



U.S. Department  
Of Transportation  
**Federal Transit  
Administration**

Region IV

230 Peachtree Street, NW  
Suite 800  
Atlanta, GA 30303

June 23, 2014

Tina L. Moore  
Lakeland Area Mass Transit  
EEO Officer  
1212 George Jenkins Blvd  
Lakeland, FL 33815

Re: Concurrence of EEO Program, Lakeland Area MTD (ID 1086)

Dear Ms. Moore:

This letter is to inform you that we received the revised Lakeland Area Mass Transit District's (MTD) updated Equal Employment Opportunity (EEO) Program on April 16, 2014. This submission is required pursuant to Title VII of the Civil Rights Act of 1964; Title 49, Chapter 53, Section 5332 of the United States Code; and the Federal Transit Administration's (FTA) Circular 4704.1, "Equal Employment Opportunity Program Guidelines for Grant Recipients," dated July 26, 1988.

We have reviewed the revised EEO Program and determined that it meets the requirements set out in the FTA's EEO Circular 4704.1. Your EEO Program will next need to be updated by December 23, 2016. Please submit an updated EEO Program 60 days in advance of the expiration date or by October 23, 2016. Please delete any versions of the EEO program in TEAM that this submission is replacing. If you encounter problems with FTA's TEAM-Web system, please contact the TEAM Helpdesk at (888) 443-5305 or [Team.Helpdesk@dot.gov](mailto:Team.Helpdesk@dot.gov).

Thank you for your ongoing cooperation to meet FTA Civil Rights Program requirements. If you have any questions, please contact me at [Carlos.Gonzalez3@dot.gov](mailto:Carlos.Gonzalez3@dot.gov) or (404) 865-5471.

Sincerely,

A handwritten signature in blue ink that reads "Carlos A. Gonzalez".

Carlos A. Gonzalez  
Region IV Civil Rights Officer

cc: Tom Phillips, Executive Director, Lakeland Area MTD (Electronic)  
Dr. Yvette G. Taylor, Regional Administrator, FTA Region IV (Electronic)  
Monica McCallum, Regional Operations Division Chief (Electronic)



**LAKELAND AREA MASS TRANSIT DISTRICT**

January 2, 2014

Federal Transit Administration  
Attn: Carlos Gonzalez  
Regional Civil Rights Officer  
230 Peachtree Street, NW, Suite 800  
Atlanta, GA 30303

RE: Lakeland Area Mass Transit District  
Equal Employment Opportunity / Affirmative Action Plan

Dear Mr. Gonzalez:

Please find attached the Lakeland Area Mass Transit District's submittal of our updated EEO Program which will expire on December 31, 2013.

If you have any questions, please feel free to contact me at 863-688-7433 x123 or via email [tina@ridecitrus.com](mailto:tina@ridecitrus.com).

Respectfully,

Tina L. Moore  
EEO Officer





**LAKELAND AREA MASS TRANSIT DISTRICT**

## **Equal Employment Opportunity**

### **Affirmative Action Plan**

**December 2013 – November 2018**

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# Lakeland Area Mass Transit District's Affirmative Action (AA) Plan

Effective Date of AA Plan: December 2013 – November 2018

Executive Director: Tom Phillips  
Address: 1212 George Jenkins Blvd  
Lakeland, FL 33815  
Telephone: 863-688-7433  
EEO Officer: Tina L. Moore

Reviewed and Approved by:



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Tom Phillips  
Executive Director

Reviewed and Approved by:



