responsibilities to ensure the EEO Program focuses on all components of the employment system. To that end, the General Manager/CEO, the Assistant Vice President for Labor Relation and Human Resources and his or her designee, and the Equal Employment Opportunity Officer and those employed as supervisors and managers have undertaken the responsibilities described below.

General Manager/CEO

The primary responsibility and accountability for implementing the AAP rests with the General Manager/CEO. This person is responsible, through the Assistant Vice President for Labor Relation and Human Resources and his or her designee and the Equal Employment Opportunity Officer, for adherence to Sacramento Regional Transit District's (SacRT) policy of equal employment opportunity. This role includes, but is not limited to, the following duties:

The SacRT EEO Officer is responsible for addressing discrimination complaints and implementing and monitoring the Equal Employment Opportunity program. SacRT's

EEO Officer is Greg Walters. Contact information for the EEO Office is:

Greg Walters
SacRT EEO Officer
2811 O Street, Room 11
Sacramento, CA 95812
Phone: (279) 234-8377
gwalters@sacrt.com

- The EEO Officer is supported in his responsibilities by staff from SacRT's Administration and Performance and Accountability Divisions and the Office of the SacRT General Manager/ CEO.
- The EEO Officer is responsible for addressing complaints of discrimination and implementing and monitoring the Equal Employment Opportunity program.

As part of its efforts to ensure equal employment opportunity to all individuals, SacRT has designated specific responsibilities to various staff to ensure the EEO program focuses on all components of the employment system. To that end, the General Manager/Chief Executive Officer, the EEO Officer, and those employed as supervisors and managers have undertaken the responsibilities described below.

General Manager/CEO

Primary responsibility and accountability rests with the General Manager/CEO who is primarily responsible, through the EEO Officer, for adherence to SacRT's policy of equal employment opportunity and affirmative action. The General Manager/CEO's responsibilities include, but are not limited to, the following:

- Designating the employee(s) who will be responsible for the oversight and administration of SacRT's EEO program. Ensuring that the employee(s) is identified in writing by name and job title.
- Ensuring the designated personnel responsible for implementing the EEO program components are given the necessary authority and top management support and staffing to successfully implement their assigned responsibilities.
- Imparting a personal direction that ensures total involvement and commitment to equal employment opportunity programs through SacRT's.
- Participating in periodic discussions with management, supervision, and all other employed personnel to ensure the EEO program is being followed.

EEO Officer

The EEO Officer is responsible for developing, implementing and monitoring SacRT's EEO policies. The EEO Officer ensures that relevant policies and procedures are understood and implemented. The EEO Officer's responsibilities include, but are not

limited to, the following:

- Developing the EEO policy statement and a written EEO Program
- Assisting management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables, and developing programs to achieve goals.
- Designing, implementing, and monitoring internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where proactive action is needed.
- Reviewing the agency's nondiscrimination plan with all managers and supervisors to ensure that the policy is understood.
- Concurring in the hiring and promotion process.
- In conjunction with the Human Resources Department, periodically reviewing employment practices, policies (e.g., hiring, promotions, training), complaint policies, reasonable accommodation policies, performance evaluations, grievance procedures, and union agreements.
- Reporting at least semiannually to the CEO/GM on each department's progress in relation to the agency's goals and on contractor and vendor compliance.
- Serving as liaison between the agency; Federal, state, county, and local governments; regulatory agencies; and community groups representing minorities, women, and persons with disabilities, and others.
- Maintaining awareness of current EEO laws and regulations and ensuring the laws and regulations affecting nondiscrimination are disseminated to responsible officials.
- Investigating complaints of EEO discrimination.
- Providing EEO training for employees and managers.
- In conjunction with the Human Resources Department, advising employees and applicants of SacRT-sponsored training programs and professional development opportunities that are available and the entrance requirements.
- Auditing postings of the EEO policy statement to ensure compliance information is posted and up to date.

Directors, Managers, Administrators and Supervisors

Although the EEO Officer is primarily responsible for implementing SacRT's EEO program, all officials, managers, and supervisors are responsible for ensuring EEO and must not discriminate based on a protected class. All managers—from the supervisor of the smallest unit to General Manager/CEO—bear responsibility for ensuring that agency EEO program policies and programs are carried out. The Human Resources Director reviews the qualifications of all employees to ensure equitable opportunity, based on job-related employment practices, is provided to all for transfers and promotions. EEO responsibilities for all agency officials, supervisors and managers include, but are not limited to, the following:

- Participating actively in 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 for the nondiscrimination program.
- Cooperating with the EEO Officer in review of information and investigation of complaints.
- Encouraging employee participation to support the advancement of the EEO Program (e.g., professional development and career growth opportunities, posting promotional opportunities, shadowing, mentoring).

Responsibility of Every Employee

It is the responsibility and obligation of every SacRT employee to understand and strictly adhere to SacRT's EEO policies and procedures, and to conduct themselves in a professional, responsible, and non-discriminatory manner. Every employee involved in EEO complaint investigations (complainants, respondents, witnesses) must cooperate fully with the EEO office during the complaint investigation process. An employee who violates these policies and procedures may be subject to disciplinary action, up to and including termination from employment with SacRT.

CHAPTER 7: DISSEMINATION OF POLICY AND PROGRAM

Internal Policy Dissemination

- The SacRT EEO Policy is published and disseminated under the signature of the Sacramento Regional Transit District CEO/General Manager.
- SacRT's EEO Officer meets quarterly with executives, management, and supervisory personnel to discuss and seek input on the EEO program and its implementation.
- A printed copy of the EEO Policy is included in the new employee orientation and provided to all employees upon initial appointment. Employees sign to acknowledge receipt of the Policy and their participation in the requisite EEO training. SacRT's EEO Policy and discrimination and harassment complaint procedures are also presented and discussed during new employee orientation.
- SacRT conducts periodic EEO training for employees and supervisors.
- SacRT conducts EEO training for new supervisors and managers within 90 days of their appointment and EEO training for all supervisors and managers every 24 months per applicable California laws and regulations
- Printed copies of the EEO Policy are posted throughout the different SacRT work areas, as are posters addressing prevention and reporting of

discrimination and harassment, and State laws preventing discrimination and harassment.

- Non-discrimination and harassment prevention language is incorporated into all Labor Agreements covering SacRT employees.
- Non-discrimination language is included in all contracts for services provided to SacRT by individuals and organizations. The non-discrimination provisions also apply to subcontractors.

External Policy Dissemination

- SacRT conducts outreach to, and advertises at, employment agencies, educational institutions, minority and women's organizations by introducing the SacRT EEO Officer, providing a copy of SacRT's EEO Policy Statement, and informing orally and in writing that "Sacramento Regional Transit District is an Equal Opportunity Employer".
- SacRT Job Opportunity bulletins are regularly sent to a variety of recruitment sources including newspapers, web recruiters, trade unions, transit associations, local and state governmental agencies, colleges and community-based organizations veterans' organizations, Spanish language publications. Announcements are also posted on the Regional Transit Careers/Job Opportunities page on the SacRT website, www.sacrt.com. All bulletins and announcements contain language referencing SacRT's status as an Equal Opportunity Employer.
- SacRT participates in job recruitment fairs, and Asian and African American community events and outreach, in and around the greater Sacramento Metropolitan labor market area.
- SacRT will periodically monitor the representation of covered veterans and persons with disabilities in its applicant pool to evaluate the effectiveness of its recruitment activities. Based on its findings, if appropriate, SacRT will undertake outreach and positive recruitment activities such as the following:
 - Initiate and maintain communication with organizations having special interests in the recruitment of and job accommodations for protected veterans and individuals with disabilities. SacRT sends all external recruitments, which include the statement that SacRT is an EEO employer, to special interest agencies, such as: Crossroads Diversified Services, Sacramento Works - Veterans Resource Centers, and California Department of Rehabilitation and PRIDE Industries.
 - Provide information emphasizing job opportunities for protected veterans and individuals with disabilities to local educational institutions, public and private including the Los Rios Community College District, University of California Davis, and California State University, Sacramento.
 - Inform all recruiting sources, in writing and orally, of SacRT's EEO policy for protected veterans and individuals with disabilities.
 - List with the State Employment Development Department all suitable job openings.
 - Participate in "job fairs" targeting potential applicants who are veterans and persons with disabilities.

CHAPTER 8: IDENTIFICATION OF PROBLEM AREAS

In addition to comparing incumbency to availability within job groups, SacRT has conducted studies to identify problem areas in each of its selection procedures (i.e., hires, promotions, and terminations). SacRT will continue to monitor and update these studies during each EEO program year. In each case where potential problem areas have been identified, affirmative actions, as appropriate, will be taken consistent with any of the action-oriented programs described in Chapter 9 of this EEO program.

CHAPTER 9: ASSESSMENT OF EMPLOYMENT PRACTICES

QUANTITATIVE ANALYSIS / ADVERSE IMPACT ANALYSIS

The adverse impact analysis for applicant vs. hires, promotions, discipline and terminations was conducted for each job group by ethnicity and gender for the calendar years 2019 and 2021. The adverse impact information is attached is for calendar year 2021. SacRT uses two standard deviation method to identify areas where there is potential for adverse impact by highlighting differences in the selection rates within each job group also being mindful that unequal group sizes may indicate problem areas where no adverse impact actually exists. The EEO office reviewed the adverse impact analysis (See Exhibit 5) for hires, promotions, discipline and terminations for calendar year 2021.

Applicants vs. Hired

There was no adverse impact in the new hire analysis for 2021.

Executives job group hired one female from 24 applicants, 13 of whom were female.

Managers job group hired four males and no females. There were 27 male applicants and 14 female applicants. Two hires were minorities and two were not. 26 of the 41 applications came from minority candidates.

Supervisors job group hired six males and one female. 101 of the 123 applications were from men. Five of the hires were minorities and 71 of the 117 applications were from minority candidates.

