

EQUAL EMPLOYMENT OPPORTUNITY  
PROGRAM

LUZERNE COUNTY TRANSPORTATION AUTHORITY  
KINGSTON, PA

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LUZERNE COUNTY TRANSPORTATION AUTHORITY  
KINGSTON, PENNSYLVANIA  
EQUAL EMPLOYMENT OPPORTUNITY  
2011

I. PURPOSE

The Luzerne County Transportation Authority's (LCTA) Equal Employment Opportunity (EEO) Compliance Program implements the Federal Transit Administration's policy of Equal Employment Opportunity. The EEO Program is designed to be a set of specific and result oriented procedures to which LCTA commits itself to apply every good faith effort. It includes an analysis of the utilization of minority groups and females. It further sets interim and long-range goals and timetables to which good faith efforts must be directed in order to correct areas where deficiencies may exist.

LCTA was incorporated in 1972 by the Luzerne County Commissioners to act as a Municipal Authority to provide public transit services in Luzerne County.

LCTA is operated under the control of a nine (9) member Board of Directors appointed by the Luzerne County Council. LCTA employs fifty-two (52) Fixed Route drivers, nineteen (19) mechanics, as well as managers, administrative and clerical staff. The drivers and mechanics are represented by the Amalgamated Transit Union Local 164, Kingston, PA.

LCTA operates a fleet of thirty-eight (38) Fixed Route Vehicles.

LCTA practices Equal Employment Opportunity. The detail of LCTA's Program and commitment to EEO are set forth in this document.

II. EQUAL EMPLOYMENT OPPORTUNITY POLICY

A. Statement of Policy:

The maximum utilization of the region's available workforce shall be an operating principle of the Luzerne County Transportation Authority. LCTA believes that the successful achievement of Equal Employment Opportunity/Affirmative Action goals will provide benefits to our organization through fuller utilization and development of previously underutilized human resources.

It shall be the policy of the Luzerne County Transportation Authority (LCTA) to practice equal opportunity with respect to all aspects of its employment practices. In the regard, LCTA shall not discriminate against any individual or group of individuals regardless of their race, color, creed, national origin, sex, age, or disability. Employment practices shall include, but not be limited to, recruitment, selection, promotion/demotion, discipline, termination, transfer, layoff, compensation, training, benefits and any other terms and conditions of employment. In meeting this objective, LCTA shall endeavor to provide reasonable accommodations to any individuals who could otherwise perform particular employment duties.

LCTA will work to actively recruit qualified minorities and individuals with disabilities for position openings, particularly for those openings in job classes showing below labor market representation of minorities and women.

Primary reporting responsibility for the Equal Employment Opportunity Programs shall rest with the Director of Finance, who shall report directly to the LCTA Executive Director. However, all individuals with supervisory responsibility for staff including the discretion to interview and hire for position openings, promote, discipline, discharge and review the performance of employees are responsible to administer their duties in a manner that does not discriminate against minorities and persons with disabilities.

Through assignment in its contracts, LCTA shall require that all contractors performing business shall demonstrate a similar commitment to equal employment opportunities.

Any individual who believes that they have been discriminated against on the basis of their race, color, creed, national origin, sex, age or disability in employment with LCTA shall have the right to file a complaint with the EEO officer or the Executive Director during normal business hours. An individual who believes they have been discriminated against has the right to file a complaint with the LCTA Board Chair. All complaints shall be confidential and investigated promptly. Reasonable measures will be undertaken to preserve information that is confidential. The LCTA EEO Officer will review every complaint. Upon completion of the investigation, the LCTA EEO Officer will complete a final report for the Executive Director with a copy to General Counsel. If a violation is found to exist, remedial steps as appropriate and necessary will be taken immediately. The investigation process and final report should take no longer than forty-five (45) business days.

Complaints may also be filed with the Federal Transit Administration's Office of Civil Rights, located at 1760 Market Street, Suite 510, Philadelphia, PA 19103-4124, phone: 215.656.7100.

The EEO Officer shall maintain a log of EEO complaints received. This log will include the date the complaint was filed; a summary of allegations; the status of the complaint; and actions taken by LCTA in response to the complaint. Should LCTA receive an EEO complaint in the form of a formal charge or lawsuit, the General Counsel shall be responsible for the investigation described herein.

LCTA shall forward EEO Complaints as well as the status of each complaint to the Federal Transit Administration's Office of Civil Rights, located at 1760 Market Street, Philadelphia, PA 19103-4124.

A copy of LCTA's Equal Employment Opportunity Program is available for public inspection at the LCTA office during normal business hours.