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Tina L. Moore  
EEO Officer

# **SECTION ONE**

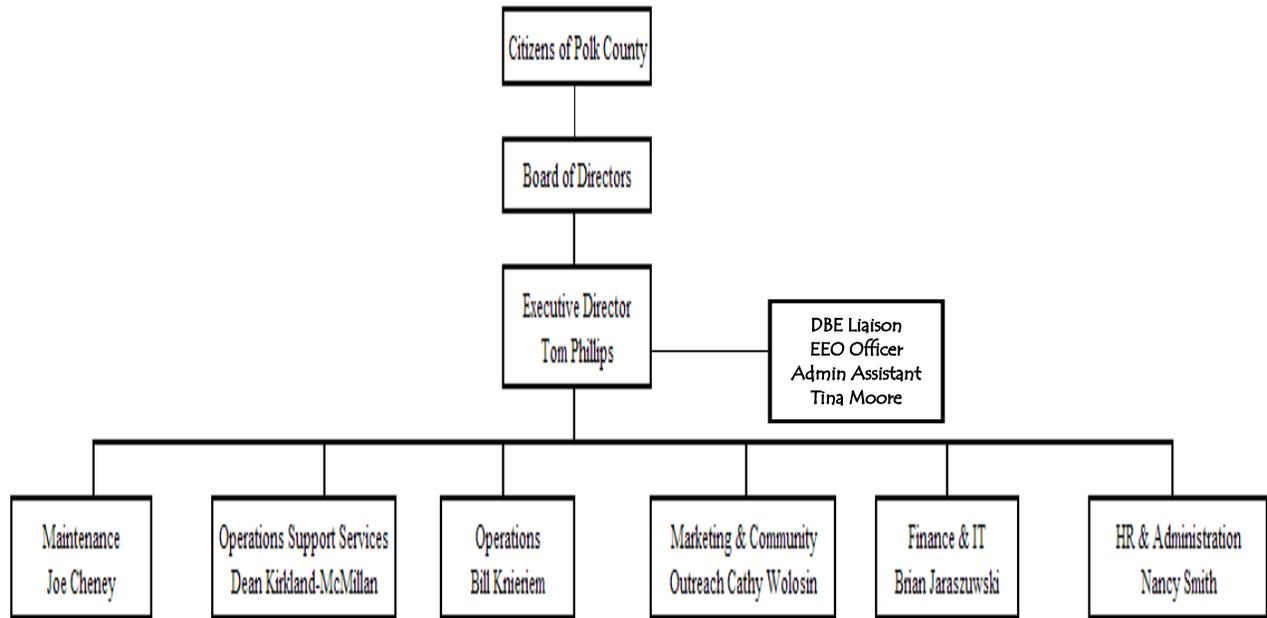
## **Policy Statement, Purpose of EEO/AA Plan and Dissemination of Policy**

## ***INTRODUCTION***

Lakeland Area Mass Transit District d/b/a Citrus Connection (the District) is committed to a policy of equal employment opportunity and to a program of affirmative action to fulfill that policy. This affirmative action plan serves as a guide that outlines to management their responsibilities regarding the implementation of the affirmative action program.

To support the District in achieving its mission, this affirmative action plan reinforces equal employment opportunity principles by ensuring that all segments of the public have an equal opportunity to enter public service and work in an environment free of unlawful barriers to employment based upon race, color, national origin, sex, religion, disability, age and marital status, except as provided by law.

# LAKELAND AREA MASS TRANSIT ORGANIZATION CHART



## **District's Affirmation Statement in Support of Equal Employment Opportunity and Affirmative Action**

As we move forward with ever increasing momentum into the 21st Century meeting the needs of the Polk County in transportation, I reaffirm the Lakeland Area Mass District's commitment to equal opportunity in employment.

Equal opportunity in employment means opportunity for all. The District provides equal opportunity in employment regardless of race, color, sex, religion, national origin, age, disability, or marital status.

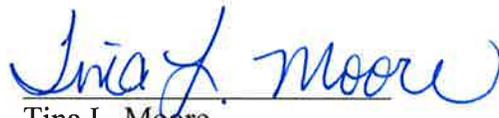
Equal employment opportunity covers all employment programs, management practices, and decisions including, but not limited to recruitment, hiring, promotion, transfer, reassignments, training and career development, benefits, and separation. The District supports the rights of employees to exercise all available rights under applicable civil rights laws. Retaliation against employees who engage in a protected activity will not be tolerated.

Preserving these rights in our workplace takes special care and vigilance. Our continued and vigorous adherence to these laws and focus on the spirit and the letter of these laws is fundamental to our success in meeting the transportation needs of Polk County. We must continue to be an organization that seeks individuals with the best minds and broad experience to ensure that every qualified person has an equal chance to compete and contribute.

