



Eastern Sierra Transit Authority

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

August 14, 2020 through August 14, 2024

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I. STATEMENT OF POLICY

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 Karie Bentley, Administration Manager as Eastern Sierra Transit Authority's EEO Officer. Karie Bentley can be reached by phone at 760-872-1901 x15 or by email kbentley@estransit.com. Karie Bentley 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.



Phil Moores, Executive Director Signature



Date

II. DESIGNATION OF PERSONNEL RESPONSIBILITY

A. Equal Employment Opportunity Officer

The Administration Manager for the Authority, is designated as the EEO Officer. In this capacity, the Administration Manager will report directly to the Executive Director.

As the EEO Officer, the Administration Manager's duties and responsibilities will include, but not necessarily be limited to:

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

B. Department Heads, Managers and Supervisors

Although the EEO Officer is primarily responsible for implementing an agency's EEO Program, all officials, managers, and supervisors are responsible for ensuring EEO

and must not discriminate based on a protected class. All managers—from the supervisor of the smallest unit to the Board Chair and Executive Director —bear responsibility for ensuring that agency EEO Program policies and programs are carried out. EEO responsibilities for agency officials, supervisors and managers include:

- Participating actively in periodic audits of all aspects of employment to identify and remove barriers obstructing the achievement of specified goals and objectives
- Holding regular discussions with other managers, supervisors, employees, and affinity groups to ensure agency policies and procedures are being followed
- In conjunction with the EEO Officer, maintaining and updating the personnel database for generating reports required for the nondiscrimination program
- Cooperating with the EEO Officer in review of information and investigation of complaints
- Encouraging employee participation to support the advancement of the EEO Program (e.g., professional development and career growth opportunities, posting promotional opportunities, shadowing, mentoring)

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 Officer will be responsible for program implementation and will assure that the following are accomplished:

Internal Communications

The existence of its EEO policy and program will be communicated to employees, applicants, and potential applicants by:

- Providing written communications from the Executive Director such as the policy statement
- Posting official EEO materials (e.g., Federal and state labor laws poster(s)) and the agency's policy statement on bulletin boards, near employee boxes, in employees' breakrooms, and in the employment/personnel office
- Including the EEO policy statement in the agency's personnel and operations manual, employee handbooks, reports, and manuals
- Meeting with top management officials (e.g., bus operations, human resources, planning, marketing, etc.) at a minimum semiannually to discuss the EEO Program and its implementation
- Meeting with all employees and affinity groups to seek input on the program implementation
- Conducting periodic EEO training for employees and for managers
- Conducting EEO training for all new supervisors or managers within 90 days

- of their appointment
- Including the policy statement in employee orientation materials and require new employees to sign a form acknowledging they have read and understand the policy.

Documentation that the EEO policy and program have been brought to the attention of employees and managers will be kept. This includes maintaining agendas and sign-in sheets for meetings conducted when the EEO policy and its implementation are explained.

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. 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 Administration Manager or designee 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 quarterly basis and have been summarized for this Attachment C – Employment Practices and Assessment Chart

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

Mono County Workforce Services
workforceservices@mono.ca.gov

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

Owens Valley Career Development
Center
2574 Diaz Lane
Bishop, CA 93514

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

Bishop Paiute Tribe
50 Tu SU Lane
Bishop, ca 93514

Inyo County
Public Assistance & Employment
914 N. Main Street
Bishop, CA 93514

Veterans Services
207 W. South St.
Bishop, CA 93514

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

Newspaper advertising is normally placed in the Inyo Register, Mammoth Times and El Sol. 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. El Sol is circulated in both Inyo and Mono counties in Spanish. 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 Administration Manager is notified there is a position to be filled and informed of other relevant specifications. All recruitment activity is preceded with a review of the job description to ensure specifications and requirements of the position are current, realistic and necessary. The department head, the Administration Manager and the Executive Director approve openings to be filled.

Human resources 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. Upon receipt, all applications are recorded on the recruitment log.

Prior to the interview, the hiring manager and human resources meet to develop a program of questions to be used during the interview. The questions are derived from the job description. These questions are approved by the Administration Manager. The applicant's answer to each question is scored on a scale of 1-5, with 5 being the highest score.

The human resources 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 human resources and the department head or their designee, the Administration Manager may be included in the interview process on selected positions. Second level interviews, if deemed necessary, are conducted by the Administration Manager and department head.

The department head and human resources 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 human resources extends a verbal offer of employment to the successful candidate after checking references 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 anticipated

start date, rate of pay, and introductory/probationary policies, etc. The offer of employment is contingent on the candidate successfully passing a, background check, drug screen and DMV/employment physical if required for the position, consistent with federal drug-testing requirements and the Americans with Disabilities Act (ADA).

The human resources performs a background investigation 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

If the applicant passes the drug screen and physical, if required, and all background information has been satisfactorily reviewed and verified, the new employee is instructed to report to human resources or the 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 85%. 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. Safety record
- e. Length of service
- f. Tests results (if position warrants testing)
- g. Interview results

To be considered for promotion, an employee must submit an application to human resources. The procedures outlined in Section V, 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 an application to human resources. 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 Administration Manager.

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. California Sick Leave
3. Deferred Compensation
4. Employee Assistance Plan
5. Free transportation on ESTA routes for the employee
6. 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 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 quarterly, and have been summarized in Attachment C Employment Practices and Assessment Chart.

V. MONITORING AND REPORTING SYSTEMS

A. Quarterly Reporting

On a quarterly basis, information regarding the number of employees hired, promoted, resigned, retired, or terminated, etc., will be compiled by the human resources. The data will be synthesized by race, sex, and job classification and submitted to the Administration Manager.