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Mohammed Najib  
Director of Finance/  
EEO Officer

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Stanley Strelish  
Executive Director

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Date

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Date

### III. INTERNAL AND EXTERNAL DISSEMINATION OF PROGRAM

#### A. Internal Dissemination

LCTA disseminates its Equal Opportunity Policy through the following:

1. Posting a Statement of Equal Employment Opportunity in:  
LCTA employee entrance bulletin board
2. Through the inclusion of the Equal Employment Opportunity Policy in Personnel Policies.
3. Through the inclusion of LCTA's policies on Equal Employment Opportunity during the new employee orientation and training sessions.
3. Through formal review of status by Board of Directors.
4. Through formal review of status at Manager's meetings.

5. Through distribution of the full Equal Employment Opportunity Program document to all management staff.

B. Internal Audit and Reporting

LCTA has designed and implements an audit and reporting system that:

Measures the degree to which EEO Program goals and objectives are being achieved. The Executive Director receives annual reports and informs senior managers/supervisors of progress and problems and solicits recommendations for corrective action.

Evaluates procedures for applicant tracking, employment recordkeeping and other critical components of the EEO Program during the year. Supervisory personal report all discipline to the Human Resources Manager. The Human Resources Manager maintains all hiring, discipline, termination, promotion and transfer documentation and makes available required data to the EEO Officer.

The Executive Director conducts periodic reviews to ensure the problems are identified, corrective actions are implemented and progress is achieved in resolving deficiencies. The Executive Director, with the assistance of the EEO officer, informs senior managers/supervisors of progress or problems as they are known at a scheduled meeting with appropriate department supervision.

The Executive Director will obtain feedback on implementation of the EEO Program through follow-up meetings with managers, communications with employees and evaluation of records and reports involving enforcement of the EEO Program and Practices.

Monitoring of subcontractors will be overseen by the Executive Director, if using subcontractors becomes applicable in the future. Subcontractors will be required to submit their EEO program or adopt that of the Authority.

C. External Dissemination

1. Recruitment Sources

Recruitment sources used by LCTA which include both minority and non-minority organizations of higher learning are notified in writing that LCTA is “an Equal Opportunity Employer” and invites the referral of qualified applicants on a non-discriminatory basis.

The majority of applicants for jobs with LCTA are those responding to newspaper advertisements and other means of distribution for specific openings. Another major source of applications is referrals from current LCTA employees which include passengers, friends and relatives.

Other sources of recruitment could include:

Luzerne County Career Link (PA Employment Agency)

2. Service Purchases

LCTA incorporates the EEO clause in all purchase orders, leases, contracts, etc. Vendors and suppliers are availed of their obligations necessary in conducting business with LCTA.

3. Advertisements

A statement that LCTA is an “Equal Opportunity Employer” is included in all recruitment advertisements. When recruiting, advertisements may become necessary. LCTA will use the local newspaper and available local radio as general community media.

4. Community Relations

The Executive Director, various supervisory personnel and Board Members are concerned with insuring that the minority community is aware of the LCTA’s EEO Program and commitment to continue to provide job opportunities for minority and female group persons. Further, LCTA representatives reaffirm these ongoing concerns and meet as necessary with community action agencies and responsible groups whose specific aims are the social, educational and economic improvement of minorities and females.

IV. ASSIGNMENT OF RESPONSIBILITIES

A. General

The Federal Transit Administration's Policy sets forth the respective responsibilities of executives, managers, staff and line supervision for the implementation of the LCTA's Program.

The Executive Director has overall responsibility for the LCTA's EEO Program. The Director of Finance, with the assistance of the Executive Director, and the LCTA staff, is responsible for the coordination of activity and follow-up to ensure local compliance, as well as internal and external communications techniques and other matters set forth in the guidelines.

B. EEO Officer Responsibilities

1. Assist the Executive Director with review and update of the EEO Program to assure compliance with federal, state and local civil rights precepts, policies, rules, regulations and guidelines.
2. Sensitivity to and awareness of the varied ways in which discrimination occurs.
3. Together with the Executive Director, serve as liaison between the agency, federal, state and local governments, regulatory agencies, minority and disabilities groups, women's organizations and other community groups.
4. Assist the Executive Director to identify problem areas and the establishment of goals and objectives.

Reviews are made of employment and recruitment data in an effort to determine whether there is any under-utilization of minorities or females within defined job groups and within divisions or other reporting units.

