



Eastern Sierra Transit Authority

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

July 1, 2016 through June 30, 2020

TABLE OF CONTENTS

I.	Statement of Policy and Program of Affirmative Action	1
II.	Responsibility for Implementation	3
III.	Dissemination of the Equal Employment Opportunity Program	5
IV.	Programs of Affirmative Action	6
V.	Assessment of Present Employment Practices	8
VI.	Monitoring and Reporting Systems	14
VII.	Policy Statement on Harassment	14

I. STATEMENT OF POLICY AND PROGRAM OF AFFIRMATIVE ACTION

A. Policy Statement

Eastern Sierra Transit Authority has a strong commitment to the community we serve and our employees. As an equal opportunity employer, we strive to have a workforce that reflects the community we serve. No person is unlawfully excluded from employment opportunities based on race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age, genetic information, disability, veteran status, or other protected class.

Eastern Sierra Transit Authority Equal Employment Opportunity (EEO) policy applies to all employment actions, including but not limited to, recruitment, hiring, selection for training, promotion, transfer, demotion, layoff, termination, rates of pay or other forms of compensation.

All applicants and employees have the right to file complaints alleging discrimination. Retaliation against an 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 protected activity is strictly prohibited and will not be tolerated.

Eastern Sierra Transit Authority is committed to providing reasonable accommodations to applicants and employees who need them because of a disability or to practice or observe their religion, absent undue hardship.

As Eastern Sierra Transit Authority's Executive Director, I maintain overall responsibility and accountability for Eastern Sierra Transit Authority's compliance with its EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I have appointed Jill Batchelder, Transit Analyst as Eastern Sierra Transit Authority's EEO Officer. Jill Batchelder will report directly to me and acts with my authority with all levels of management, labor unions, and employees.

All Eastern Sierra Transit Authority executives, management, and supervisory personnel, however, share in the responsibility for implementing and monitoring Eastern Sierra Transit Authority's EEO Policy and Program within their respective areas and will be assigned specific tasks to ensure compliance is achieved. Eastern Sierra Transit Authority will evaluate its managers' and supervisors' performance on their successful implementation of Eastern Sierra Transit Authority's policies and procedures, in the same way Eastern Sierra Transit Authority assesses their performance regarding other agency's goals.

Eastern Sierra Transit Authority is committed to undertaking and developing a written nondiscrimination program that sets forth the policies, practices and procedures, with goals and timetables, to which the agency is committed and make the EEO Program

available for inspection by any employee or applicant for employment upon request.

I am personally committed to a workplace that acts upon its daily responsibility to treat all applicants and employees with dignity and respect, as well as equitably under the guidelines of our EEO Policy and Program.



John Helm, Executive Director Signature

JAN. 5, 2017

Date

II. DESIGNATION OF PERSONNEL RESPONSIBILITY

A. Executive Director

1. Establish and direct the Authority's Equal Employment Opportunity (EEO) Program to meet Federal requirements and achieve utilization goals.
2. Develop and reaffirm EEO Policy in all personnel actions taken by the Authority.
3. Create an active attitude among members of the management staff for formal dissemination (internal and external) of EEO policy and affirmative action.
4. Review progress of achieving overall Authority goals.
5. Discuss EEO at meetings with management staff.
6. Communicate with management and supervisory personnel to explain the intent of the EEO policy and to inform them of their individual responsibility for implementation of the EEO Program.
7. Ensure that management personnel understand that part of their work performance will be evaluated on the basis of their EEO efforts and results.
8. On conjunction with human resources, periodically review employment practices policies including hiring, promotions and training, complaint policies, reasonable accommodation policies, performance evaluations, grievance procedures and employment agreements.

B. Equal Employment Opportunity/Affirmative Action Officer

The Executive Director for the Authority is designated as the EEO/Affirmative Action Officer. In this capacity, the Executive Director will report directly to the Board of Directors.

As the EEO/Affirmative Action Officer, the Executive Director's duties and responsibilities will include, but not necessarily be limited to:

1. Developing and recommending policies, affirmative action programs, internal and external communication techniques.
2. Identify problem areas through analysis and assist management in

arriving at solutions.