Professionals job group hired four females, three males, 60 of 195 applications came from female candidates. Four of the seven hires were minorities and the applications were split 50/50.

Paraprofessionals job group hired four females out of four. 35 of 43 applications came from females. One minority was hired out of four hires. There were 27 minority applications out of 42.

Technicians job group increased by five females out of six hires. 23 of 88 applications were female. There were three minority and three non-minority hires. 57 of 84 applicants came from minority candidates.

Administrative Support job group 16 females out of the 33 hires. Female application numbered 82 out of 121. 24 of 33 hires were minorities. 78 minorities applied out of 116.

Skilled Crafts job group hired zero females out of 11 hires. There were zero female application in 2021. It should be noted that the female availability in this job group is 2.6% of the population but it is still an area in which improvement is needed. Seven hires out of 11 were minorities.

Service job group hired 20 females out of 58 hires. 310 of the 704 applicants were female. This is the most significant underutilization category moving forward. 46 out of 58 hires were minorities.

Promotions

There was no adverse impact in any of the promotion categories or job groups.

Overall, 17 out of 46 females were promoted. If you take out the skilled craft promotions because of so few females in that category, then half the promotions were female.

Thirty-two of the 46 promotions were minorities. Executive job group shows two white males promoted from a group of eight employees. Adverse impact was indicated for White, African American, Hispanic and Asian females however the utilization analysis shows no underutilization for women or minorities.

Terminations

The only adverse impact was in the Technicians category. All five terminated employees were female. All of these terminations were voluntary, however.

Overall, 56 of the 156 terminations were female (Females make up 33% of our employees). 106 of 156 terminations were minorities. (Minorities make up 70% of our employees.)

Moving forward EEO will continue to monitor the termination rates by race and gender and how, if at all, our procedures impact termination rates.

Discipline

The only area where potential adverse impact arose was in the Administrative Support job group where all five disciplinary actions involved females. SacRT will monitor this discipline category carefully.

QUALITATIVE ANALYSIS:

Recruitment and employment selection procedures

- Job Descriptions:

In accordance with SacRT's EEO program, SacRT develops job descriptions that are based on, and accurately reflect, the necessary job functions of the position to be filled. SacRT also ensures that job descriptions are consistent when the same position is used in multiple departments throughout the District (for example, Administrative Assistant I). SacRT only includes job-related criteria in its specifications, such as academic, experience, and other skill requirements necessary at the time of hiring. Job descriptions are made available to all management involved in the recruiting, screening, and selection process and copies of class specifications are available on SacRT's website.

- Job Advertisement and Recruitment Efforts:

Advertisements for SacRT job opportunities are posted at a variety of recruitment sources, including local job service offices as well as on SacRT's websites, in newspapers, with trade unions, transit associations, local and state government agencies, colleges, and community-based organizations and different locations throughout SacRT facilities. All advertisements include an Equal Employment Opportunity clause. SacRT participates in job fairs in and around the greater Sacramento labor market area.

- Hiring Standards/Methods of Selection:

All internal or external applicants must complete SacRT's standard application for employment on the online applicant tracking system NeoGOV. Minimum qualification screening is performed by trained professionals to determine whether an applicant has the minimum skills, required experience and/or education, and any other special requirements (e.g., licensing) listed for the position. Some job announcements also require responses to supplemental questions, which provides applicants an additional opportunity to demonstrate how they meet the minimum qualifications.

In 2022, SacRT will develop training for hiring managers in the selection and hiring process and how to exercise EEO principles and practices.

Supervisors and managers have received outside training on recognizing and eliminating bias and promoting and celebrating diversity in the workplace. SacRT's EEO Officer concurs with all hiring decisions.

- Physical and Mental Qualifications

SacRT ensures that all physical and mental qualifications and requirements are job-related and promote equal employment opportunity for all known protected veterans and employees and applicants with qualified disabilities. The EEO Office periodically reviews the physical and mental qualifications and requirements as they relate to employment, training and promotion to determine if they are job-related and consistent with business necessity and safe performance on the job. This process is consistent with the methodology specified in the Uniform Guidelines on Employee Selection Procedures, the Americans with Disabilities Act Amendments Act (ADAAA), and the EEOC's Technical Assistance Manual for the ADA.

In addition, any previously reviewed classification will be re-reviewed if there is a change in working conditions which affects the job's physical or mental requirements (e.g., new requirements, new equipment, etc.).

- Reasonable Accommodation to Physical and Mental Limitations

SacRT makes every effort to provide reasonable accommodations for physical and mental limitations of applicants and employees with disabilities or who are disabled veterans provided the accommodation poses no threat or danger to the employee, other employees or the work environment; and provided the accommodation would not impose an undue hardship on the operations of the business.

SacRT will confidentially review performance issues of employees with known disabilities to determine whether a reasonable accommodation is needed when: 1) The employee is experiencing significant difficulty performing the essential functions of the job; and 2) it is reasonable to conclude that the problem is related to the known disability.

Employees may contact SacRT's Equal Employment Opportunity Office located at 2811 O Street, Room 11 or call (279) 234-8377; or contact SacRT's Human Resources Director to speak with the ADA Coordinator.

- Job Testing:

SacRT has contracted with outside vendors to provide objective personnel testing, scoring, and analysis. These vendors ensure that all tests developed for, and provided to, SacRT comply with all applicable state and federal laws for test development and validation. In developing tests for SacRT, vendors match the content of each test with the minimum work requirements for the position under recruitment. All of SacRT's current testing vendors have extensive experience in developing, providing, and analyzing tests for numerous public agencies.

No discriminatory barriers have been identified in SacRT's procedures for developing job descriptions or job testing, which are criteria based and without bias in regard to age, race, color, religion, national origin, disability, veteran status, or other protected characteristics. However, to address any potential discriminatory barriers in its job advertisement and recruitment process, SacRT is increasing its

outreach to minority, female, and community groups. SacRT is also refining its selection process by looking at ways to increase diversity on its hiring panels and requiring more in-depth justifications for hiring decisions to ensure selections are based solely on qualifications that align with the stated job criteria. In 2021, SacRT reviewed its current discipline policies and procedures related to recruitment and employment selection periodically and/or following any updates to the policies and procedures for any potential discriminatory barriers.

Seniority practices and provisions, upgrading and promotion procedures, transfer procedures, and formal and informal training programs

- Seniority:

Seniority is applied by SacRT as agreed to in collectively bargained labor agreements concerning SacRT employees. Generally, seniority commences on an employee's hiring date and a copy of a master list of seniority is made public. Seniority is not lost due to illness or vacation. In several labor agreements, seniority determines the order in which employees bid or sign up for work, as well as first preference for vacation time, and the order of any layoffs (or recalls).

- Promotions and Transfers:

SacRT has a written policy to grant promotions without regard to race, color, religion, national origin, sex, age, disabled condition(s), sexual orientation, veteran status, or any other non-job-related criteria. SacRT's Promotional Opportunities standard operating procedure further provides that a promotional opportunity requires executive management and General Manager/CEO approval. Once approved, the Human Resources Department will notify all employees within the affected "series classification" (positions within the same career path) of the promotional opportunity. Interested employees have at least ten business days to submit an application and any other required documentation. Applications are screened by Human Resources to determine if an applicant meets the minimum qualifications for the position. If there is one or more qualified candidate(s), the hiring authority must carefully consider each candidate via a department-level interview and provide written justification for the selection decision. If no employees qualify under these conditions, SacRT may post the position internally and externally. If there is a promotional into a "single classification" (no other positions within the same career path), SacRT will conduct a district wide recruitment process. If no employees qualify, SacRT may post the position internally and externally.

Eligible employees who are on vacation or other approved leaves of absence at the time of promotional postings may apply for the position within the first five business days after returning to work if a written examination has not been administered and interviews have not been arranged.

- Training and Counseling on Interview Techniques, Promotional Opportunities, and Leadership Training:

After interviews for a promotional or transfer opportunity, unsuccessful employees have the option to receive feedback and counseling on their interview to understand how they did and how they could improve. In the past SacRT had offered a three-day class on supervisory training. If needed, SacRT would consider offering that or other supervisory training which would be available to all employees.

- Training Programs and Impact on Promotional Opportunities and Efforts to Locate and Train Protected Classes:

SacRT provides financial assistance for formal education for all employees. The primary purpose of the program is for employees to obtain a degree (Associate or bachelor's or higher) to enhance knowledge, skills or abilities necessary in the performance of the job, or to obtain a career development objective within SacRT. A description of the program, as well as the required forms, are provided as part of orientation for new hires.

No barriers to employment have been identified in SacRT's seniority practice, training or financial assistance for education program, which all apply equally, or are available equally, to all SacRT employees. SacRT reviews its current discipline policies and procedures related to seniority, promotions, and employee training periodically and/or following any updates to the policies and procedures for any potential discriminatory barriers.

Procedures and practices regarding wages, salary levels, and other forms of compensation and benefits

- Compensation and benefits:

Compensation is based on a pay range that is the same for each like position and is increased in accordance with an employee's length of service. Placement on the pay range for new hires and promotions is set by labor agreements with SacRT's employees. SacRT provides a series of comprehensive health and welfare insurance coverages for every full-time employee and his or her eligible dependents. This includes medical insurance, dental insurance, life insurance, vision insurance, and disability insurance.

- Review of wage and salary structure for discrimination:

New positions, as well as any existing positions that have been referred, are reviewed by SacRT's job evaluation team (JET) in accordance with SacRT's standard operating procedure. JET consists of five to seven members appointed by the General Manager/CEO and helps determine the relative value of a new or existing classification based on job evaluation questionnaire, factors of the job, and a comparison to other positions at SacRT. This allows an appropriate pay range to be assigned commensurate with the principal duties and responsibilities of the position.