5. Active involvement with local minority and women's organizations, community action groups and community service programs
6. Together with Executive Director, review training programs, hiring and promotion patterns to ensure attainment of goals and objectives.
7. Hold discussions with department managers, and employees to be certain that LCTA's EEO Program is being followed.

8. Assure that minority and female employees are afforded the opportunity and are encouraged to participate in any company-sponsored educational or training program for which the employee is eligible.
9. Participate in the review and/or investigation of complaints alleging discrimination. Process employment discrimination complaints.
10. Ensure that all managers are aware that their work performance is being evaluated, in part, on the basis of the EEO efforts and results.

C. Officials, Managers and Supervisors

1. Assist in identifying problem areas and establishing agency unit goals and objectives.
2. Bring actively involved with local minority organizations, women's and handicapped groups, community action organizations and community service programs designed to promote EEO.
3. Actively participate in periodic audits of all aspects of employment in order to identify and to remove barriers obstructing the achievement of specified goals and objectives.
4. Hold regular discussions with other managers, supervisors, and employees to assure the agency's policies and procedures are being followed.
5. Active involvement with local minority and women's organizations, community action groups and community service programs
6. Participating in the review and/or investigation of complaints alleging discrimination.
7. Conducting and supporting career counseling for all employees.
8. Participating in periodic audits to ensure that each agency unit is in compliance (EEO posters are properly displayed on all employee bulletin boards).

## V. UTILIZATION ANALYSIS

### A. General

In order to determine a utilization of the workforce it is essential to review both the overall job market as provided in the Luzerne County Center for Workplace Information and Analysis. These statistics are titled Census 2000 Special Equal Employment Opportunity Tabulation.

This report looks at the overall job market for minorities and females by department and job category. It also examines the availability in the area by looking at the overall employment versus unemployment.

The next step examines the LCTA's employment utilization. Department and job category analysis will evaluate specific minority and female utilization. A pay/ duties/title analysis of employees is also presented. The utilization analyses identifies whether or not under-utilization of minorities or females is found in each job group within LCTA. The determination of under-utilization is based on analysis of the availability factors, applying the data set forth in the minority and female labor market area and internal analysis. Concerning the job groups from which employees are recruited directly from the labor market, under-utilization is found if the representative of minorities or females in the job group is less than representative of the availability of minorities or females respectively in the labor force of the area. Concerning the jobs filled from advancement within LCTA, under-utilization is found only if minority or female employees can be identified as qualified for advancement to jobs in the job group. The identification of such employees as qualified is made independent of the anticipated available opportunities and the relative qualifications of other employees. Long-range goals are established equal to the labor as 100% availability. Interim goals are established equal to the labor market availability for hires for females and minorities. However, interim goals for promotions from within (managers) are established equal to the representation in the job groups from which promotions are made. Long-ranger goals for this job group are 100% of availability from within. Interim goals are established only where under-utilization is found. Due to the low turnover rate, long-ranger goals are established for two to four years from the date of this writing. Interim goals are established for one year.

B. Overall Statistics

Center for Workforce Information and Analysis for Luzerne County employment/population statistics.

The minority civilian labor force in the labor area is 4,444 or 2.9 % of the total civilian labor force of 151,767. Unemployment with no work experience since 1995 statistics for minorities in the labor area is approximately 60 or 5.45 % of the total unemployment of 1,100.

Female unemployment with no work experience since 1995 statistics in the civilian labor area is approximately 708 of 6.4 % of the total unemployment of 1,100. The female civilian labor force in the labor area is approximately 70,593 or 46.5 % of the total civilian labor force of approximately 151,767.

C. Specific Statistics

Specific statistics have been drawn from Luzerne County data in order to compare LCTA to the local market's availability per skill requirements. The following information charts local statistics and the LCTA's actual percentage of minorities and females employed by LCTA.

Center for Workforce  
Information and Analysis  
Luzerne County

			LCTA	Utilization
	<u>Female</u>	<u>Minority</u>	<u>Female</u>	<u>Minority</u>
Exec. Senior Level Officials and Managers	13.7%	2.0%	0%	0%
First/Mid-Level Officials and Managers	21.0%	0.5%	16.7%	16.7%
Professionals	16.6%	2.4%	0%	0%
Administrative Support Workers	93.2%	0.3%	83.3%	0%
Technicians	0%	0%	0%	0%
Operatives	44.5%	2.9%	6.1%	6.1%

It is evident from the above chart that LCTA's female and minority representation is better than or closely resembles the overall Luzerne statistics. LCTA cannot effectively recruit beyond the labor area because distances involved would deter significant employment results. LCTA recruits in the labor area mainly for all positions. There are sufficient minorities available with the necessary skills for many of these people.