3. Design and implement audit and reporting systems that will:
 - a. Measure the effectiveness of the Authority's program.
 - b. Indicate the need for corrective action.
 - c. Determine the degree to which the program's goals and objectives have been obtained.
4. Report periodically to the Board of Directors on progress of each department in relation to the Authority's goals.
5. Serve as liaison between the Authority, governmental agencies (Federal, State and Local), regulatory agencies, minority, disabled and women's organizations and other community groups concerning equal employment opportunities.
6. Maintain awareness of current EEO laws and ensuring the laws affecting nondiscrimination are disseminated to responsible officials
7. Keep management informed of the latest developments in the equal employment area.
8. Assist in recruiting minority, disabled and women applicants and establishing outreach sources for use by hiring.
9. Concur in all hires and promotions; and
10. Process employment discrimination complaints.

C. Department Heads, Managers and Supervisors

Department heads, managers and supervisors will be responsible for working with the EEO/Affirmative Action Officer to ensure the effectiveness of the affirmative action plan. The responsibilities of such employees include, but are not limited to:

1. Assist in the identification of equal employment opportunity problem areas and in the establishment of departmental goals and objectives.
2. Perform a periodic audit of training programs, hiring and promotion patterns to remove impediments to the attainment of effective affirmation action plan.
3. Conduct regular discussions with supervisors and employees to be certain the Authority's equal employment opportunity policy is

followed.

4. Conduct a review of the qualifications of all employees to ensure that minorities and females are given full opportunity for transfers and promotions.
5. Conduct periodic reviews to ensure that:
 - a. Appropriate equal employment opportunity posters are properly displayed.
 - b. All facilities that the Authority maintains for the use and benefit of its employees are in fact desegregated, both in policy and use, and that locker rooms and restrooms are comparable for both sexes.
 - c. Minority and female employees are afforded full opportunity and are encouraged to participate in all Authority sponsored educational, training, recreational, and social activities.
6. Understand that part of their work performance is being evaluated on the basis of their equal employment opportunity efforts and results.
7. Ensure that all interviews, offers of employment and/or wage commitments are consistent with EEO guidelines.
8. Take action to prevent harassment of employee's hired/placed through affirmative action efforts.

III. DISSEMINATION OF THE EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

The Equal Employment Opportunity Program of the Authority will be disseminated to its employees, job applicants, and the community using several communication techniques. The EEO/Affirmative Action Officer will be responsible for program implementation and will assure that the following are accomplished:

Internal Communications

1. Supervisors will receive copies of the EEO Program. They will also be kept abreast of the progress the Authority makes in the employment of minorities and women.
2. The Authority's EEO Policy statement, along with the required EEO Posters, will be placed on the employee bulletin boards and other highly traveled places throughout the facility.
3. Periodic meetings will be held with department heads and supervisors to

explain responsibilities, goals, and how best to attain them.

4. Discuss the policy statement and EEO Program in employee orientation.
5. The policy statement is included in the Authority's Human Resource Policies and Procedures manual.
6. Conduct periodic EEO training for employees and for managers
7. Conduct EEO training for all new supervisors and managers within 90 days of their appointment.
8. Meet with management staff at a minimum semiannually to discuss the EEO program and its implementation.
9. Meet with all employees to seek input on implementation.

External Policy Dissemination

1. All major recruiting sources, including minority and women's organizations, community agencies, community leaders, vocational and technical schools, and colleges will be informed of the Authority's EEO Program. These sources will be requested to actively recruit and refer minorities and women for all positions within the Authority.
2. When advertisements for employment are placed, they are placed in media that minorities have access to, as well as other news media. All employment advertisements contain the phrase "An Equal Opportunity Employer".
3. The existence and benefits and the Authority's EEO Program will be communicated to private and public employment agencies by dissemination of the Eastern Sierra Transit Authority's Policy Statement.

IV. PROGRAMS OF AFFIRMATIVE ACTION

An in-depth analysis of the following has been made in an effort to identify problem areas and institute corrective action, if appropriate:

A. Identification of Problem Area

2. Selection: When qualified minority and female employees are not selected to fill more responsible and better paying positions where underutilization exists, supervisory personnel must justify their

selection to the EEO/Affirmative Action Officer.