Additionally, salaried employees or their supervisor may request a job or classification study in accordance with SacRT's Job/Classification standard operating procedure. Job or classification studies include job questionnaires and desk audits to determine whether an individual is significantly performing duties that are not fully encompassed within their job description, and whether the job description should be modified or if a different or new classification should be created. The job and classification study ensures that applicants, employees, and management understand job duties, responsibilities, and qualifications for positions; it also ensures equal pay for equal work and provides valuable information in organizational planning and analysis, staff development, and performance management.

SacRT's compensation, benefits, and review of wage and salary structure policies and procedures appear to apply neutrally to all employees and no discriminatory barriers have been identified. SacRT reviews its current discipline policies and procedures related to compensation and wage and salary structure periodically and/or following any updates to the policies and procedures for any potential discriminatory barriers.

Disciplinary procedures and discharge and termination practices

- Disciplinary and termination practices:

The process for discipline is described in each of the labor agreements with SacRT's employees. Each agreement adheres to the general principles of progressive disciplinary action. The steps of progressive discipline corrective action include the following, each of which is documented: (1) written warning, (2) written reprimand (3) suspension from employment without pay (4) demotion (an option, not a required step), and (5) discharge from employment. Employees have an opportunity to respond in the event of potential discipline action, and the opportunity to appeal discipline through a complaint or grievance process. Some offenses are subject to immediate termination, such as unlawful discrimination, theft, or fraud.

No discriminatory barriers have been identified in SacRT's discipline and termination procedures but SacRT is looking into establishing exit interviews to understand the disparate number of involuntary terminations to determine if any barriers to employment exist. SacRT reviews its current discipline policies and procedures related to discipline, discharge and termination periodically and/or following any updates to the policies and procedures for any potential discriminatory barriers.

Assessment of the impact of external factors;

External factors that may have an impact on SacRT's workforce include awareness of employment opportunities at SacRT or how to apply for jobs at SacRT. To this end, SacRT is expanding its outreach through its EEO officer's community liaison efforts.

Proposed program of remedial, affirmative actions to address problem areas

In addition to the outreach and selection improvement remedial efforts and periodic review of policies and procedures described above, SacRT implemented an online applicant tracking system in 2019 which improved the data collection and analysis of applicants and new hires. The EEO Officer will assess this data on a semi-annual basis to track SacRT's progress towards its EEO program goals and to identify any emerging disparate impact trends in SacRT's employment practices. This information will be shared with SacRT management and, as necessary, will be used to reevaluate current policies and procedures to help further SacRT's EEO program goals or respond to emerging disparate impact trends.

CHAPTER 10: MONITORING AND REPORTING PLAN

Procedures for Agency Monitoring:

SacRT will monitor its EEO program by evaluating data on applicants, new hires, promotions, transfers, discipline, and terminations on a semi-annual basis and by sharing its data and evaluation with the General Manager/CEO and management staff. SacRT will take any necessary corrective action regarding the development and execution of programs, goals, and timetables.

Procedures for determining EEO compliance of subrecipients:

Paratransit, Inc, El Dorado Transit District and Yolo County Transportation District are SacRT's subrecipients. El Dorado and Yolo are subject to the abbreviated EEO Program requirements. Prior monitoring used to determine EEO compliance of subrecipients included:

1. Reviewing subrecipients EEO program for FTA triennial audits;
2. Identifying deficiencies for correction; and
3. Providing technical assistance as needed.

Updated monitoring procedures will now include periodic site visits to review subrecipient's EEO program for FTA compliance, including:

1. Written notification to subrecipient of scheduled site visits;
2. Written determination letter of deficiencies to be corrected;
3. On-going technical assistance as needed;
4. Annual site visits to ensure proper posting of subrecipient's EEO Policy Statement; and
5. Inspection of discrimination complaints and follow-up.

Procedures for reviewing Union Contracts:

A review of current union contracts shows no evidence of disparate impact. Pay and benefit programs appear to be neutral. Salaries and salary increases are scheduled and based on time and grade.

The EEO Office will continue to monitor and review union contracts by consulting with SacRT's Labor Relations during any bargaining negotiations and whenever a change may occur in a collective bargaining agreement.

Procedures for reviewing Complaints:

1. EEO maintains a log that documents every discrimination complaint. An internal database tracks the name of 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.
2. EEO maintains a secured file area to store all complaint files.

Agency Reporting:

SacRT will maintain cumulative records on applicants, hires, transfers, promotions, trainings that foster promotion potential, and terminations. Such records provide current information needed to prepare yearly targets and to identify if SacRT's EEO program is working effectively to meet its goals.

SacRT's updated EEO program is due March 1, 2022 and thereafter to be updated and submitted to FTA every four years.

- EEO will continue monitoring and updating on an annual basis the organization utilization analysis and goals timetables.
- EEO will collect and assess data on employee training opportunities, promotions, terminations, and disciplinary actions to determine EEO compliance, and to identify remedial actions, if needed.
- EEO will publish internal reporting on a quarterly basis regarding SacRT's equal employment opportunity goals and objectives.
- EEO will review report results with all levels of management on a semi-annual or more frequently as needed basis.
- EEO will meet with GM/CEO quarterly or as needed to discuss EEO program effectiveness and recommendations for improved performance or corrective

actions regarding the development of programs in an ongoing effort to further SacRT's EEO goals and objectives.

Self-Identification

SacRT attaches an Equal Opportunity Voluntary Survey to each employment application. The survey is the method SacRT's uses to obtain required EEO data needed to conduct required monitoring and reporting. The data collected is used for the following purposes:

1. Obtain applicant residency data to define SacRT's local labor area.
2. Determine if SacRT recruitment efforts are effective.
3. Identify the most effective referral sources.
4. Determine if applicant pools, at any stage in the selection process, are equal or greater to availability as presented in the EEO program.

Once an employment application is submitted, the survey is electronically detached and maintained in a separate confidential file to be used solely for EEO recordkeeping purposes. No employment decisions are made based on the data collected from the surveys. After an employee is hired, that employee has an additional opportunity during the new employee orientation to submit the survey. The standards set forth above still apply to the use and maintenance of these surveys.

Additionally, the EEO Office conducts a biennial EEO self-identification survey by sending a survey to each employee asking for voluntary updates of EEO related information.

Action-Oriented Programs Related to Internal Audits and Reporting

- EEO Office considers new EEO laws, guidelines, regulations, and court decisions, to establish procedures and practices to meet EEO internal audit guidelines and reporting requirements. SacRT's Legal Department will periodically notify the EEO Officer of any laws, regulations, or cases that may affect SacRT's EEO policies or hiring goals.
- SacRT participates in community outreach by attending job fairs that are directed at minorities, females, persons with disabilities and covered veterans; placing recruitment advertising in media directed at minorities, females, persons with disabilities and covered veterans; and enriching SacRT's outreach program to local colleges and vocational school placement counselors.
- Prior SacRT practice included maintaining a current list of minority and female recruitment sources, providing written notification to minority and female recruitment sources and to community organizations to advertise new employment opportunities available.

- Current employment practices are under review to identify opportunities to improve established procedures and promote hiring of qualified minorities and women:
 1. SacRT will monitor effectiveness of recruitment and outreach efforts to community organizations, SacRT will maintain a record of the organization's responses;
 2. SacRT will re-evaluate internal trainee and apprentice programs for opportunities to include minorities and women;
 3. SacRT will participate in external trainee, mentor and recruitment programs that are directed at minorities and women, and relevant to RT employment needs.
 4. SacRT will audit SacRT employment processes for adverse impact;
 5. SacRT will evaluate its outreach and recruitment efforts for effectiveness by auditing applicant pools for diversity at all levels and for all positions;
 6. SacRT will evaluate internal training and promotional opportunities for adverse impact.

GLOSSARY OF TERMS

ADVERSE IMPACT

Applies to a business practice that is neutral in its application in that it is applied evenly to all applicants or employees, but which has the effect of disproportionately excluding or otherwise adversely affecting persons of a protected group. For example, a height requirement for a job might eliminate females and Asian males at a disproportionate rate.

AFFECTED CLASS

Any group that continues to suffer the effects of past discriminatory practices. Affected class status must be determined by analysis or court decision.

AFFIRMATIVE RECRUITMENT

Special recruitment efforts undertaken to assure that qualified protected class members are well represented in the applicant pools for positions from or in which they have been excluded or substantially underutilized. Such efforts may include contacting organizations and media with known protected class constituencies. Open job posting and advertising and "equal opportunity employer" statements necessary in many situations are matters of nondiscrimination rather than measures of affirmative recruitment.

AFRICAN AMERICAN/BLACK

A person, not of Hispanic origin, who has origin in any of the black racial groups of Africa. Terms such as "Haitian" may be used in addition to "Black or African American."

AMERICAN INDIAN OR ALASKA NATIVE (NATIVE AMERICAN)

All persons having origins in any of the original peoples of North and South America (including Central America), and who maintain cultural identification through tribal affiliation or community recognition. A person having origin in any of the original peoples of North America and who maintains tribal affiliation or community attachment.

ANNUAL PERCENTAGE GOAL

For each underutilized job group the organization must have an annual percentage goal equal to the availability for the job group.

APPLICANT FLOW

The number of applicants applying for a particular job over a given period, analyzed by protected class characteristics.

APPLICANT POOL

All people who have applied for a particular job or group of jobs during a specific period, which become the collection of candidates from where the selection decision(s) for available positions may be made.

ASIAN

All persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent. This area includes, for example, Cambodia, China, India, Indonesia, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Singapore, Thailand, and Vietnam.