The District provides an environment that honors excellence, teamwork, fairness, and equity. We strive to exemplify in all of our decision making the principle that employees have the freedom to compete on a fair and level playing field. We will continue to provide a workplace that is free from all forms of illegal discrimination, including hostile work environment harassment, and retaliation. Upon request and as appropriate, we will continue to provide reasonable accommodations to qualified individuals with disabilities. Above all, we must view our commitment to equal employment and affirmative action as a matter of personal integrity and accountability.



Tom Phillips  
Executive Director  
Lakeland Area Mass Transit District



Tina L. Moore  
EEO Officer  
Lakeland Area Mass Transit District

## **LAKELAND AREA MASS TRANSIT DISTRICT'S**

### **AFFIRMATIVE ACTION PLAN**

Achieving the District's affirmative action goals requires the commitment and leadership of every Director and supervisor within the District. To assist in the achievement of these affirmative action goals, this affirmative action plan establishes several tools that will be used as employment decisions are made within the District.

It is the District's practice that appointing authorities filling vacancies will inquire from the Human Resources Office, whether the District has a hiring need in the particular *equal* employment opportunity (EEO) job category for the position being filled. In the event that there is a need, District appointing authorities will discuss with the Human Resources Office whether recruitment assistance is necessary to increase the pool of qualified Female and/or Minority applicants for the position.

When attempting to fill vacancies in categories with a need, effective recruitment strategies are essential in locating qualified Female and/or Minority applicants. Although People First is the primary source of recruitment / applicants, the appointing authority in coordination with the District's Human Resources Office should continue to advertise vacancies in publications that would be logically read by potential Female and/or Minority applicants. Recruitment activities and vacancy announcements posted at universities and vocational schools are additional effective recruitment strategies hiring authorities should consider to recruit Female and Minority applicants in categories with a need.

Other strategies Directors should consider in attempting to meet economic parity goals includes using internet web sites such as Monster.com and CareerBuilder.com.

The District supports upward mobility and encourages Directors to promote qualified employees, when possible, into EEO job categories where there is a need. Other employment strategies, such as the cooperative education and summer student programs.

Achieving economic parity goals is one aspect of the District's EEO/AA program. All Directors and supervisors will take those actions necessary to ensure that the District is an equal opportunity employer with respect to recruitment, merit, retention, promotion, training and all other terms and conditions of employment. All employment decisions will be made without consideration of race, color, national origin, sex, religion, disability, age or marital status, except as provided by law. To monitor and report compliance with equal employment opportunity policies, the Equal Opportunity Office will continue all necessary monitoring efforts, including the quality assurance review (QAR) program which incorporates reviewing state wide employment practices.

## **ASSESSMENT OF EMPLOYMENT PRACTICES**

The District relies upon the accuracy of all information obtained during the recruiting and hiring process. This includes but is not limited to: previous employment history, educational history, background check data, etc.

Any falsification or misrepresentation of facts may by sufficient cause for discipline up to and including termination.

### ***JOB DESCRIPTIONS***

The District maintains a job description for each job category. New employees are provided a job description to sign in new hire orientation. Job descriptions are reviewed when a position becomes available for accuracy. All job descriptions are available on the intranet for all employees to review and print if requested. Job descriptions list the essential functions of the position and the necessary skills and abilities needed to perform the job.

### ***BENEFITS***

Benefits are available to all full time employees. Full time is considered 36 scheduled hours or more per week. Part time employees receive a personal leave bank of 32 hours after one year of employment.

### **HOURS OF WORK AND WORK BREAKS**

The normal workweek for most employees shall be forty (40) hours and normally eight (8) hours per day unless a different workday or workweek schedule is specifically approved by the Department Manager. Employees may be required to work in excess of their normal workweek.