3. Employment Application: The application form complies with legal requirements.
4. Position Descriptions: Position descriptions are written to eliminate any unfair advantages for males over females and non-minorities over minorities.

For many positions requiring a college degree, the Authority has allowed for the substitution of experience for formal education. The EEO/Affirmative Action Officer reviews all positions to ensure that the qualifications listed in the job description are related to the actual functions and duties of the position.

5. Minorities or Female Referral Ratio: The Human Resources Department does not find that a significantly higher percentage of minority or female referrals are being rejected by hiring managers as compared to non-minority male applicants.
6. Authority Sponsored Social Events and Special Programs: Authority sponsored social events are held for all employees.
7. Segregation: All facilities of the Authority are integrated. This includes offices, maintenance/garage areas, restrooms and lunchrooms. Defacto segregation does not exist.
8. Seniority: All seniority practices are governed by the collective bargaining agreements with the Eastern Sierra Transit Authority Employees Association, and the Management & Confidential Employees Association and Personnel Rules for administration employees. These seniority provisions do not have a disparate impact on minority group status or sex, for length of service or type of job held.
9. Managerial Policy Support: Managerial support of this policy is insisted upon by the Executive Director of the Eastern Sierra Transit Authority.
10. Training and Continuing Education: All employees are encouraged to continue their education in order that they may qualify for higher paying and more responsible positions. The Authority has made available a tuition reimbursement programs. This program is outlined in the Personnel Rules.

In-house training is provided to employees on an as-needed basis.

This training is given to all employees in a job group with no disparity by minority group status or sex.

11. Effectiveness of EEO Programs: Formal techniques for evaluating the effectiveness of this program are detailed in Section VIII.
12. Access to Suitable Housing and Transportation: The recruiting area is large enough to include several minority communities. No housing discrimination is prevalent.
13. Workforce Attitude: Workforce attitude is monitored by the Human Resources Department by performing exit interviews, and conducting casual meetings with various employees throughout the Authority. All employees may see the Transit Analyst or the Executive Director at any time.

Employee attitude toward equal employment opportunity and affirmative action is positive.

14. Technical Compliance: All required notices are posted on bulletin boards. Applications for employment are retained in accordance with Federal guidelines. Notification of our commitment to affirmative action/equal employment opportunity is transmitted externally and internally via methods covered in other sections of this plan.

V. ASSESSMENT OF PRESENT EMPLOYMENT PRACTICES

It is the policy of the Eastern Sierra Transit Authority to aggressively recruit the most qualified people to staff the Authority; and in doing so, it will afford equal opportunity for employment, selection, training, promotion, compensation and benefits, to all persons without regard to race, color, age (over 40), sex, religion, national origin, disability, medical condition, marital status, genetic information or ancestry, or any other factor not related to the requirements of a work assignment.

The Transit Analyst shall be responsible for establishing recruitment, examination and referral procedures and shall be responsible for all employment activity in the Authority. Recruitment activities are monitored on a monthly basis and have been summarized for this period in Table 5 – Personnel Activity and Table 6 – Application Analysis.

Recruiting Sources

- A. The Authority actively seeks minorities and females for existing and future employment. Recruitment notices are distributed to various sources

including, but not limited to, those agencies listed below:

Cerro Coso
Eastern Sierra College Center
4090 W. Line Street
Bishop, CA 93514

Employment
914 N. Main Street
Bishop, CA 93514

Cerro Coso
Eastern Sierra College Center
101 College Parkway
Mammoth Lakes, CA 93546

Inyo County
Public Assistance &
Employment
380 N. Mt Whitney
Lone Pine, CA 93545

California Indian Manpower
Consortium
916 N. Main Street
Bishop, CA 93514

Mono County – JTPA
Bridgeport, CA

Employment Development
Department
914 N. Main Street
Bishop, CA 93514

Bishop Paiute Tribe
50 Tu SU Lane
Bishop, ca 93514

Inyo County
Public Assistance &

Newspaper advertising is normally placed in the Inyo Register and Mammoth Times. The Inyo Register is circulated in the high minority communities located in Inyo County, and the Mammoth Times is circulated in the high minority communities located in Mono County. On-line advertising is placed on the Authority website, www.estransit.com.