Vacancies in the managers, professional and mechanic categories are normally filled by promotion from within due to the necessary experience factors in developing the skills required for these positions.

The following are some of the training and educational institutions located in Luzerne County which are capable of training minorities and females in requisite skills:

Luzerne County Community College  
McCann Business & Technology Center  
Fortis Institute  
Area high schools (11)  
Luzerne County Career link

A graphical depiction of LCTA's current workforce is attached. The table identifies total employees, females and minorities per job group, under-utilization, interim and long-ranger goals. (See appendix A.)

D. Vacancies

On the rare occasion when vacancies of managers cannot be filled by internal promotion or transfer of qualified employees, LCTA recruits from a county, regional and national workforce of qualified applicants. Employees are also given the opportunity to compete with qualified applicants for these positions. Other positions (i.e. clerical, full-time mechanics and full-time operators) are usually filled by internal promotion transfer. Positions that are not filled by promotion or transfer are advertised in the local paper.

The Personnel Committee of the Board of Directors screens and interviews applicants and makes recommendations to the Board for the position of Executive Director. The Department Directors/Managers have the responsibility of determining the qualifications, scope and activities for these positions.

The following factors will be considered when the labor market is screened for employment.

1. The minority population of the surrounding area.
2. The size of the minority and female unemployment force in the surrounding area.
3. The availability of minorities and female having requisite skills in the immediate labor area.
4. Availability of promotable and transferable minority or female employees.
5. Percentage of the minority/female workforce as compared to the total workforce in the immediate labor area.
6. The existence of training institutions capable of providing training in the requisite skills.
7. The degree of training which LCTA is reasonably able to undertake as a means of making all job classes available to minorities and women.

To preclude disparities in the areas of representation and salaries, the following will be considered:

Whenever vacancies occur in the area of managers, LCTA will wholeheartedly recruit qualified minorities and females for these positions.

LCTA will counsel employees to take steps necessary to qualify for promotion.

LCTA will maintain an inventory of the skills and abilities of employees to aid in the identification of persons to be trained and/or promoted.

E. Determination of Under-utilization

1. Utilization analyses have been prepared by showing: female, minority male and female employment for each of the following job groups. (See Appendix A.)

CEO/Official

Managers  
 Office and Clerical  
 Mechanics  
 Operators  
 Service/Labor Workers

After analysis of current LCTA's workforce and Luzerne County statistics, the results are as follows:

Analysis of Utilization of Females and Minorities by Job Group

<u>JOB GROUP</u>	<u>TOTAL</u>	<u>FEMALE</u>	<u>MINORITY</u>	<u>UNDER-UTILIZATION</u>	
				Yes	No
Exec. Senior Level Officials and Managers	1	0	0	Yes	Yes
First/Mid-Level Officials and Managers	5	1	1	Yes	No
Professionals	1	0	0	Yes	Yes
Administrative Support Workers	7	5	0	No	Yes
Technicians	19	0	0	No	No
Operatives	52	4	3	Yes	No
<b>TOTAL</b>	<b>85</b>	<b>10</b>	<b>4</b>		

F. Utilization Results and Goals

1. CEO/Officials

Under-utilization does exist for this protected group. This job group has its vacancies filled either by promotion from within or new hires from outside the organization, with the relevant education and experience. The Center for Workforce Information and Analysis statistic representation is 13.7 % for females and 2 % for minorities. LCTA's representation

is 0%. LCTA employs one (1) employee in this category.

2. Managers

Under-utilization does exist for the female group. There is a slight under-utilization for minorities. This job group can fill its vacancies by promotion from within or hiring from outside the organization. If hiring should occur, LCTA shall strive for a minority goal of 2%.

3. Professionals

Under-utilization does exist for the minority group. There is a slight under-utilization for females. This job group can fill its vacancies by hiring from outside the organization. LCTA employs a part-time solicitor and would require credentials that would not be met from promoting within. If hiring should occur, LCTA shall strive for a female goal of 2%.

4. Clerical

Under-utilization is not found in the minority group, but a slight under-utilization exists in the female group. LCTA's representation is 83% female and 0% minority. It is my opinion, that while our "average" rate for minority clerical is below the Center for Workforce Information and Analysis average, we are not in reality under-utilized. This job group normally fills its vacancies by both, promotion from within or hiring from outside the organization. Although we do not anticipate any hiring in this category in the foreseeable future, should any hiring take place, it will strive for a goal of 30% for the minority group.