BONA FIDE OCCUPATIONAL QUALIFICATION (BFOQ)

A minimum qualification that is needed to be able to perform the duties of a particular job, which would otherwise be unlawful because of its discriminatory impact based on one's sex, religion, or national origin, etc. Examples are the requirement that an actor playing the part of a woman be a woman or that a minister of a particular religion be a member of that particular religion. The concept of BFOQ is interpreted very narrowly by both the EEOC and the federal courts. Age may be a BFOQ under the Age Discrimination Employment Act of 1967. Race is never a BFOQ.

BUSINESS NECESSITY

A legitimate business purpose that justifies an employment practice as valid and necessary for the effective achievement of the organization's objectives and the safe and efficient operation of the business.

CAREER LADDER

A series of related jobs in a promotional sequence generally starting with less difficult, lower paying jobs and progressing to more difficult, higher paying jobs. Often, the jobs at the "bottom" of the career ladder provide required training for movement up the ladder.

CAUCASIAN/WHITE

Persons (not of Hispanic origin) having origins in any of the original peoples of Europe, North Africa, or the Middle East.

CIVIL RIGHTS

Personal rights guaranteed and protected by the Constitution (i.e., freedom of speech, press, freedom from discrimination).

CLASS ACTION

A civil action brought by one or more individuals on behalf of themselves and "all others similarly situated" (or equivalent language). The purpose of a class action is to secure a judicial remedy which not only eliminates a wrong committed against an individual and compensates him or her for the effects of that wrong, but which also provides such remedies for all others in a definable class who have suffered as a result of the same practice or practices. The technical legal requirements and definition of a class in federal court proceedings are contained in Rule 23(b) of the Federal Rules of Procedure.

CODE OF FEDERAL REGULATIONS (CFR)

The Code of Federal Regulations is a codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the federal government. The code is divided into 50 titles, which represent broad areas subject to federal regulation. For example, Title 41 CFR, Chapter 60 deals with the various Department of Labor EEO regulations and guidelines concerning federal government contractors.

COMPARABLE WORTH

Payment of wages based on the value of the work performed taking into consideration such factors as education, training, skills, experience, effort, responsibility and working conditions, this issue is raised particularly in comparing salaries paid for occupations that are traditionally female to salaries paid for those that are traditionally male.

COMPLIANCE

A situation in which an agency fully meets the requirements of laws, rules, and regulations and court cases that mandate nondiscrimination and affirmative action.

COMPLIANCE AGENCY

Any local, state, or federal government agency that administers laws or regulations in the EEO field.

CONCENTRATION

A higher representation of a particular group (e.g., Blacks, Hispanics, females, etc.) in a job category or department as compared to their representation in the relevant labor market.

DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING (DFEH)

The California Department of Fair Employment and Housing (DFEH) is the largest state civil rights agency in the country. It was established by the Legislature in 1959 as the Division of Fair Employment Practices and was initially part of the Department of Industrial Relations.

In 1980, DFEH was established as an independent department charged with enforcing California's comprehensive employment, housing, public accommodations and public service non-discrimination laws, as well as California's bias-related hate violence law.

DFEH's statutory mandate is to protect the people of California from discrimination in employment, housing and public accommodations pursuant to the California Fair Employment and Housing Act, Government Code Section 12900, et seq., the Unruh Civil Rights Act, Civil Code Section 51, et seq., and the Ralph Civil Rights Act, Civil Code Section 51.7.

DFEH has jurisdiction over both private and public entities operating within the State of California, including corporate entities, private sector contracts granted by the State of California, and all State departments and local governments.

DFEH receives and investigates discrimination complaints in its twelve district offices throughout the State. Ten offices handle employment, public accommodations and hate violence cases and two offices handle housing cases. In addition, three legal offices that litigate cases and provide legal support to the district offices.

DFEH routinely provides technical assistance to employers, business establishments, and housing providers regarding their responsibilities under the law.

The Department is part of the State and Consumer Services Agency and is administered by a Director appointed by the Governor.

DIFFERENTIAL VALIDATION

Validation of test at different score levels for different classes of people. This is not tantamount to "lowering standards" for one or more groups to favor them over others. Differential validation occurs only where lower test scores by one class actually do predict a level of job performance equivalent to that predicted by the higher scores of another class.

DISABLED INDIVIDUAL

Any person who:

1. has a physical or mental impairment that substantially limits one or more major life activities;
2. has a record of such impairment; or
3. is regarded as having such an impairment.

The following are general definitions as to the meaning of disability:

- **Physical or Mental Impairment** means: 1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, muscular-skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine, or 2) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term 'physical or mental impairment' includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.
- **Major Life Activities** means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- **Has a Record of Such an Impairment** means has a history of a mental or physical impairment that substantially limits one or more life activities.
- **Is Regarded as Having an Impairment** means; 1) has a physical or mental impairment that does not substantially limit major life activities but that is treated by an agency as constituting such a limitation; 2) has a physical or mental impairment that

substantially limits major life activities only as a result of the attitudes of others toward such impairment; or 3) has none of the impairments defined above but is treated by an agency as having such an impairment.

- **Substantially Limits** means the degree the impairment affects employability. A handicapped individual that is likely to experience difficulty in securing, retaining, or advancing in employment will be considered substantially limited.

Note: California law has eliminated the word "substantially" in its definition of Disabled Individual.

DISABLED VETERAN

Any veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or who was discharged or released from active duty because of a service-connected disability.

DISCRIMINATION

Any act, or failure to act, which has the purpose or effect of limiting, excluding, or denying a person employment opportunity because of race, color, creed, national origin, sex, age, or mental or physical disability.

DISPARATE IMPACT

Applies to a business practice that is neutral in its application in that it is applied evenly to all applicants or employees, but which has the effect of disproportionately excluding

or otherwise adversely affecting persons of a protected group. For example, a height requirement for a job might eliminate females and Asian males at a disproportionate rate.

DISPARATE TREATMENT

A theory or category of employment discrimination that is found when an employer treats a group or individual differently because of its race, color, religion, sex, national origin, disability, or veteran status. An intent to discriminate is a necessary element in this type of employment discrimination and can be shown by direct evidence or inferred through statistical, anecdotal, and/or comparative evidence.

EE0-4 REPORT

The biennial report that state and local government employers must file with the EEOC regarding the sex and minority status of their work force by job category and salary intervals. Those required to file include A) all states, B) all other political jurisdictions that have 100 or more employees, and C) an annual sample (rotated each year) of those political jurisdictions which have 15-99 employees.

EIGHTY PERCENT RULE

Method of determining adverse impact. Selection rates for any group that is less than 80% (four-fifths) of the rate for other groups is evidence of a violation of this rule.

EMPLOYEE

Under Title VII of the Civil Rights Act of 1964, as amended:

"... an individual employed by an employer except that the term 'employee' shall not include any person elected to public office in any State or political subdivision of any State ... or any person chosen by such officer to be on such officer's personal staff, or an appointee on the policy making level or an immediate adviser with respect to the exercise of the constitutional or legal powers of the office. The exemption set forth in the preceding sentence shall not include employees subject to the civil service laws of a State Government, governmental agency, or political subdivision."

EMPLOYER

Under Title VII of the Civil Rights Act of 1964, as amended:

"... a person engaged in an industry affecting commerce that has fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year." The US Government and its wholly owned corporations, Indian tribes, certain departments of the District of Columbia Government, and tax exempt, bona fide private membership clubs are excluded from the definition.

EQUAL EMPLOYMENT OPPORTUNITY

Where all personnel activities are conducted to assure equal access in all phases of the employment process. Employment decisions are based solely on the individual merit

and fitness of applicants and employees related to specific jobs, without regard to race, color, religion, sex, age, national origin, disability, marital status, or criminal record.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

The federal government agency mandated to enforce Title VII of the Civil Rights Act of 1964, as amended. The Commission has five members, each appointed to a five-year term by the President of the United States with the advice and consent of Congress. The Federal Commission on Equal Employment Opportunity has the power to bring suits, subpoena witnesses, issue guidelines that are enforceable by law, render decisions, provide legal assistance to complainants, etc., in regard to fair employment.

EQUAL PAY

To provide equal pay for males and females performing the same or substantially similar jobs in the same establishment, (as required by the Equal Pay Act of 1963 for employers subject to the Fair Labor Standards Act) (e.g., in a department store a female salesperson in the lady's shoe department must receive pay equal to that of a male salesperson in the men's shoe department.)

ETHNIC GROUP

A group identified based on religion, color, or national origin.

EXECUTIVE ORDER

A regulation by the President of the United States or the chief executive of a state that has the effect of law.

GOALS

Good faith, quantitative employment objectives that employers voluntarily set as the minimum progress they can make within a certain period (usually one year) to correct underutilization of protected classes in their work force.

GOOD FAITH EFFORTS

Those actions taken to achieve the objectives of the EEO program, which may include, but are not limited to, the establishment and conduct of processes to implement specific provisions of U.S. Department of Transportation circular.

GUIDELINES

Documents published by various compliance agencies for the purpose of clarifying provisions of a law or regulation and indicating how an agency will interpret its law or regulation.

HARASSMENT

Verbal, physical, visual, and other conduct that creates a hostile working environment and is directed towards persons based upon their protected status.

HISPANIC/LATINO

All persons of Cuban, Mexican, Puerto Rican, Central, or South American, or other Spanish culture or origin, regardless of race. The term "Spanish origin," can be used in addition to "Hispanic or Latino."

JAAR (Job Area Acceptance Range)

The acceptable range--either 20 percent above or below internal availability--for either females or minorities in a workforce sector.

JOB ANALYSIS

The systematic study of a job to provide information, which will enable those planning examinations or other selection devices to determine the knowledge, skills and abilities required for successful performance on the job.

JOB CATEGORY

A grouping or aggregation of job classifications for purposes of analysis or official reporting. Officials and Administrators, Professionals, Administrative Support, and Service Workers are examples of Job Categories.

JOB GROUP

One or a group of jobs having similar content (duties of the position and the technical expertise required to do the job), wage rates, and opportunities. Positions in job groups do not normally cross EE0-4 Categories.