B. Source of Applications

The majority of applicants gain knowledge of the opening through the state employment office, local newspaper advertisements, www.estransit.com, and through the various organizations receiving a recruitment notice. Applicants may also "walk-in" to the Authority looking for employment.

Professional, technical and managerial applicants may also be the result of local and national newspaper advertising or respondents to recruitment notices sent to various transit properties, public agencies or transit associations.

C. Recruitment and Selection Procedures

The recruitment process begins when the Transit Analyst receives an approved personnel requisition. Data on the requisition form identifies the position to be filled and provides other relevant specifications. All recruitment activity is preceded with a review of the job description to insure specifications and requirements of the position are current, realistic and necessary. The department head, the Transit Analyst and the Executive Director approve requisitions.

The Transit Analyst posts an internal recruitment notice on employee bulletin boards. Classified employment advertising is placed in all appropriate publications. For most positions the Inyo and Mono County publications are adequate. However, for the highly skilled and/or managerial positions, advertisements in national trade publications and publications outside the Eastern Sierra Region may be necessary. Circumstances dictate whether positions will be advertised with a closing date or remain open until filled.

All applicants are required to complete an Authority application. Existing employees need only submit an internal application (which indicates that they wish to be considered) along with any additional employment or educational experience not already contained in their personnel file. Upon receipt, all applications are recorded on the recruitment log.

Prior to the interview, the hiring manager and the Transit Analyst or his/her designee meet to develop a program of questions to be used during the interview. The questions are derived from the job description. The applicant's answer to each question is scored on a scale of 1-5, with 5 being the highest score.

The Transit Analyst and hiring manager screen all applications and select applicants who meet the minimum requirements of the positions. The most qualified applicants are tested and interviewed by the Transit Analyst, and the department head or their designee. Second level interviews, if deemed necessary, are conducted by the Transit Analyst and department head.

The department head and the Transit Analyst refer one to three qualified candidates to the hiring manager to be interviewed at a second level, if desirable. The hiring manager selects the successful candidate after all interviews are completed. Applicants may be rejected at any point during the recruitment and selection process and will receive written notification of such rejection.

The Transit Analyst performs a reference/background investigation on the first and alternate candidate (if any) through DataCheck, Inc. The following information is verified and/or reviewed:

1. Present/previous employment

2. Educational degrees and professional certificates (if a job requirement)
3. Driving record (for positions requiring operation of the Authority's vehicles)
4. Criminal record if applicable
5. Social Security number verification
6. Credit history if applicable

The Transit Analyst extends a verbal offer of employment to the successful candidate and issues a formal offer letter, which is provided to the candidate for signature via mail or in-person. The acceptance letter outlines the terms of employment, including starting date, rate of pay, and introductory/probationary policies, etc. The offer of employment is contingent on the candidate successfully passing an employment physical and drug screening with the Authority's designated occupational clinic, consistent with federal drug-testing requirements and the Americans with Disabilities Act (ADA).

If the applicant passes the drug screen and physical, and all background information has been satisfactorily reviewed and verified, the new employee is instructed to report to the Transit Analyst or Department Head on the first day of employment for orientation.

D. Description of Aptitude/Selection Tests

Following is a description of aptitude/selection tests administered to job applicants:

1. Typing test: A standard typing test is given to individuals applying for positions requiring a minimum typing speed (i.e., secretary and receptionist).
2. Job-related skills test: Written tests may be given to determine a person's ability to perform the duties of the position. Passing scores are routinely set at 70%. An applicant who does not pass either the job-related skills test(s) or other job related skills tests may not retest for a period of one year.

E. Seniority Practices, Promotions and Transfer Procedures

1. Seniority is determined by the date of original hiring by the Authority. All employees in the bargaining unit are on probation until they complete six months of employment.
2. It is the Authority's policy to fill job vacancies by promotion or transfer of qualified employees within the organization whenever possible.

