



Regional Transit Authority

## Equal Employment Opportunity

(HC4)

### POLICY STATEMENT

The New Orleans Regional Transit Authority (RTA) is committed to maintaining an environment that values diversity, in which all its employees and applicants are free from discrimination, harassment and retaliation in accordance with Title VII of the Civil Rights Act of 1964, as amended, and other applicable Federal and State legislation.

### PURPOSE

The purpose of this policy is to ensure that decisions affecting all RTA employment practices, including: recruitment, selection, promotions, terminations, transfers, layoffs, compensation, training, benefits, and other terms and conditions of employment, are made without regard to race, color, religious creed, national origin, sex, age (40 and over), physical disability (including HIV and AIDS), ancestry, mental disability, medical conditions (including cancer), marital status, sexual orientation, gender, gender identity, gender expression, military and veteran status, genetic information or any other basis protected by federal or state statutes. This policy will be updated biannually.

This policy also protects employees exercising their rights under the Family and Medical Leave Act, the Pregnancy Discrimination Act and related statutes.

### APPLICATION

This policy applies to all RTA employees, transportation contractors, and sub- recipients who employs 100 or more transit-related employees and request or receive federal transit funding in excess of \$1 million in the previous Federal fiscal year, or request or receive federal planning assistance in excess of \$250,000 in the previous Federal fiscal year.

APPROVED:

ADOPTED: Board Chair

Chief Executive Officer

Effective Date: \_\_\_\_\_

Date of Last Review: \_\_\_\_\_



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## **1.0 GENERAL**

RTA is committed to an Equal Employment Opportunity (EEO) Program, including goals and timetables, to overcome the effects of past discrimination of minorities and females. EEO principles govern all aspects of RTA's personnel policies, program practices, and operations. The Chief of Human Resources Officer and/or Louisiana Commission on Human Rights updates and revises the EEO Program in accordance with state and federal law.

RTA's commitment to EEO extends to all job applicants and employees, and to all aspects of employment, including: recruitment, hiring, training, assignment, promotion, compensation, transfer, layoff, reinstatement, benefits, education, tuition assistance and termination.

RTA is committed to provide reasonable accommodations to applicants and employees who need them because of a disability or to practice or observe their religion, absent undue hardship.

The successful achievement of EEO goals will provide benefits to RTA through fuller utilization and development of previously underutilized human resources. The achievement of EEO goals will ensure that the diversity of the RTA workforce will reflect the community it serves.

## **2.0 PROCEDURES**

Any person who believes that they may have been discriminated against on the basis of race, color, religious creed, national origin, sex, age (40 and over), physical disability (including HIV and AIDS), ancestry, mental disability, medical conditions (including cancer), marital status, sexual orientation, gender, gender identity, gender expression, military and veteran status, genetic information or any other basis protected by federal or state statutes, should contact the Chief Human Resources Officer at (504) 827-8409, within 365 days of the alleged violation.

In addition, or in lieu of utilizing the Office of Civil Rights complaint process at RTA, a Complainant may file a complaint of discrimination with the New Orleans Field Office of Equal Employment Opportunity Commission (EEOC) Hale Boggs Federal Building 500 Poydras Street, Suite 809, New Orleans, LA 70130. United States, the State of Louisiana Commission on Human Rights (LCHR), The Federal Transit Administration (FTA), or the Federal Department of Transportation (DOT).

Retaliation against any individual who files a charge or complaint of discrimination, participates in an employment discrimination proceeding (such as an investigation or lawsuit), or otherwise engages in a protected activity is strictly prohibited and will not be



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tolerated. If a violation is found, disciplinary action will be taken up to and including termination.

## **2.1 INVESTIGATIVE PROCESS**

Once a complaint is received, it is reviewed for jurisdiction. A complaint may be rejected if it is not filed within the time specified above, or, if after review of the allegations, it is determined that EEO policies have not been violated. When a complaint is rejected, EEO will notify the complainant.

If it appears that the alleged action(s) violates RTA's EEO policies, an investigation will be conducted. An investigation will include a review of the following: the circumstances under which the alleged discrimination occurred; relevant policies and practices related to the complaint; statements relevant to the allegation; and pertinent legal guidance/precedents.

All documents and information acquired during the investigation are confidential.

EEO will notify all appropriate parties regarding the disposition of the complaint. If a violation of RTA's EEO policies is determined, appropriate disciplinary action will be sought against the respondent and corrective action taken to prevent recurrence.

- The respondent may appeal a "substantiated" finding to RTA, Chief Human Resources Officer and or/ New Orleans Field Office of Equal Employment Opportunity Commission (EEOC), 500 Poydras Federal Building New Orleans LA 70130 United States within 10 business days of the closing letter's date. If no policy violation is found and the complainant wants to appeal the decision, they may appeal directly to RTA, Chief Human Resources Officer and or/, New Orleans Field Office of Equal Employment Opportunity Commission (EEOC), 500 Poydras Federal Building New Orleans LA 70130 United States, within 20 business days of the closing letter's date. The Chief Human Resources Officer decision will be final.

The EEO Unit investigates every case in a fair, consistent and timely manner. If at any time during the course of the investigation, a complainant fails to respond to communications from the EEO Unit after two written requests, the complaint may be closed for failure to cooperate.

**At any time during the process, the complainant should promptly notify the EEO Unit in writing if employee:**

- decides to withdraw the complaint;
- files a lawsuit against RTA or its employees
- changes an address, telephone number or other contact information



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### **3.0 DEFINITION OF TERMS**

Discrimination - any intentional or unintentional action which limits or denies a person any condition of employment because of race, color, religious creed, national origin, sex, age (40 and over), physical disability (including HIV and AIDS), ancestry, mental disability, medical conditions (including cancer), marital status, sexual orientation, gender identity, veteran status, or any other basis protected by federal or state statutes.

Equal Employment Opportunity - the prohibition of discrimination in recruitment, selection, termination, promotion, transfer, layoff, compensation, training, benefits, and any other term or condition of employment.

### **RESPONSIBILITIES**

The Office of Civil Rights monitors goals for effectiveness and the need for revision to overcome any underutilization or concentration of minorities or females. It maintains a database of all civil rights complaints received. The data includes the date the complaint was filed, summary of the allegations, status of the complaint and actions taken to resolve the complaint.

Chief Human Resources Officer and New Orleans Field Office of Equal Employment Opportunity Commission (EEOC), 500 Poydras Federal Building New Orleans LA 70130 United States is the designated EEO Officer, who reports directly to the CEO and is responsible for the EEO Program; updating RTA EEO policies; monitoring compliance with the EEO Program goals; providing training; and implementing programs that support RTA's policy of promoting diversity, equal employment opportunity, and affirmative action.

All RTA Managers and supervisors are responsible for ensuring that implementation and compliance is achieved through understanding, communicating, and active involvement in support of this policy. All supervisors and managers are responsible for implementing their unit's EEO goals. Goals are monitored by the Chief Human Resources Officer and New Orleans Field Office of Equal Employment Opportunity Commission (EEOC), 500 Poydras Federal Building New Orleans LA 70130 United States for effectiveness and need for revision to overcome any underutilization or concentration of minorities or females. Performance evaluations of managers and supervisors will include evaluating the success of the EEO program in the same manner as performance on other goals.

Applicants and employees have the right to file complaints alleging discrimination with the Chief, Office of Civil Rights, the United States Equal Employment Opportunity Commission (EEOC), the State of Louisiana Commission on Human Right (LCHR), The Federal Transit Administration (ETA), or the Federal Department of Transportation (DOT). The EEO Program is available for inspection by any employee or applicant for employment upon request.