MINORITY

For EEO official reporting purposes and for purposes of the work force analysis required in Revised Executive Order No. 4, the term "minority" includes Blacks/African Americans, Hispanics/Latinos, Alaskan Natives or American Indians, and Asians, Native Hawaiian or Other Pacific Islander, and Two or More Races (Multiple Race).

NATIONAL ORIGIN

The particular nation where a person was born, or where the person's parents or ancestors were born.

NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER

A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

NUMERIC GOAL

Even though numeric goals are not required, many times supervisors and managers request the "number" of protected group members that they are expected to hire in them respective areas.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS (OFCCP)

The branch of the US Department of Labor responsible for monitoring the compliance status of and resolving complaints against all employers having contracts with the Federal Government.

ONE PERSON STANDARD

Shortfall is the number of minorities or females below that which is expected (based upon availability).

PARITY

A condition achieved in an organization when the protected class composition of its work force is equal to that in the relevant available labor force.

PLACEMENT

Any employment decision made by the employer that has the effect of placing an individual in a position, training position, or any other position of opportunity in the company or institution.

PRIMA FACIE

A legal presumption that arises from a basic showing of facts, which will control a decision unless explicitly proved untrue. In the EEO area, statistics of underutilization have been sufficient to make a prima facie case for discrimination. It is then the responsibility of the employer to justify those statistics.

PROTECTED CLASSES

Groups identified in Executive Order 6 (minorities, females, disabled persons, and Veterans) that are specifically protected against employment discrimination. In California, the list is long and frequently-changing. Check the DFEH website for the most recent list.

QUOTAS

In employment law, court ordered or approved hiring and/or promoting of specified numbers or ratios of minorities or females in positions from which a court has found they have been excluded because of unlawful discrimination. Quotas are not the same as goals and timetables.

REASONABLE ACCOMMODATION

The changing of environment, schedules, or requirements to adapt to the known physical or mental limitations of a qualified, disabled applicant or employee. There are three (3) categories of reasonable accommodations:

1. Modifications or adjustments to a job application process to permit an individual with
 - a disability to be considered for a job (such as providing application forms in alternative formats like large print or Braille);
2. Modifications or adjustments necessary to enable a qualified individual with a disability to perform the essential functions of the job (such as providing sign language interpreters); and
3. Modifications or adjustments that enable employees with disabilities to enjoy equal benefits and privileges of employment (e.g., removing physical barriers in an office cafeteria).

RELEVANT WORK FORCE

All individuals who are qualified to perform a particular job and who would accept employment in a particular geographic location.

RETALIATION

Any adverse personnel action taken against a person because the employee has filed a complaint or participated in an investigation.

SELECTION PROCESS

Any measure, combination of measures, or procedure used as a basis for any employment decision; commonly consists of minimum qualifications, test(s), employment interview, and probationary period.

SELECTIVE CERTIFICATION

The process of certifying the names of persons on an eligible list based on their possession of specific qualifying criteria (e.g. by sex).

SELF-IDENTIFICATION

The process of establishing racial/ethnic identity. The descriptions do not denote scientific definitions of anthropological origins; the categories used are those set forth in federal regulations. For the purposes of EEO data collection, an individual may be

included in the group(s) in which he or she appears to belong, identifies with, or is regarded in the community as belonging.

SEXUAL HARASSMENT

Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is either an explicit or implicit term or condition of employment;
2. Submission to or rejection of the conduct is used as a basis for an employment affecting the person rejecting or submitting to the conduct; or
3. The conduct has the purpose or effect of unreasonably interfering with an affected person's work performance, or creating an intimidating, hostile, or offensive work environment.

SEXUAL ORIENTATION

A private preference of an individual protected by Executive Order No. 28 for heterosexuality, homosexuality or bisexuality; or a history of such a preference; or an identification with having such a preference.

STANDARD DEVIATION

One of the most useful and widely used formulas for measuring degrees of dispersion.

STANDARD METROPOLITAN STATISTICAL AREA (SMSA)

A statistical standard developed for use by federal agencies in the production, analysis, and publication of data on metropolitan areas. Each SMSA has one or more central counties containing the area's main population concentration and may include outlying counties that have close economic and social relationships with the central counties.

SYSTEMIC DISCRIMINATION

A pattern of discrimination throughout a place of employment (or program) that is a result of pervasive, interrelated actions, policies, or procedures.

TIMETABLE

A specified timeframe required in all affirmative action plans, which designates when an employer believes the established numerical employment goals can be achieved.

TWO STANDARD DEVIATION METHOD

Indicates an underutilization in any job group in which the difference between the expected number of minorities or females and actual number in the group is greater than two standard deviations.

UNDERUTILIZATION

A condition where there are fewer minorities and/or females in a particular job category or department than would reasonably be expected based on their availability.

UNITED STATES COMMISSION ON CIVIL RIGHTS

An independent, bipartisan agency established by Congress in 1957 and directed to:

- (a) Investigate. complaints alleging that citizens are being deprived of their right to vote because of their race, color, religion, sex, age, handicap, or national origin, or due to fraudulent practices.
- (b) Study and collect information concerning legal developments constituting discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice.
- (c) Appraise Federal laws and policies with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, handicap or national origin, or in the administration of justice.
- (d) Serve as a national clearinghouse for information in respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin.
- (e) Submit reports, findings, and recommendations to the President and Congress.

VALIDATION

The process by which employee selection devices are demonstrated empirically to be predictive of job performance. Under EEOC Guidelines, tests or other selection devices that screen out minorities or females at a greater rate than others must be validated according to procedures that meet the published standards of the American Psychological Association.

VETERAN

A veteran, as defined by the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, ("VEVRAA"), 38 U.S.C. Section 4212(d), includes: (1) Disabled veterans;

(2) Other protected veterans (veterans who served on active duty in the U.S. military during a war or in a campaign or expedition for which a campaign badge is awarded);

(3) Armed Forces service medal veterans (veterans who, while serving on active duty in the Armed Forces, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985); and

(4) Recently separated veterans (veterans within 36 months from discharge or release from active duty).

WORK FORCE ANALYSIS

A statistical analysis of the numbers and percentages of all employees of a specific employer by race, or ethnic origin, sex, Veteran, and/or disability status by job category and level.

Exhibits 1 through 4 have
been omitted for
confidentiality
reasons but are available
to the Board members upon
request.

Exhibit 5: Four-Fifths Adverse Impact Analysis by Job Category Hires

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1 - Officials & Administrators																
Number Applied	36	28	8	16	2	-	7	2	12	4	6	2	1	-	-	4
Total Hires	4	1	2	-	-	-	1	1	1	-	-	-	-	-	-	-
Selection Rate	11.1%	3.6%	25.0%	0.0%	0.0%	N/A	14.3%	50.0%	8.3%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%
Ratio to Highest Rate	100.0%	32.1%	50.0%	0.0%	0.0%	N/A	28.6%	100.0%	16.7%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%
Potential Adverse Impact (Yes/No)	No	Yes	Yes	Yes	Yes	N/A	Yes	No	Yes	Yes	Yes	Yes	N/A	N/A	N/A	Yes
1- Supervisors																
Number Applied	95	22	39	8	2	-	15	12	21	2	15	-	-	-	3	-
Total Hires	6	1	2	-	1	-	3	1	-	-	-	-	-	-	-	-
Selection Rate	6.3%	4.5%	5.1%	0.0%	N/A	N/A	20.0%	8.3%	0.0%	N/A	0.0%	N/A	N/A	N/A	0.0%	N/A
Ratio to Highest Rate	100.0%	72.0%	25.6%	0.0%	N/A	N/A	100.0%	41.7%	0.0%	N/A	0.0%	N/A	N/A	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	Yes	Yes	Yes	N/A	N/A	No	Yes	Yes	N/A	Yes	N/A	N/A	N/A	Yes	N/A
2 - Professionals																
Number Applied	127	58	67	24	2	1	6	10	12	3	31	18	1	-	8	2
Total Hires	3	4	3	-	-	-	-	2	-	-	-	2	-	-	-	-
Selection Rate	2.4%	6.9%	4.5%	0.0%	N/A	N/A	0.0%	20.0%	0.0%	N/A	0.0%	11.1%	N/A	N/A	0.0%	N/A
Ratio to Highest Rate	34.3%	100.0%	22.4%	0.0%	N/A	N/A	0.0%	100.0%	0.0%	N/A	0.0%	55.6%	N/A	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	No	Yes	N/A	Yes	Yes	N/A	N/A	Yes	N/A
3- Paraprofessionals																
Number Applied	8	32	1	12	-	2	1	5	4	7	2	5	-	-	-	1
Total Hires	-	4	-	3	-	-	-	-	-	1	-	-	-	-	-	-
Selection Rate	0.0%	12.5%	0.0%	25.0%	N/A	0.0%	0.0%	0.0%	0.0%	14.3%	0.0%	0.0%	N/A	N/A	N/A	0.0%
Ratio to Highest Rate	NA	100.0%	0.0%	100.0%	N/A	0.0%	0.0%	0.0%	0.0%	57.1%	0.0%	0.0%	N/A	N/A	N/A	0.0%
Potential Adverse Impact (Yes/No)	No	No	Yes	No	N/A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	N/A	N/A	Yes
3- Technicians																
Number Applied	63	22	20	7	3	-	9	4	11	3	14	4	3	1	3	3
Total Hires	1	5	1	2	-	-	-	-	-	2	-	1	-	-	-	-
Selection Rate	1.6%	22.7%	5.0%	28.6%	0.0%	N/A	0.0%	0.0%	0.0%	66.7%	0.0%	25.0%	0.0%	N/A	0.0%	0.0%
Ratio to Highest Rate	7.0%	100.0%	7.5%	42.9%	0.0%	N/A	0.0%	0.0%	0.0%	100.0%	0.0%	37.5%	0.0%	N/A	0.0%	0.0%
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	Yes	N/A	Yes	Yes	Yes	No	Yes	Yes	Yes	N/A	Yes	Yes
6 - Administrative Support																
Number Applied	25	68	9	22	-	-	6	19	4	17	5	3	1	2	-	5
Total Hires	17	16	6	3	-	-	6	5	2	4	3	1	-	-	-	3
Selection Rate	68.0%	23.5%	66.7%	13.6%	N/A	N/A	100.0%	26.3%	50.0%	23.5%	60.0%	33.3%	N/A	0.0%	N/A	60.0%
Ratio to Highest Rate	100.0%	34.6%	66.7%	13.6%	N/A	N/A	100.0%	26.3%	50.0%	23.5%	60.0%	33.3%	N/A	0.0%	N/A	60.0%
Potential Adverse Impact (Yes/No)	No	Yes	Yes	Yes	N/A	N/A	No	Yes	Yes	Yes	Yes	Yes	N/A	Yes	N/A	Yes
7 - Skilled Craft																
Number Applied	50	-	17	-	-	-	2	-	14	-	11	-	1	-	5	-
Total Hires	11	-	4	-	-	-	1	-	3	-	3	-	-	-	-	-
Selection Rate	22.0%	N/A	23.5%	N/A	N/A	N/A	50.0%	N/A	21.4%	N/A	27.3%	N/A	0.0%	N/A	0.0%	N/A
Ratio to Highest Rate	100.0%	N/A	47.1%	N/A	N/A	N/A	100.0%	N/A	42.9%	N/A	54.5%	N/A	0.0%	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	N/A	Yes	N/A	N/A	N/A	No	N/A	Yes	N/A	Yes	N/A	Yes	N/A	Yes	N/A
8 -Service-Maintenance																
Number Applied	382	286	71	48	4	4	123	149	58	38	78	6	21	3	27	38
Total Hires	38	20	9	3	-	-	13	10	3	5	10	1	2	-	1	1
Selection Rate	9.9%	7.0%	12.7%	6.3%	N/A	N/A	10.6%	6.7%	5.2%	13.2%	12.8%	N/A	9.5%	N/A	3.7%	2.6%
Ratio to Highest Rate	100.0%	70.3%	96.3%	47.5%	N/A	N/A	80.3%	51.0%	39.3%	100.0%	97.4%	N/A	72.4%	N/A	28.1%	20.0%