The following qualifications are considered when selecting an employee to fill an upgraded position:

- a. Attitude, skill, ability and past performance
- b. Disciplinary record
- c. Attendance record
- d. Length of service
- e. Tests results (if position warrants testing)
- f. Interview results

To be considered for promotion, an employee must submit an internal application. The procedures outlined in Section VII, D are followed for screening, testing, interviewing and selection. An internal candidate will not be required pass a pre-employment physical. However promotions into safety sensitive positions or positions with increased lifting requirements will require pre-employment physical.

An employee requesting a transfer must submit the request in writing to the department head and Transit Analyst. The employee's qualifications, as listed above, will also be considered when a transfer is requested. The Executive Director will approve or disapprove the request based on the recommendations of the department head and Transit Analyst.

F. Compensation and Benefits

Compensation and benefits schedules are applied without regard to race, color, age, sex, religion, national origin, disability, medical condition, marital status, genetic information, or ancestry.

The following benefits are applicable to benefitted employees:

1. Group insurance benefits, including PERS Health, dental & vision reimbursement, disability and life insurance (as applicable)
2. Comprehensive leave
3. PERS Retirement
4. Flexible Benefit Program
5. Deferred Compensation
6. Employee Assistance Plan
7. Free transportation on ESTA routes for the employee
8. Paid holidays
9. Military leave
10. Jury Duty leave
11. Bereavement leave
12. Leave of absence (with or without pay)

13. All benefits required by State, Federal and local law (i.e. SDI, Workers Compensation, etc.)

The following benefits are applicable to non-benefitted employees:

1. PARS retirement
2. Employee Assistance Plan
3. Free transportation on ESTA routes for the employee
4. All benefits required by State, Federal and local law (i.e. SDI, Workers Compensation, etc.)

G. Terminations and Disciplinary Practices

All employees serve an introductory period of six (6) months. The introductory period is a span of time during which an employee is evaluated by his/her supervisor on the performance of the duties of the position, and on those qualities that comprise the overall make-up of the employee including attendance, reliability, trustworthiness, etc. If problems begin to occur, the immediate supervisor and the EEO/Affirmative Action Officer will counsel the employee.

If at any time during the introductory period an employee is performing in an unsatisfactory manner, and it is determined that the performance cannot improve, the employee will be released without recourse. If it is determined that the employee may be able to improve their performance, the introductory period may be extended as described in ESTA's Personnel Rules.

If the evaluation indicates satisfactory performance at the end of the employee's introductory period, the employee will achieve regular status.

If a regular employee begins to perform in an unsatisfactory manner, the immediate supervisor will discuss job performance with the employee. The employee will be given a period of time to improve his/her performance. The employee may be dismissed or otherwise disciplined if no improvement is noted at the end of this period.

Hourly/union employee disciplinary and termination procedures are in accordance with the provisions of collective bargaining agreements with the Eastern Sierra Transit Authority Employees Association, and the Management & Confidential Employees Association. These documents outline the disciplinary actions to be taken when dealing with indefinite suspensions, suspensions for term, loss of pay and oral and written reprimands.

Disciplinary and termination actions are monitored on an on-going basis, reported on monthly, and have been summarized for this period in Table 4 – Personnel Activity and Table 4 – Disciplinary Actions and Terminations.

VI. MONITORING AND REPORTING SYSTEMS

A. Monthly Reporting

On a monthly basis, information regarding the number of employees hired, promoted, resigned, retired, or terminated, etc., will be compiled by the Transit Analyst. The data will be synthesized by race, sex, and job classification.

B. Semi-Annual Review and Annual Review

Semi-annually, the Transit Analyst will review with the Executive Director a summary of the progress made over the preceding six (6) months. Assessments and corrective action will be made at this time. An annual report will be prepared by the Transit Analyst, which will include the information gathered in the monthly reports and an evaluation of the Equal Employment Opportunity Program.

The evaluation process will highlight the policies and objectives that were accomplished, as well as pinpoint those areas in which the Authority failed to achieve the objectives within the timetables that were set. The evaluation process will allow the EEO/Affirmative Action Officer to amend and reset the existing objectives as well as identify other areas of underutilization and develop new objectives with timetables to remedy these deficiencies.