5. Mechanics

Under-utilization is not found for the female group or minority group, as the availability is limited as compared to the Center for Workplace Information and Analysis statistics. This job group normally fills its vacancies by hiring qualified candidates from outside the organization. During the next four years, we do not foresee any hiring opportunities

6. Operators

Under-utilization is not found for the minority group. The female group is slightly under-utilized. This job group includes 6 % minority and 6 % females, the minority group in excess of the Center for Workplace Information and Analysis statistics. Bids are awarded based on seniority, with the most senior being awarded the job. Periodic job openings occur from time to time and any hiring that takes place will strive to meet the goal of 38 % of females in this job group.

## VI. GOALS AND TIMETABLES

It is the intent of the EEO Program to constantly strive toward an equal representation of minority and female employees. In doing so, LCTA establishes goals by which it hopes to increase minority and female representation in its workforce in a timely manner. LCTA's short-term (annual) and long range goals have always attempted to hire minorities and females whenever under-utilization exists.

These goals and timetable take into account the availability of qualified persons in the relevant labor markets area and the anticipated employment opportunities. Selections will occur only from among qualified applicants. Goals do not require the hiring of persons 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 the Authority hire a specified number of minorities or women.

Goals are not rigid and inflexible quotas, which must be met, but are instead targets reasonably attainable by means of applying good faith efforts to make all aspects of the the entire EEO/AAP work. A goal and its associated timetable represent a guidepost against which the Authority can measure progress in remedying identified underutilization in the Authority's workforce. Based on expected vacancies and anticipated availability of skills within the relevant labor area, and using job-related selection system, the Authority should be able to meet the goal.

The Authority has limited turnover and staffs a part-time operator board from which full-time positions are normally filled. The Authority staffs the part-time board with qualified people while keeping account of anticipated availability to meet future goals.

## PROGRAMS TO CORRECT DEFICIENCIES

Specific corrective and remedial actions are set forth to correct deficiencies and under-utilization in its workforce.

A. Recruitment

1. Referral Service

LCTA will utilize the services of the agencies previously discussed under, III. Internal External Dissemination of Program, B. External Dissemination 1. Recruitment Sources,” section of this document.

Additionally, representatives of minority group referral sources and women’s organizations, as well as teachers, counselors, students and administrators from local high schools and vocational schools may visit and tour the LCTA facilities, whenever feasible. Communications with schools and minority group referral facilities will continue to be made when necessary in order to obtain minority group and female personnel for entry-level positions.

2. When warranted, LCTA representatives will speak to high school, college and community groups advising them of LCTA’s job opportunities. Communications will be maintained with minority group leaders and organizations, inviting them to utilize the personnel and resources of LCTA’s motivational efforts.
3. Minority and female group persons will be recruited for job groups where under-utilization is found during the period covered by this program. Area high schools and colleges with substantial minority and female enrollments will be apprised of available opportunities at LCTA in writing. Additionally, this notification will include reaffirmation of the LCTA’s Equal Employment Opportunity Program.

B. Selection and Placement Process

Each part of the total selection process, including application forms, interview procedures, test administration, physical examination, referral procedures and final selection and placement will be administered in an affirmative manner and will be designed to ensure equal employment opportunity. All persons involved in the selection and placement processes have been carefully selected and trained, to ensure elimination of bias.

C. Promotions and Transfers

Extensive transfer mobility throughout all seniority units is provided under the Labor Agreement. The promotion and transfer provisions and their administration are non-discriminatory.

Attention is given to promoting and transferring minority group personnel and maintenance employees to salaried, clerical, technical or professional jobs for which they are qualified.

LCTA's selection system is designed to ensure that females and minority group employees have equal employment opportunity in consideration for supervisory positions. Procedures are in place to ensure that apparently qualified female and minority group employees are not passed over for upgrading. Procedures include:

1. Selection criteria was reviewed to ensure that the criteria are no higher than those applied to persons currently occupying those positions except in unusual job-related circumstances.
2. A review of the selection procedure activity to determine the effectiveness of its program for ensuring female and minority group employees equal opportunity in consideration for supervisory assignment and to determine the frequency and circumstances under which these employees are given consideration.
3. The supervisory and professional potential of all nonsupervisory employees will be reviewed. Among the purposes of the review are:
  - a. To find additionally qualified females and minority group employees who can be promoted to professional and supervisory positions as vacancies occur in their own or another location.
  - b. To identify any females and minority group members who were passed over for promotion to supervisory or professional positions.

#### D. Training Programs

LCTA has, and will continue to participate in training programs to improve upon the viable skills of the chronically unemployed.