**Four-Fifths Adverse Impact Analysis by Job Category
Hires**

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Potential Adverse Impact (Yes/No)	No	Yes	No	Yes	N/A	N/A	No	Yes	Yes	No	No	N/A	Yes	N/A	Yes	Yes

Notes:

Persons with Disabilities	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	39	22	18	8	3	-	10	10	5	1	2	-	-	-	1	3
Total Hires	5	6	3	2	-	-	1	3	1	1	-	-	-	-	-	-
Selection Rate	12.8%	27.3%	16.7%	25.0%	0.0%	N/A	10.0%	30.0%	20.0%	N/A	0.0%	N/A	N/A	N/A	N/A	0.0%
Veterans	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	99	13	34	6	-	-	28	6	23	-	8	-	1	1	5	-
Total Hires	5	2	3	1	-	-	1	1	1	-	-	-	-	-	-	-
Selection Rate	5.1%	15.4%	8.8%	16.7%	N/A	N/A	3.6%	16.7%	4.3%	N/A	0.0%	N/A	N/A	N/A	0.0%	N/A

Notes:

Exhibit 5: Four-Fifths Adverse Impact Analysis by Job Category Promotions

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1 - Officials & Administrators																
Number Applied	30	25	16	16			2	2	3	5	5	2	1		3	
Total Promotions	3	5	3	2				1		1		1				
Selection Rate	10.0%	20.0%	18.8%	12.5%	N/A	N/A	0.0%	50.0%	0.0%	20.0%	0.0%	50.0%	N/A	N/A	0.0%	N/A
Ratio to Highest Rate	50.0%	100.0%	37.5%	25.0%	N/A	N/A	0.0%	100.0%	0.0%	40.0%	0.0%	100.0%	N/A	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	No	Yes	Yes	Yes	No	N/A	N/A	Yes	N/A
1- Supervisors																
Number Applied	85	20	43	9	3		17	6	13	3	5	2			4	
Total Promotions	5	2	2	1			2	1	1							
Selection Rate	5.9%	10.0%	4.7%	11.1%	0.0%	N/A	11.8%	16.7%	7.7%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A
Ratio to Highest Rate	58.8%	100.0%	27.9%	66.7%	0.0%	N/A	70.6%	100.0%	46.2%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	Yes	N/A	Yes	No	Yes	Yes	Yes	N/A	N/A	N/A	Yes	N/A
2 - Professionals																
Number Applied	7	19	5	4			1	7			7			1	1	
Total Promotions	1	1						1						1		
Selection Rate	14.3%	5.3%	0.0%	0.0%	N/A	N/A	0.0%	14.3%	N/A	N/A	N/A	0.0%	N/A	N/A	100.0%	0.0%
Ratio to Highest Rate	100.0%	36.8%	0.0%	0.0%	N/A	N/A	0.0%	14.3%	N/A	N/A	N/A	0.0%	N/A	N/A	100.0%	0.0%
Potential Adverse Impact (Yes/No)	No	Yes	Yes	Yes	N/A	N/A	Yes	Yes	N/A	N/A	N/A	Yes	N/A	N/A	No	Yes
3- Paraprofessionals																
Number Applied	4	10	2	7					1	2	1	1				
Total Promotions	-	-		-					-							
Selection Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A
Ratio to Highest Rate	NA	NA	#DIV/0!	#DIV/0!	N/A	N/A	N/A	N/A	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	#DIV/0!	#DIV/0!	N/A	N/A	N/A	N/A	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	N/A	N/A	N/A	N/A
3- Technicians																
Number Applied	18	25	11	12			1	3	3	4	3	6				
Total Promotions	1	2		2					1							
Selection Rate	5.6%	8.0%	0.0%	16.7%	N/A	N/A	0.0%	0.0%	33.3%	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A
Ratio to Highest Rate	69.4%	100.0%	0.0%	50.0%	N/A	N/A	0.0%	0.0%	100.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	Yes	No	Yes	Yes	Yes	N/A	N/A	N/A	N/A
6 - Administrative Support																
Number Applied	63	85	26	24	1	1	21	22	8	16	5	9		2	2	11
Total Promotions	2	1	1					1	1							
Selection Rate	3.2%	1.2%	3.8%	0.0%	N/A	N/A	0.0%	4.5%	12.5%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%
Ratio to Highest Rate	100.0%	37.1%	30.8%	0.0%	N/A	N/A	0.0%	36.4%	100.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%
Potential Adverse Impact (Yes/No)	No	Yes	Yes	Yes	N/A	N/A	Yes	Yes	No	Yes	Yes	Yes	N/A	N/A	N/A	Yes
7 - Skilled Craft																
Number Applied	143	4	54				15	2	35		31	1	1		7	1
Total Promotions	10	-	2				2		4		2					
Selection Rate	7.0%	0.0%	3.7%	N/A	N/A	N/A	13.3%	N/A	11.4%	N/A	6.5%	N/A	N/A	N/A	0.0%	N/A
Ratio to Highest Rate	100.0%	NA	27.8%	N/A	N/A	N/A	100.0%	N/A	85.7%	N/A	48.4%	N/A	N/A	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	Yes	N/A	N/A	N/A	No	N/A	No	N/A	Yes	N/A	N/A	N/A	Yes	N/A
8 -Service-Maintenance																
Number Applied	578	271	145	45	6	4	187	149	98	44	91	8	26	4	25	17
Total Promotions	29	17	9	5			6	8	4	1	7			3	3	
Selection Rate	5.0%	6.3%	6.2%	11.1%	N/A	N/A	3.2%	5.4%	4.1%	2.3%	7.7%	N/A	0.0%	N/A	12.0%	17.6%
Ratio to Highest Rate	80.0%	100.0%	35.2%	63.0%	N/A	N/A	18.2%	30.4%	23.1%	12.9%	43.6%	N/A	0.0%	N/A	68.0%	100.0%

Four-Fifths Adverse Impact Analysis by Job Category Promotions

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	N/A	Yes	No

Notes:

Persons with Disabilities	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	928	459	302	117	10	5	244	191	161	74	141	36	28	6	42	30
Total Promotions	4	-	1	-	-	-	1	-	1	-	-	-	-	-	1	-
Selection Rate	0.4%	0.0%	0.3%	0.0%	N/A	N/A	0.4%	0.0%	0.6%	0.0%	0.0%	0.0%	0.0%	N/A	2.4%	0.0%
Veterans	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	928	459	302	117	10	5	244	191	161	74	141	36	28	6	42	30
Total Promotions	1	1	1	-	-	-	-	-	-	-	-	1	-	-	-	-
Selection Rate	0.1%	0.2%	0.3%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	2.8%	0.0%	N/A	0.0%	0.0%

Notes:

Exhibit 5: Four-Fifths Adverse Impact Analysis by Job Category Terminations

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1 - Officials & Administrators																
Total Workforce	30	25	16	16			2	2	3	5	5	2	1		3	
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	No	N/A	N/A	No	N/A
1- Supervisors																
Total Workforce	85	20	43	9	3		17	6	13	3	5	2			4	
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	100.0%	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	No	N/A	No	No	No	No	No	N/A	N/A	N/A	No	N/A
2 - Professionals																
Total Workforce	7	19	5	4			1	7				7			1	1
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A	N/A	0.0%	0.0%
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	100.0%	N/A	N/A	N/A	100.0%	N/A	N/A	100.0%	100.0%
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	N/A	N/A	N/A	No	N/A	N/A	No	No
3- Paraprofessionals																
Total Workforce	4	10	2	7					1	2	1	1				
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	N/A	N/A	No	No	No	No	N/A	N/A	N/A	N/A