C. EEO Complaint Tracking

The Transit Analyst maintains a log of all discrimination complaints. The log includes complainant name, parties involved, date of incident/complaint, list of complaint(s) and current status. This log is updated as complaints arise. Once complaint is investigated the log is updated.

VII. POLICY STATEMENT ON HARASSMENT

The Eastern Sierra Transit Authority intends to provide employees with a positive working environment based on trust and mutual respect, free from harassment. Sexual harassment, conduct directed at someone because of gender or any other conduct of an intimidating or personally offensive nature is strictly forbidden and will not be tolerated.

No manager or supervisor may threaten that an employee's submission to or rejection of sexual advances will influence wages, advancement, or any other term or condition of employment. No employee may engage in the sexual harassment of anyone with whom the employee must interact as job responsibilities are performed.

Incidents and complaints of harassment will be promptly and thoroughly investigated. When harassment is found to have occurred, ESTA will take prompt and appropriate disciplinary action against the harasser(s) who are employees, up to and including termination. When harassers are not employees, ESTA will take whatever action is within its power to investigate and eliminate the problem.

Any employee who feels he/she has been harassed, or who is aware of another employee, who has, is encouraged to immediately contact one of our organization's representatives responsible for receiving such complaints (listed below). Managers and supervisors who witness or otherwise become aware of incidents or complaints or harassment must immediately report them to the Executive Director or his designee; failure to do so will result in disciplinary action up to and including termination.

No action will be taken against an employee who submits a complaint he/she believes to be valid no matter what the outcome of the investigation. Should anyone employed by or affiliated with ESTA retaliate against an employee because the employee made a complaint or cooperated in an investigation, ESTA will take appropriate disciplinary or other action calculated to stop the retaliation and prevent its recurrence.

The policy applies to all employees full-time, part-time, temporary, elected, at-will, civil service, and non-civil service. It also applies to contractors, vendors, and others who have relationships with ESTA.

Cooperation is Required:

The prevention of sexual harassment and the resolution of sexual harassment issues require the cooperation and support of all ESTA personnel. Everyone is expected to conduct himself/herself in accordance with this policy, to behave in a manner that does not cause valid claims of sexual harassment, to promptly report incidents and complaints harassment to one of the ESTA's designated representatives (see page 4), and to cooperate with investigations of sexual harassment issues.

Managers and supervisors are to:

- Set an example of appropriate conduct whenever and wherever they interact with employees,
- Maintain a work environment that is harassment free,
- Ensure all personal decisions and actions are made in accordance with the provisions of the ESTA's sexual harassment policy,
- Communicate the sexual harassment policy to employees, contractors, and vendors,
- Promptly report sexual harassment complaints and incidents to the Executive

- Director or his designee,
- Cooperate in the implementation of corrective action following an investigation, and avoid any conduct that could be perceived as retaliatory against complainants and other employees who cooperate in investigations.

What is sexual harassment?

Sexual harassment is defined as follows:

The Equal Employment Opportunity Commission (EEOC) Guidelines on Discrimination based on sex states:

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

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

Thus, as defined by law, sexual harassment includes unwanted sexual advances, or visual, verbal, or physical conduct of sexual nature. It includes suggestive remarks, unwanted touching, and pressure for sexual favors.

The Sexual Harassment Policy applies to conduct between a supervisor and an employee. It also applies to conduct with individuals outside the organization with whom an employee must interact in the performance of job responsibilities, wherever work is being performed.

There are two types of illegal sexual harassment, quid pro quo and hostile work environment. Quid pro quo is harassment that affects any aspect of an employee's terms or conditions of employment. Hostile work environment is sexual harassment that creates a "hostile, intimidating, or offensive environment." A hostile environment can be created by verbal harassment (such as slurs or derogatory comments), physical harassment (such as offensive touching or interference with movement) and visual harassment (such as derogatory drawings or cartoons). Generally, valid work environment complaints must consist of more than one incident, unless a single incident consists of outrageous conduct.