LCTA does, and will continue to utilize training programs for mechanics sponsored by business enterprises and will continue to utilize seminar sessions sponsored by the Pennsylvania Department of Transportation. Additionally, PennTRAIN provides various opportunities for both continuing education and new skills training on equipment and systems

that continue to evolve in this industry. The Keystone Transit Career ladder Partnership, a partnership between Union and Management entities for providing career progression through improved skills to mechanics, is also utilized to keep maintenance employees current.

As business conditions allow and demands for trained personnel in other areas arise, additional training programs will be provided in a non-discriminatory basis.

#### E. Sex Discrimination Guidelines

All recruitment sources are notified in writing that COLT is an Equal Opportunity Employer and are requested to refer qualified applicants on a non-discriminatory basis. Recruitment advertising in newspapers is placed under "Help wanted" columns and other media for employment and do not express a sex preference. LCTA's Employee Handbook states that there shall not be any discrimination against applicants or employees based on sex.

LCTA does not make any distinction between persons of one sex that reside together and does not deny employment because a person has young children. LCTA follows all the guidelines of the Federal Family Medical Leave Act. Likewise, there is no distinction made between male and female employees regarding retirement.

Female employees are afforded the opportunity and are encouraged to participate in any appropriate LCTA sponsored educational or training programs.

#### F. Records

##### 1. Records

LCTA maintains records of applicants, referral when applicable, placements, job offers, transfers, promotions and terminations at all levels. The Executive Director and person assigned to the EEO Program review such records to ensure that the policy on non-discrimination and the EEO Program are being implemented. Among specific records maintained are the following.

- a. Number of persons by race and sex employed.
- b. Number and percent of total workforce of minorities and females in each station.
- c. Number of hires by race and sex, station and position.

- d. Distribution of employees in each station and job group by race and sex.
- e. Recruitment activities.

G. Guidelines on Discrimination Because of Religion and National Origin

1. The provisions of all relative federal and state regulations with regard to religion and national origin have been made known to all members of management.
2. Recruiting sources are notified in writing that LCTA is an Equal Employment Opportunity employer and does not discriminate against any employee or applicant from employment because of sex, age, denomination, national origin, race, creed, disability, veteran status, or membership in any lawful organization or disability.
3. LCTA does not keep records relative to employees' religion or national origin and therefore, takes a neutral position on reviewing practice to ensure that employees of various religions or ethnic groups are not discriminated against.

H. Hiring/Promotion/Transfers/Separations Activity

A. New Hiring Activity

LCTA's hiring procedures have been reviewed to ensure non-discrimination. During the period of 01-01-2008 through 12-31-2011 LCTA hired twenty-eight (28) employees. New hires included twenty-one (21) male employees (25%), two (2) female employees (2%) and two (2) minority employees (2%).

B. Promotions and Transfers

LCTA provides a competitive opportunity for most job vacancies. Promotional opportunities are posted and announced. Qualified employees will be considered for any vacant, posted position not designated a protected position by a collective bargaining agreement. LCTA does not discriminate on the basis of race, sex, ethnicity or other prohibited bases and are applied in a non-discriminatory fashion. Job descriptions are written to reflect job responsibilities and skills. During the period of 01-01-2008 through 12-31-2012, LCTA promoted eleven (11) employees three (3) female ( 27%), Part-time dispatcher to Full-time Dispatcher/Scheduler, Customer Service Representative to Accounting Assistant and part-time bus Operator to full-time bus

operator and one (1) minority ( %) from part-time bus operator to full-time bus operator. Of the eighty-four (84) employees fourteen (14) are administrative positions. There is very little turnover and therefore positions seldom become available.

C. Review of Separations

Separations may be voluntary or involuntary. Voluntary reasons may include but are not limited to: early and normal retirement, job change, personal reasons, resignation, death, disability retirement, health/medical issues, family responsibilities, relocation, education, job dissatisfaction. Involuntary reasons may include but are not limited to: dismissal, infraction of rules or policies, insubordination, lack of ability, violation of Substance Abuse Policy, property damage, reduction in work force, unsatisfactory attendance or performance.

Voluntary Separation-	One (1) (1%) female retirement
	Thirteen (13) (15%) male retirement
	One (1) (1%) female resignation
	One (1) (1%) male resignation
Involuntary Separation-	Zero (0)

VII. ASSESSMENT OF EMPLOYMENT PRACTICES TO IDENTIFY CAUSES OF UNDER-UTILIZATION

A. Seniority practices, promotions, transfers, and training

LCTA employs 84 persons, 70 of whom belong to the Amalgamated Transit Union Local 164 and are covered therefore under a contractual agreement which contains very specific language relative to promotions, wages/benefits, and disciplinary procedures.