**Four-Fifths Adverse Impact Analysis by Job Category
Terminations**

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
3- Technicians																
Total Workforce	18	25	11	12			1	3	3	4	3	6				
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	No	N/A	N/A	N/A	N/A
6 - Administrative Support																
Total Workforce	63	85	26	24	1	1	21	22	8	16	5	9		2	2	11
Total Involuntary Terminations	-	2					-	2	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	2.4%	0.0%	0.0%	N/A	N/A	0.0%	9.1%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%
Ratio to Lowest Rate	100.0%	0.0%	100.0%	100.0%	N/A	N/A	100.0%	0.0%	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	No	N/A	N/A	N/A	No
7 - Skilled Craft																
Total Workforce	143	4	54				15	2	35		31	1	1		7	1
Total Involuntary Terminations	1	-					-	-	1	-	-	-	-	-	-	-
Involuntary Termination Rate	0.7%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A	2.9%	N/A	0.0%	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	0.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	N/A	0.0%	N/A	100.0%	N/A	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	No	N/A	No	N/A	No	N/A	N/A	N/A	No	N/A
8 -Service-Maintenance																
Total Workforce	578	271	145	45	6	4	187	149	98	44	91	8	26	4	25	17
Total Involuntary Terminations	5	5	1				2	4	2	1	-	-	-	-	-	-
Involuntary Termination Rate	0.9%	1.8%	0.7%	0.0%	N/A	N/A	1.1%	2.7%	2.0%	2.3%	0.0%	N/A	0.0%	N/A	0.0%	0.0%
Ratio to Lowest Rate	100.0%	46.9%	0.0%	100.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	100.0%	N/A	100.0%	N/A	100.0%	100.0%
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	N/A	No	N/A	No	No

Notes:

Exhibit 5: Four-Fifths Adverse Impact Analysis by Job Category Disciplines

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
2 - Professionals																
Total Workforce	85	20	43	9	3		17	6	13	3	5	2			4	
Total Disciplines	1	1	1		-		-	1	-	-	-	-	-	-	-	-
Discipline Rate	1.2%	5.0%	2.3%	0.0%	0.0%	N/A	0.0%	16.7%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	100.0%	23.5%	0.0%	100.0%	100.0%	N/A	100.0%	0.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	No	N/A	No	No	No	No	No	N/A	N/A	N/A	No	N/A
6 - Administrative Support																
Total Workforce	63	85	26	24	1	1	21	22	8	16	5	9		2	2	11
Total Disciplines	9	8	3	2	-	-	5	4	-	-	-	-	-	-	1	2
Discipline Rate	14.3%	9.4%	11.5%	8.3%	N/A	N/A	23.8%	18.2%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	18.2%
Ratio to Lowest Rate	65.9%	100.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	0.0%
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	Yes	No	No	No	No	No	N/A	N/A	N/A	No
7 - Skilled Craft																
Total Workforce	143	4	54				15	2	35		31	1	1		7	1
Total Disciplines	15	-	4		-		-	-	6		2	-	1		2	-
Discipline Rate	10.5%	0.0%	7.4%	N/A	N/A	N/A	0.0%	N/A	17.1%	N/A	6.5%	N/A	N/A	N/A	28.6%	N/A
Ratio to Lowest Rate	0.0%	100.0%	0.0%	N/A	N/A	N/A	100.0%	N/A	0.0%	N/A	0.0%	N/A	N/A	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	No	N/A	No	N/A	No	N/A	N/A	N/A	Yes	N/A
8 - Service-Maintenance																
Total Workforce	578	271	145	45	6	4	187	149	98	44	91	8	26	4	25	17
Total Disciplines	27	15	9	3	-	-	9	9	6	2	2	-	1	-	-	1
Discipline Rate	4.7%	5.5%	6.2%	6.7%	N/A	N/A	4.8%	6.0%	6.1%	4.5%	2.2%	N/A	3.8%	N/A	0.0%	5.9%
Ratio to Lowest Rate	100.0%	84.4%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	0.0%	N/A	100.0%	0.0%
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	N/A	No	N/A	No	No

Exhibit 6: Sacramento Regional Transit District Organization Chart

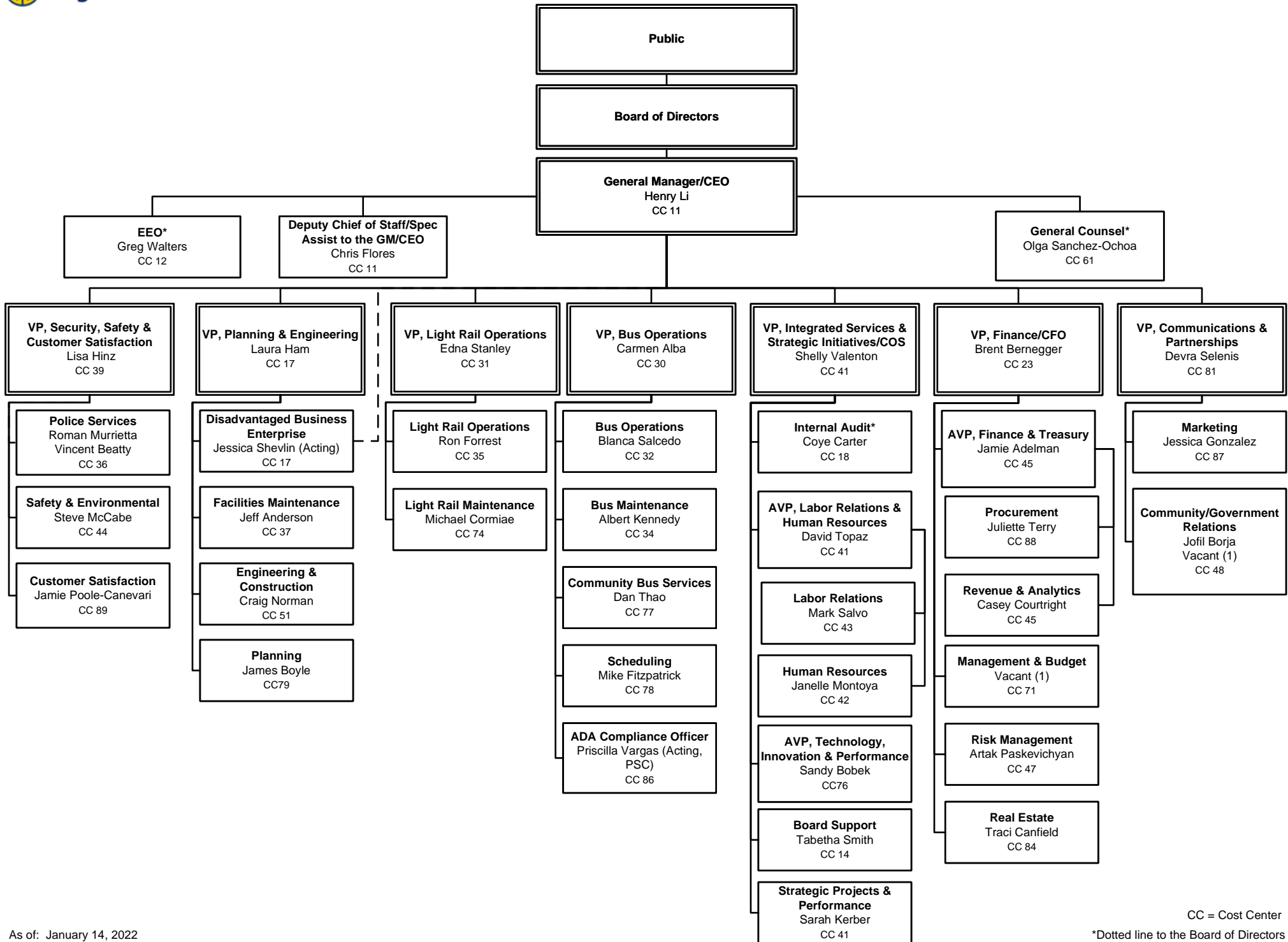


Exhibit 7: Goals and Timetables

Managers

Hispanic Availability 17% - SacRT Utilization 11.9%		Increase: 4
One year goal – 17% of hires are Hispanic	2 Yr. Goal 17% +3	3 - 4-year goal +1

Asian Availability 14.2% - SacRT Utilization 9.5%		Increase: 2
1 year goal 14% of all hires	2 year goal 14% + 1 hire	3 - 4 year goal +1

Supervisors

Female Availability 24.7% - SacRT Utilization 20%		Increase: 5
1 year goal 24.7% of hires	2 year goal 24.7% +4	3-4 year goal +1

Native Hawaiian/Pacific Islander Availability 1.6% - SacRT Utilization 0		Increase: 1
Increase: 2		
1.6% of hires; min of 1	2-4 year goals: Maintain 1.6% Utilization Rate	

Hispanics Availability 18.5% - SacRT Utilization 14.7%		Increase: 4
1 year goal 18.5% of hires	2 - 4 year goal 18.5% +4	

Asian Availability 11.3% - SacRT Utilization 9.5%		Increase: 2
1 year goal 11.3% of hires	2 year goal 11.3% +1	3-4 year goal +1

Professionals

Hispanics Availability 16.2% - SacRT Utilization 0		Increase: 4
1 year goal 16.2% of hires	2 - 4 year goal Maintain 16.2% + 4	

Administrative Support

Female Availability 67.1% - SacRT Utilization 64.4%		Increase: 2
1 year goal 67.1% of hires	2-4 year goal +2	

Skilled Labor/Crafts

Females Availability 2.6% - SacRT Utilization 2.2%				Increase: 2
1 year goal 2.6% of hires min of 1	2-4 year goal +1			

Service and Maintenance

All Female Availability 45.2% - SacRT Utilization 32.3%				Increase: 96
1 year goal 45.2% of hires	2 year goal 45.2% + 36	3 year goal +30	4 year goal +30	

All categories

Veterans

Federal Guidelines (2022) 5.7% - SacRT Utilization 4.75%				Increase: 18
1 year goal 5.7% of hires	2-4 year goal +18			

In 2021, SacRT hired 6.11% veterans beating the 5.7% federal guideline. SacRT hired 8.4% veterans beating the 7% guideline. Overall, SacRT has a workforce of 4.3% veterans and 4.75% persons willing to identify as disabled. We will continue our outreach and efforts to meet the federally established goals.