Employees may be permitted two (2) fifteen (15) minute paid breaks during the day (or, based on the employee's schedule i.e. Bus Operators, employees may take periodic breaks during the course of the day after a bus route is complete; this time, which shall be at the discretion of the Department Manager or designee responsible for schedule changes). Abuse of work breaks is a violation of policy and can lead to discipline. There are times when it will be impossible to take time from an employee's busy schedule to take a break; please be advised that unused breaks may not be accumulated nor shall break time be utilized for early departure or late arrival during the course of the normal workday.

Unpaid lunch breaks are scheduled in a manner to best meet the needs of the work unit and the needs of the public. All employees, except as dictated by schedule, must take a minimum of half hour each workday for lunch breaks. This required break allows employees to return to the worksite or workstation rejuvenated.

Punctuality is a job requirement and is enforced by the specific department as required. Per each individual Departmental policy, you must personally notify your Supervisors/Managers or Dispatchers prior to the start of your scheduled shift or start time your inability to arrive at the work place at the normally scheduled time.

The normal workweek for most employees shall be forty (40) hours and normally eight (8) hours per day unless a different workday or workweek schedule is specifically approved by the Department Manager. Employees may be required to work in excess of their normal workweek.

## **REDUCTION IN WORKFORCE (LAYOFF) & RECALL POLICY**

The District has every desire to operate in a successful, efficient, and profitable manner. In keeping with this desire, it hopes to maintain its workforce and avoid cutbacks and staff reductions whenever feasible. Before a layoff is implemented the District will evaluate alternatives by which it may attempt to avoid layoffs. The District will first attempt to meet the full or partial requirements of a reduction in force by; attrition, including voluntary resignations and retirement. The District retains full authority to determine what measures are most appropriate under the circumstances, working within the Collective Bargaining Agreement when applicable. However, if the District determines that a staff reduction is warranted because of lack of work, reorganization, technology, efficiency, the intent to change marketing strategy, or other considerations, the following policy will be followed, subject to any exceptions found appropriate by the District, in its sole discretion. Because circumstances leading to the need to implement a staff reduction may vary and at times be unpredictable, the District must have total flexibility and reserve the right to deviate from this policy as it deems appropriate. The purpose of this policy is to identify the process by which employees may be laid off as a result of a reduction in workforce (“layoff”) or recalled from a layoff, when District Management has deemed layoffs are necessary.

District Management may lay off an employee or employees when it is deemed necessary due to budgetary constraints, reduction in workload, the elimination of a position, technology, reorganization of District Departments, or any other issues that warrant a reduction of the number of employees in the opinion of the District. The District is an equal opportunity employer. In making all reduction-in-force decisions, decision-makers are responsible for ensuring that the District complies with all laws. In making selections, no decision-maker may consider gender, race, color, national origin, sexual orientation, disability, age, marital status, pregnancy status, union membership or support, personal, military or disability leave status, workers’ compensation history, history of protesting discrimination or any other consideration prohibited by law. Nor may any decision-maker consider as a factor in selection an employee’s parental status, pension status or retirement eligibility status or anticipated retirement plans or lack thereof. Layoffs may involve an entire job group classification or a specific job function performed by any one individual. To the extent layoffs are necessitated by District Management’s proposed budget, reductions in workforce decisions the District will attempt to make the reductions consistent with the service, programs and/or operations to be reduced or eliminated by such budget.

Non-bargaining employees will be laid off based on the overall performance record of the affected employees, including but not limited to, length of service, disciplinary records, attendance and other valid and appropriate criteria. Layoffs will be handled with sensitivity and in accordance with the District’s Equal Employment Opportunity Program.

Employees covered under the Collective Bargaining Agreement will be laid off according to their primary classification in reverse seniority order in the primary classification being reduced. Should two employees have the same seniority, the employee with the lower last (4) digits of their social security would be considered the least senior of the two.

The duties performed by any employee laid off may be discontinued or reassigned to other positions. Management retains the unrestricted right to determine the necessity for and the length of any layoff and the job group classification(s) and/or singular position which are to be affected.

District Management shall review any reduction in force proposals prior to the implementation so as to review such proposals to minimize negative impacts on prior equal employment gains in impacted work units, and advise the Board of Directors of any labor law implications.