The remaining employees are non-union. LCTA has traditionally attempted to govern promotions, wages/benefits and disciplinary procedure issues by mirroring the provisions contained in the labor contract governing union employees.

LCTA operates Fixed Route Service and Paratransit.

The opportunities for advancement or transfers to other departments is somewhat constrained. In addition, the employee turnover rate is exceedingly small due to the competitive wages and salaries and benefits provided to employees. Therefore, employees rarely leave, thus creating few opportunities for advancement. Most opportunities are created by retirement.

However, when opportunities arise for advancement, every non-union employee is given an opportunity to move into another position, regardless of sex, age, denomination, national origin, race, creed, disability or veteran status. Union jobs are also posted for seven (7) days and any bargaining unit employee has the right to post their bid for the position.

B. Wages/Benefits/Compensation

As referenced in point A, union employees receive wage and benefits as per the bargaining unit agreement. Salaries and subsequent increases for all non-union employees are provided based on the individual's performance evaluation and their position within their respective salary range.

C. Disciplinary Procedures

Disciplinary procedures are contained in the Employee Handbook and cover all employees. Additional disciplinary procedures are also contained in the labor agreement for members of the bargaining unit.

Disciplinary actions are put in writing. Union employees are also entitled to have a union representative with them at the hearing if requested.

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Executive Director

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Date

**LUZERNE COUNTY TRANSPORTATION AUTHORITY**

**STATEMENT OF EQUAL OPPORTUNITY POLICY**

The maximum utilization of the regions available workforce shall be an operating principle of the Luzerne County Transportation Authority (LCTA).

It shall be the policy of the Luzerne County Transportation Authority (LCTA) to practice equal opportunity with respect to all aspects of its employment practices. In this regard, LCTA shall not discriminate against any individual or group of individuals regardless of their race, color, creed, national origin, sex, age or disability. Employment practices shall include, but not be limited to, recruitment, selection, promotion/demotion, discipline, termination, transfer, layoff, compensation, training, benefits and any other terms and conditions of employment. In meeting this objective, LCTA shall endeavor to provide reasonable accommodations to any individual or group of individuals who could otherwise perform particular employment duties.

Where required by law, LCTA will undertake an Affirmative Action program, including goals and timetables, to overcome the effects of past discrimination on minorities and women and by which it may measure progress in employing persons based on individual ability and merit and in the numbers reasonable expected based on their availability. Successful achievement of these goals will benefit LCTA through the fuller utilization of these previously-underrepresented groups.

Primary reporting responsibility for Equal Employment opportunity Program, policies and practices shall rest with the Director of Finance who shall report directly to the Executive Director of the Authority. However, all individuals with supervisory responsibility for staff (including the discretion to interview and hire for position openings, promote, discipline, discharge and review the performance of employees) are responsible to administer their duties in a manner that does not discriminate against minorities and persons with disabilities. Performance of Authority departments in the area of Equal Opportunity compliance shall be one criteria used in performance reviews for management personnel and the Executive Director.

Through assignment in its contracts, LCTA shall require that all contractors performing business with the Authority shall demonstrate a similar commitment to equal employment opportunity.

LCTA believes that the successful achievement of EEO/AA goals will provide benefits to our organization through fuller utilization and development of previously underutilized human resources.

Any individual who believes that they have been discriminated against on the basis of their race, color, creed, national origin, sex, age, or disability in employment with LCTA shall have the right to file a complaint with the EEO Officer or the Executive Director during normal business hours. Any individual who believes they have been discriminated against by the EEO Officer or Executive Director have the right to file a complaint to the LCTA Board Chair. All complaints shall be confidential and investigated pursuant to LCTA's Equal Employment Opportunity Policy.

A copy of LCTA'S Equal Employment opportunity Program is available for inspection at the LCTA office during normal business hours.

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Mohammed Najib  
Director of Finance  
EEO Officer

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Stanley Strelish  
Executive Director

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Date

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Date

## LUZERNE COUNTY TRANSPORTATION AUTHORITY

### AFFIRMATIVE ACTION POLICY

It has been and will continue to be the policy of LCTA to provide equal employment opportunities to all applicants, and to administer all personnel practices, such as recruitment, hiring, promotions, and other terms, conditions and privileges of employment, in a manner which does not discriminate on the basis of race, color, national origin, sex, age, handicap or veteran status.