Disabled

Federal Guidelines (2022) 7% - SacRT Utilization 4.3%				Increase: 12
1 year goal 7% of hires	2-4 year goal +12			

Exhibit 8: SACRAMENTO REGIONAL TRANSIT DISTRICT

Harassment, Discrimination and Retaliation Prevention Policy

SacRT Philosophy

SacRT is committed to providing:

- A respectful and supportive work environment for all employees
- A diverse and representative workplace that mirrors the region we serve
- A workplace where employees are treated fairly, equitably, and non-judgmentally
- A workplace free from discrimination, harassment and retaliation
- A workplace where supervisors/managers take responsibility for modeling appropriate behavior and assuring respectful behavior towards others.

This Harassment, Discrimination and Retaliation Prevention Policy is designed to achieve these goals and ensure that SacRT provides a respectful, professional, and productive workplace that fosters an environment where all employees may achieve their full potential while providing superior quality service to our customers.

Policy

SacRT takes its equal employment opportunity obligations seriously and is committed to providing a workplace free of harassment, discrimination and retaliation for filing a complaint or for requesting a reasonable accommodation. It is also SacRT's policy and practice to assure equal employment opportunity in all personnel transactions, including recruitment, selection, promotions, discipline, terminations, transfers, layoffs, compensation, training, benefits, and other terms and conditions of employment.

In addition, SacRT is committed to making reasonable accommodations for qualified individuals with disabilities and for religious practices of applicants and employees where the accommodation will not create an undue hardship. Every SacRT employee is expected to conduct him or herself in a civil and non-discriminatory manner when interacting with fellow employees in the workplace or while conducting SacRT business. Workplace discrimination will not be tolerated. Employees engaging in such conduct will be subject to corrective or disciplinary action up to and including termination from employment and in some instances may be found civilly liable in state or federal court. SacRT will also take appropriate remedial actions against third parties (including vendors, contractors, consultants, and customers) found to have acted in violation of this policy.

Discrimination

Workplace discrimination is prohibited by SacRT Policy and under both state and federal law. The California Fair Employment and Housing Act prohibits workplace discrimination on the basis of a person's protected status, including race, religion (including religious dress and grooming practices), color, national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code section 12801.9), ancestry, physical disability, mental disability, medical condition, genetic information, family and medical care leave, marital status, registered domestic partner status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), age, or sexual orientation, gender, gender-identity, gender expression, or military or veteran status.

Federal law also prohibits workplace discrimination based on a person's protected status, including race, color, religion, sex (including pregnancy, childbirth and related medical conditions; gender identity; and sexual orientation), disability, age, and national origin, genetic information (such as results of genetic testing or family information), military or veteran status and retaliation.

If and to the extent state or federal law is modified in the future to include additional protected categories, this policy will be deemed to apply to those categories as well.

It is illegal to discriminate on the basis of a person's protected status in any employment action, including: hiring and firing; compensation, assignment, classification of employees; transfer, promotion, discipline, layoff, or recall; job advertisements; recruitment; testing; use of SacRT facilities; training; fringe benefits; pay, retirement plans, disability leave; or other terms and conditions of employment. It is also illegal to discriminate based on the perception that a person has a protected characteristic or is associated with a person who has or is perceived as having any of those characteristics.

For purposes of this Policy, "discrimination" means any action or inaction, whether intentional or unintentional, that results in disparate treatment of an employee or applicant, or perpetuates the effects of prior discrimination, based on a protected status.

Workplace Harassment

Employee conduct that may create a hostile work environment is not tolerated by SacRT. Conduct that has the purpose or effect of: (1) unreasonably interfering with an individual's work performance; (2) creating an intimidating, hostile, threatening, or offensive working environment; or (3) adversely affecting the employee's performance, evaluation, assignment duties, or any other condition of employment or career development, and is based upon a protected status or characteristic is prohibited. This harassment policy extends to vendors, customers, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract and other persons with whom you come into contact while working.

A hostile work environment claim can arise out of conduct directed at any protected status/characteristic, including race, religion (including religious dress and grooming practices), color, national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code section 12801.9), ancestry, physical disability, mental disability, medical condition, genetic information, family and medical

care leave, marital status, registered domestic partner status, sex (including pregnancy, childbirth, breastfeeding, and related medical conditions), age, or sexual orientation, gender, gender-identity, gender expression, or military or veteran status.

Prohibited harassment can include, but is not limited to, the following behavior:

- Verbal or electronic communication of epithets, derogatory jokes or comments, or slurs
- Visual displays of derogatory or sexually oriented posters, photography, cartoons, drawings, or gestures
- Physical conduct, including assault, unwanted touching, intentionally blocking normal movements or interfering with work because of any protected basis.
- Retaliation for reporting or threatening to report harassment

Sexual Harassment

Sexual harassment is a specific type of harassment that is sexual in nature and/or is gender-based. Sexual harassment can be directed towards males or females by either gender. Sexual harassment does not have to be motivated or based upon sexual desire. Sexual harassment is in violation of federal and state law and is prohibited by this Policy.

Sexual harassment exists when: (1) submission to the conduct is either explicitly or implicitly a term or condition of employment; (2) submission to or rejection of the conduct is used as a basis for an employment decision affecting such individual; or (3) the conduct unreasonably interferes with the individual's job performance or creates a work environment that is intimidating, hostile, or offensive.

Conduct that occurs outside the workplace can form the basis of a sexual harassment complaint, if the conduct affects the work environment in any of the three ways set out above.

Examples of sexual harassment include, but are not limited to the following:

- Off-color, sexually suggestive, sexist or risqué e-mails, stories, jokes, items, songs, personal accounts, or pictures;
- Questions others about personal matters, including the existence or details of relationships with spouses, partners, or lovers, sexual preferences or history;
- Physical touching including rubbing, hugging, stroking, kissing or grabbing any part of someone else's body or personal items on their body without their consent;
- Sexual advances, requests for sexual favors, comments containing sexual language or references with sexual innuendo or implication or obscene gestures.

Responsibilities of Supervisors and Management

Because of their positions of authority, all supervisory and managerial personnel have a responsibility to: (1) set a positive example for employees; (2) ensure that all employees are familiar with and are following the standards of conduct set forth in this Policy; and (3) foster an environment of cooperation and open communication, such that employees feel free to report conduct in violation of this Policy.

SacRT will evaluate the performance of SacRT managers and supervisors in implementing this Policy in the same way their performance is assessed regarding other job-related factors. Supervisory and managerial personnel are also reminded that their conduct outside of work with subordinate employees may impact their employment, where it may affect their ability to perform their job responsibilities with SacRT.

Each supervisor shares responsibility to ensure that the work environment is free of prohibited workplace discrimination and harassment. If an employee alleges to a supervisor or management representative that unlawful discrimination or harassment has occurred, it is the supervisor's or management representative's responsibility to take immediate action by reporting the allegation to SacRT's EEO Officer or the General Manager/CEO (GM/CEO).

Reporting Harassment or Discrimination Resulting in a Hostile Work Environment

Any person who feels he or she is being subjected to hostile work environment harassment or discrimination has the right to object to such behavior and should immediately report such conduct to SacRT's EEO Officer, unless the EEO Office is the source of the complaint. In such cases, the complaint should be filed with SacRT's General Manager/CEO. Employees are encouraged to report potential violations of this Policy as soon as possible, so that SacRT can take the appropriate steps to investigate and remedy the situation.

An employee may also file a formal complaint with the appropriate outside agency or pursue other legal recourse. Employees should be aware that under federal law, a discrimination complaint must be filed with the Equal Employment Opportunity Commission (1-800-669-4000, www.eeoc.gov) within 180 days of the unlawful conduct (unless a state complaint has been filed, in which case the complaint must be filed within 300 days) and that a state complaint must be filed with the California Department of Fair Employment and Housing (1-800-884-1684, TTY 1-800-700-2320, or at www.dfeh.ca.gov) within three years of the unlawful conduct.

Filing and Investigation of Complaints

For all complaints of unlawful workplace discrimination or harassment, SacRT will conduct a fair, timely, and thorough investigation that provides appropriate due process for affected parties and reaches reasonable conclusions based on the evidence collected. Every investigation will be handled discreetly and reasonable efforts will be made to keep the complaint, the investigation, and the findings confidential and to complete and close the investigation in a timely manner. SacRT will document and track all investigations. SacRT will protect individuals who file a complaint or participate in an investigation from retaliation. Employees have an obligation to participate in the investigation process once a complaint has been filed in accordance with Standard Operating Procedure GM-SOP-003-2020.

Employees who fail to cooperate as required may be subject to disciplinary action, up to and including termination from employment.

SacRT will take appropriate remedial measures if an investigation results in a finding of a violation of any aspect of this Policy, including disciplinary action up to and including termination from employment if deemed warranted.

Information on the Policy or Administration of the Complaint Process

Additional information on the administration of this Policy or the process to file a discrimination complaint can be obtained by contacting Greg Walters, EEO Officer at (279) 234-8377, or by email to gwalters@sacrt.com.



Henry Li, General Manager and CEO
Sacramento Regional Transit District

February 10, 2022

Date