The Human Resources Department shall ensure that affected employees are advised of their Consolidated Omnibus Budget Reconciliation Act (“COBRA”) Rights, the Worker Adjustment and Retraining Notification Act (“WARN”), and all other applicable state or federal laws.

#### **RECALL PROCEDURES**

Employees affected by layoffs may be recalled into positions that become available in the same job group classification from which the employee was laid off, provided the employee is able to perform all essential functions of the classification defined at the time of recall, with or without reasonable accommodation.

The District shall offer recall to laid off employees, for positions in which they meet the minimum qualifications, for up to six (6) months from the date of separation. Recalls shall only be made after a vacant position has been advertised internally and not filled with a current employee. The Human Resources Department shall keep a recall list of laid off employees. Recalls shall be made by certified mail to the last known address. Recalled employees must signify their intention of returning to work to the Human Resources Department in writing within fourteen (14) calendar days of the letter or forfeit their recall rights under the provisions set forth in this policy. If the employee declines an offer of a position within the same job group classification from which the employee was laid off, the employee will forfeit their recall rights and will not be offered another recall offer for the same position if it becomes vacant during the six (6) month recall period.

Laid off employees recalled within the six (6) month period shall have their seniority restored, but will not be credited for seniority for retirement and benefit purposes. If the employee is re-employed after the expiration of the recall period the employee will be treated as a new hire.

#### **MONITORING AND REPORTING**

##### ***PROMOTIONS***

The District encourages promotion from within the organization whenever possible. All openings will be posted on the Citrus Connection website so employees are aware of, and may apply for, positions in which they are interested and for which they may be qualified. However, we reserve the right to seek qualified applicants outside the organization at our discretion.

To be considered for promotion, an employee must have successfully completed his/her initial probationary period, be employed in his/her current position for at least six (6) months, meet the qualifications for the vacant position and are not within a 6 month period of disciplinary action given.

##### ***MERIT PAY INCREASES***

All non-bargaining unit regular full-time employees are eligible for a merit increase.

Merit increases shall only be granted for satisfactory or above average job performance during the preceding twelve (12) month period, as applicable. Merit pay increases shall be delayed or denied if over-all job performance does not warrant the increase. If an employee’s job performance does not improve within 180 days, he/she will be counseled by his/her supervisor that the employee may be subject to disciplinary action if no improvement is shown and that no merit will be forthcoming until the next performance review cycle if the employee is still employed by the District. Supervisors have an obligation to provide ongoing counseling and feedback to employees in an effort to provide the means for improvement on the job.

An employee receiving a merit increase will also receive a performance review. In addition to being used as a guide in determining merit increases, performance evaluations will also be used to give the employee a better understanding of what is expected on the job, to ascertain if an employee's performance is so deficient as to warrant disciplinary action, and to provide ongoing information for employee career development and training.

Bargaining unit employees are eligible for an increase as negotiated in the Collective Bargaining Agreement in force.

## Dissemination of Policy

Formal, written communication mechanisms have been established to publicize and disseminate the District's EEO Policy to its employees, applicants and the general public.

### 1) *Internal Dissemination*

The Districts Human Resources District provides a copy of the EEO Policy and Guidelines to each internal District annually. Each District is responsible for its implementation and dissemination within its units. New employees receive detailed information and a copy of the Districts EEO Policy.

The Districts management staff and employees are fully informed of the organizations EEO policy and are provided updated and refresher materials through:

- Annual memo to all employees from the Executive Director reaffirming the Districts commitment to EEO
- Inclusion of the EEO Program and policy in the Districts employee handbook and operations manual
- EEO Complaint Procedure posting on the CitrusNet internal website
- EEO and Harassment training provides awareness of this policy and is required for all District employees every three years.

Non-supervisory personnel shall be informed of the Districts EEO Program and policy through:

- Posting of EEO posters and policy statements on all official bulletin boards, near time clocks and break areas.
- The posting of posters and policy statements on bulletin boards in break areas, provided in new hire materials, near time clocks, and in employee handbook

### 2) *External Dissemination*

The Districts Equal Employment Opportunity & Program Policy is a public document available upon request to job applicants, current employees and the general public.