Both opposite sex and same sex harassment are prohibited.

Example of Sexual Harassment

Examples of behaviors that would be considered sexual harassment:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances

Verbal conduct considered harassment:

- Making or using derogatory comments, epithets, slurs or jokes
- Verbal sexual advances or propositions
- Verbal abuse of a sexual nature
- Graphic verbal commentaries about an individual's body
- Sexually degrading words used to describe an individual
- Suggestive or obscene letters, notes, or invitations
- Turning work discussions into sexual discussions
- Asking about sexual fantasies, preferences, or history
- Asking personal questions about sexual life
- Making sexual comments about a person's clothing, body or looks
- Telling lies or spreading rumors about a person's sex life

Visual conduct considered harassment:

- Leering (looking at someone in a sexually suggestive manner)
- Making sexual gestures
- Displaying objects, pictures, cartoons, clothing, or posters that are sexually suggestive or that depict men or woman in a sexually suggestive or derogatory manner
- Having sexually suggestive software on a work computer

Physical conduct considered harassment:

- Touching
- Assault
- Impeding or blocking movement
- Hanging around a person
- Unwanted messages or a sexually nature
- Standing closer than appropriate or necessary for the work being done
- Patting, caressing, fondling, or goosing
- Touching or rubbing oneself sexually, around or in view of another person

If you have a question about whether particular conduct is sexual harassment, contact one of your organization's representatives listed below. If you wish, you may ask a question without revealing your identity.

How to Prevent/Stop Sexual Harassment on Your Own:

If you feel someone is harassing you, let that person know how you feel, as directly as

possible and as soon as possible. Tell the person what behavior you find offensive and say what you want or don't want to happen, such as "Please don't tell me jokes like that."

However, if for any reason you are not comfortable trying to stop the harassment on your own make a complaint as explained below.

How to Respond if Someone Tells You Your Behavior is Bothering Them:

If another employee, or anyone with who you come in contact with while performing your job tells you your behavior is making them uncomfortable:

- a) Take their word for it.
- b) Don't argue or be defensive. (However, it is ok to ask clarifying questions if you are not sure what behavior is offensive.)
- c) Thank them for telling you and let them know you will stop the offensive behavior.
- d) Be certain not to repeat the behavior that was offensive.

How to Make a Complaint:

If you feel you have been the subject of sexual harassment and are uncomfortable or unsuccessful in stopping harassment on you own, this is what you should do:

1. Contact (by phone, mail or in person):

Our Organization's Representatives for Complaints:

Names: Jill Batchelder
Title: Transit Analyst
Location: 703 Airport Road
Bishop, CA 93514
760.872.1901 ext. 11

2. In the event you are not satisfied with the outcome and feel you need further assistance, you may contact the California Department of Fair Employment and Housing (DFEH). It serves as a neutral fact finder to help individual employees resolve sexual harassment complaints. To find the office nearest you, look in the phone book under State of California, Department of Fair Employment and Housing.

3. If you feel you further assistance, you can also go to the Equal Employment Opportunity Commission (EEOC) or to an attorney.

What Will Happen When You Contact One of Your Organization's Representatives:

The Executive Director or Transit Analyst is responsible for receiving, investigating, and resolving complaints and incidents of harassment.

1. ESTA's representative will take with you to learn about your concerns and obtain information needed to investigate the concerns. In the event allegations are directed toward a member of the Board of Directors, or the Executive Director or Director, ESTA may utilize a third party independent fact finder to conduct the investigation.
2. Your complaint will be promptly and thoroughly investigated. The investigation will include obtaining information from whomever you believe has been harassing you and anyone who may have been a witness to the harassment. The investigation will be kept as confidential as possible.
3. If harassment is found to have taken place, prompt and appropriate corrective action will be taken. The goal of the corrective action is to immediately stop the harassment and prevent its recurrence, and to prevent retaliation.
4. You will be informed of the outcome, and the ESTA's representative will follow up with you to see that no further harassment takes place.
5. No matter what the outcome of the investigation, no action will be taken against you because you have made a complaint, so long as you believed the complaint to be valid. Such a complaint will not affect your employment in any way.