This policy is in accord with the laws of the United States and reaffirms LCTA's continuing commitment to provide equal opportunity to all employees and applicants for employment with respect to selection, terms and conditions of employment, assignments, training, transfer, advancements, compensation, and all other applicable terms and conditions of employment.

LUZERNE COUNTY TRANSPORTATION AUTHORITY

WORKPLACE HARASSMENT POLICY

Luzerne County Transportation Authority is committed to maintaining an atmosphere that is free of any conduct considered to be sexually harassing or abusive. Sexual harassment in any form is prohibited and will not be tolerated. All incidents of sexual harassment will be promptly and thoroughly investigated in an orderly manner and appropriate corrective measures will be taken by the LCTA Board. Any employee who engages in any action or conduct constituting sexual harassment will be subject to appropriate disciplinary action, up to and including termination of employment.

Sexual harassment has been defined by the Equal Employment Opportunity commission, as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Exhibit E

**NOTICE**

TO: ALL MANAGERS AND SUPERVISORS  
FROM: STANLEY STRELISH  
DATE:  
RE: EQUAL EMPLOYMENT OPPORTUNITY POLICY

I want to reaffirm my personal commitment to the Luzerne County Transportation Authority's equal Employment Opportunity Program and remind you that as a member of the management team, you are responsible and held accountable for the continued effective implementation of the Program.

If you have any questions on your rights or any general questions please do not hesitate to contact Mohammed Najib, who is the EEO Officer.

Our commitment to the community depends on our ability to serve everyone regardless of their sex, age, denomination, national origin, race, or creed. Thank you for your continued commitment to excellence in our company.

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**Stanley Strelish**  
**Executive Director**

Exhibit F

## **RESOLUTION**

Whereas the Luzerne County Transportation Authority is required by the Federal Transit Administration (FTA) to adopt an Equal Employment opportunity Policy Statement as per original UMTA, Directive C 4704.1, July 26, 1988.

Now, therefore, be it resolved, that the Luzerne County Transportation Authority Board of Directors, hereby adopts the following updated Equal Employment Opportunity Program:

Luzerne County Transportation Authority fills its job requirements by selecting from the available workforce those applicants best qualified to perform the work. The Luzerne County Transportation Authority does not discriminate against any employee or applicant because of sex, age, denomination, national origin, race, creed, disability or veteran status.

Furthermore, if any past instance of discrimination is determined, the Luzerne County Transportation Authority is committed to undertake an affirmative action program, including goals and timetables, in order to overcome the effects of such discrimination.

The responsibility of implementation of the EEO Program is assigned to the Financial Officer, although all management personnel will share in the responsibility and will be assigned specific tasks to assure discrimination with the appropriate official.

The success of the EEO Program as administered by the Luzerne County Transportation Authority's managers will be evaluated the same way the success of their performance on other goals is evaluated. The Luzerne county Transportation Authority acknowledges that the successful achievement of the EEO goals will also provide benefits to its sub-recipients and contractors through fuller utilization and development of previously underutilized human resources.

**CERTIFICATE**

The undersigned duly qualified Chair of the Board of Directors of the Luzerne county Transportation Authority does hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Board on the \_\_\_\_\_ Day of \_\_\_\_\_ 2012.

\_\_\_\_\_  
Salvador Licata, Board Chair

Appendix A

LUZERNE COUNTY TRANSPORTATION AUTHORITY  
 WORKFORCE ANALYSIS AND CLASSIFICATION  
 As of December 30, 2012

<b><u>Job Classification</u></b>	<b><u>Annual Salary</u></b>	<b><u>Job Title</u></b>	<b><u>No. Employees Ttl – F - M</u></b>
CEO/Official		Executive Director	1 – 0 – 0
		Total	1 – 0 – 0
Managers		Grants Coordinator	1 – 1 – 0
		Maintenance Manager	1 – 0 – 0
		Controller	1 – 0 – 1
		Human Resources Manager	1 – 1 – 0
		Director of Operations	1 – 0 – 0
		Purchasing Agent	1 – 0 – 0
		Total	6 – 2 – 1
Clerical		Accounting Clerk	1 – 1 – 0
		Customer Service Rep.	2 – 2 – 0
		Dispatcher	3 – 2 – 0
		Total	6 – 5 – 0
Mechanics		Mechanic – Full Time	16 – 0 – 0
		Mechanic – Part Time	3 – 0 – 0
		Total	19 – 0 – 0
Operators		Fixed Route – Full Time	47 – 3 – 2
		Fixed Route – Part Time	5 – 1 – 2
		Para-transit – Full Time	0 – 0 – 0
		Total	52 – 4 – 4