# **SECTION TWO**

## **Responsibility for the EEO/AA Program**

## **RESPONSIBILITIES FOR IMPLEMENTING THE AFFIRMATIVE ACTION PLAN**

1) **EEO / AA Officer:** The Equal Opportunity Officer is the EEO/ AA Officer for the District. The Equal Opportunity Officer reports to the Executive Director. The EEO / AA Officer's responsibilities include oversight of:

- a) Development of EEO/AA goals, monitoring compliance, and providing consultation to District Directors regarding progress, deficiencies, and appropriate corrective actions to achieve District goals.
- b) Maintenance of the District's Affirmative Action Plan and policy statements, and publicizing their content.
- c) Development of reports as required by the state and federal government in the administration of the District's Affirmative Action Plan.
- e) Compilation of the annual Equal Employment Opportunity Program Plan to reflect the District's status in meeting its goals and objectives and advising management of the program's progress on any issue needing attention. The following processes are utilized in monitoring implementation:

Report areas of concern to senior management for appropriate action.

Annually analyze the makeup of the District's workforce by race and gender.

Review the effectiveness of programs designed to assist in obtaining goals and objectives.

- f) Monitor compliance of EEO / Sexual Harassment training requirements.

2) **Director of Human Resources:** The Director of Human Resources oversees:

- a) Intake of employment discrimination complaints by Intake Officers in the Human Resources Office and notification of the EEO of all discrimination complaints received. This also includes assisting in the resolution of any complaints.
- b) The hiring processes to ensure compliance with District policies and procedures in support of EEO / AA goals.
- c) Orientation of new employees where they are provided and read the EEO / AA policy during New Employee Orientation.

3) **District Directors, and Supervisors:** It is the responsibility of all Directors and supervisors to implement the following aspects of the District's Affirmative Action Plan and related policies:

a) **Directors:**

- (1) Monitoring and ensuring compliance with affirmative action goals in all areas

under their authority.

(2) Ensuring that all subordinate Directors and Supervisors understand the District's EEO/AA policies and soliciting their full support in achieving the District's goals and objectives.

(3) Monitoring all employment actions under their authority, such as hiring, promotion, training, and any other term or condition of employment. The goal is to ensure that no barriers preclude equal employment opportunity based on gender or race.

(4) Reporting immediately any complaint of sexual harassment, hostile work environment or discrimination to the Human Resources Office or the Equal Opportunity Office.

**b) Supervisors:**

(1) Identifying barriers to equal employment opportunity and communicating these problem areas to the appropriate Director or authority.

(2) Ensuring that all non-management employees are aware of the District's policies and commitment to *EEO / AA*.

(3) Ensuring that no barriers exist which preclude equal opportunity in hiring, promotion, training, or any other term or condition of employment with the District.

(4) Ensuring that they and all employees under their supervision have taken the EEO / Sexual Harassment CBT or on-site mandatory training.

(5) Reporting immediately any complaint of sexual harassment or hostile work environment relating to discrimination.

# **SECTION THREE**

## **Survey of Available Labor Market**

## ***FLORIDA LABOR AVAILABILITY ANALYSIS***

Labor market information is useful when developing affirmative action plans. An available labor market analysis compares the demographic characteristics of a specific area's population and labor force in particular job groups to the characteristics of the employer's workforce in the same job groups.

For the purpose of this report, availability is defined as the percentage of Minorities and Females in the Florida available labor market based on the 2010 Census data, who are currently employed in a specific job; who have the skills necessary for entry into a specific job group; or who are capable of acquiring such skills. The purpose of the availability analysis is to determine the number of persons by race/ethnicity and gender that are employed or are available for employment within each of the job groups. The availability analysis provides the basis for determining whether or not Minorities and Females are underutilized in the District's workforce.