B. Semi-Annual Review and Annual Review

Semi-annually, the Administration Manager 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 Administration Manager, which will include the information gathered in the quarterly reports and an evaluation of the Equal Employment Opportunity Program.

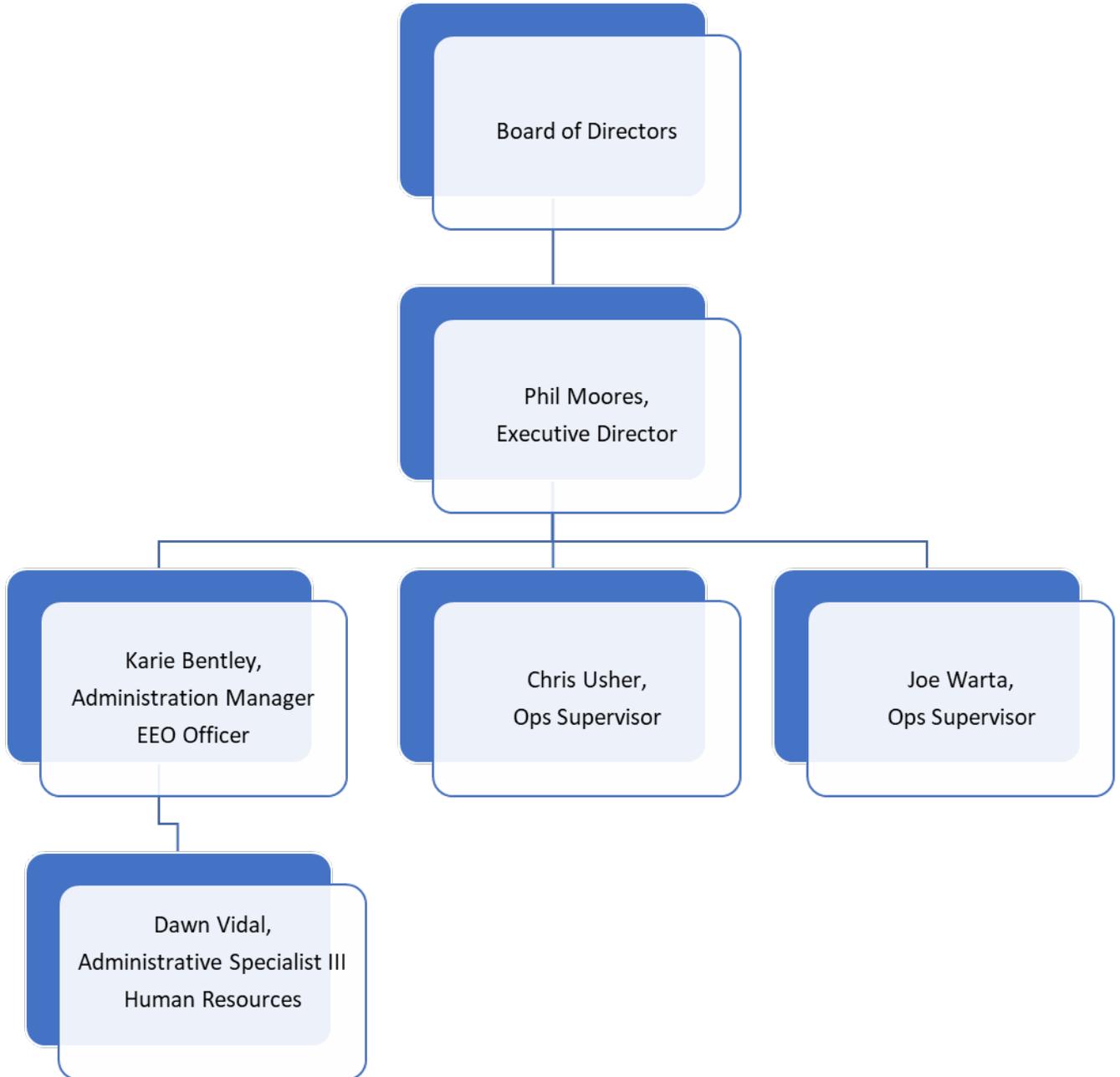
The evaluation process will highlight the policies and objectives that were accomplished, as well as pinpoint those areas in which the Authority failed to achieve the objectives within the timetables that were set. The evaluation process will allow the EEO Action Officer to amend and reset the existing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

C. EEO Complaint Tracking

The Administration Manager 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.

Attachment A

Eastern Sierra Transit Authority's Organizational Chart



Attachment B
List of Subrecipients or Contractors Monitored by
Eastern Sierra Transit Authority

Eastern Sierra Transit Authority does not have any contractors payed with Federal funds.

RESOLUTION NO. 2020-08

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EASTERN SIERRA
TRANSIT AUTHORITY APPROVING THE EQUAL EMPLOYMENT
OPPORTUNITY PROGRAM**

WHEREAS, the Eastern Sierra Transit Authority established a program defining the Authority's commitment as an equal opportunity employer and to an active Nondiscrimination Program (the EEO Program); and

WHEREAS, the EEO Policy states that the Policy shall be updated and reaffirmed every four years; and

NOW, THEREFORE, BE IT RESOLVED by the Eastern Sierra Transit Authority Board of Directors that:

1. The ESTA Board approves the Eastern Sierra Transit Authority Equal Employment Opportunity Policy Program (EEO Program) dated August 14, 2020 through August 14, 2024

PASSED AND ADOPTED this 14th day of August, 2020 by the following vote:

AYES: *Directors Gardner, Griffiths, Schwartz, Ellis, Kreitz, Sanser, Totteroh & Hoff*
NOES: *0*
ABSENT: *0*
ABSTAIN: *0*



**Bob Gardner - Chairperson
Sierra Transit Authority Board of
Directors**

Attest: Linda Robinson
Secretary of the Board

By: 
Linda Robinson