The availability analysis involves three major steps:

- 1) Calculate the number of persons available by race/ethnicity and gender with requisite skills (within each specific job category) in the reasonable recruitment area (2010 U. S. Census for Florida)
- 2) Calculate the number of employees available by race/ethnicity and gender (within each specific job category) from District's workforce; and
- 3) Compare the relative number of employees provided by each source.

For the purpose of this analysis the percentage of Minorities and Females having requisite skills in the reasonable recruitment area will be different for each job group. The source used to determine this percentage is the 2010 Census Data.

**Table 3.1** (Available Labor Market) on the following page, reflects the 2010 census data for the Florida Available Labor Market(ALM) in terms of population makeup, skills and availability for employment in the EEO-4 job categories.

# AVAILABLE LABOR MARKET IN FLORIDA BY EEO 4 CODES

Table 3.1

Equal Employment Opportunity Job Category		TOTAL	MALES					FEMALES				
			WHITE	BLACK	HISPANIC	ASIAN	AMERICAN INDIAN	WHITE	BLACK	HISPANIC	ASIAN	AMERICAN INDIAN
01	Officials & Administrators	710255	328600	25300	72350	9303	933	184570	28825	47055	5425	470
02	Professionals	378555	164355	15105	35670	9775	330	99465	15770	27829	5644	389
03	Technicians	50095	28180	3745	5910	2470	109	5710	965	1530	740	4
06	Office / Clerical	72770	77995	12970	27704	2840	239	403065	61750	123095	8450	1080
07	Skilled Craft	494205	293415	42580	131479	4040	1025	10650	1499	3969	170	25
08	Service / Maintenance	476125	199150	71575	145735	5160	1245	23080	7825	14305	2450	175

## ***ADVERSE IMPACT ANALYSIS***

While the race/sex composition of the District is one indicator of whether barriers exist to equal employment opportunity, it is not the only indicator. Another method commonly used in evaluating affirmative action programs is called "Adverse Impact Analysis". Adverse Impact Analysis is a method to evaluate the selection rates for Females and Minorities for various employment opportunities (hiring, promotion, merit, training, discharges, etc.) in an effort to determine if Females and Minorities are being selected for employment opportunities at rates significantly less than their non-Minority counterparts.

An approved methodology to determine if adverse impact is occurring in the selection process is to evaluate the selection rate using the "80% Rule". The 80% Rule states that evidence of possible adverse impact or disparate treatment exists if the selection rate for any sex or race group being evaluated is less than 80% of the selection rate of the comparative group having the highest selection rate.

Table 3.2 is the 80% available labor market percentages in Florida utilizing the 80% rule.

## 80% VALUES OF THE AVAILABLE JOB MARKET IN FLORIDA

Equal Employment Opportunity Job Categories		MALES					FEMALES				
		WHITE	BLACK	HISPANIC	ASIAN	AMERICAN INDIAN	WHITE	BLACK	HISPANIC	ASIAN	AMERICAN INDIAN
01	Officials and Administrators	37%	2.9%	8.2%	1.1%	.11%	20.8%	3.3%	5.3%	.61%	.05%
02	Professionals	34.8%	3.2%	7.5%	2.1%	.07%	21.0%	3.3%	5.9%	1.2%	.08%
03	Technicians	45%	5.9%	9.4%	3.9%	.17%	9.1%	1.5%	2.4%	1.2%	.01%
06	Clerical / Administrative	8.6%	1.4%	3.1%	.31%	.03%	44.3%	6.8%	13.5%	.93%	.12%
07	Skilled Craft	47.5%	6.9%	21.3%	.65%	.17%	1.7%	.24%	.64%	.03%	.00%
08	Service Maintenance	33.5%	12%	24.5%	.87%	.21%	3.9%	1.31%	2.4%	.41%	.03%

**Table 3.2**

# **SECTION FOUR**

## **Analysis of District's Workforce**

## ***Job Group Category Definitions***

**Executive / Sr. Officials and Directors** - Individuals who plan, direct and formulate policies, set strategy and provide the overall direction of enterprises/organizations for the development and delivery of products or services, within the parameters approved by boards of directors or other governing bodies. Residing in the highest levels of organizations, these executives plan, direct or coordinate activities with the support of subordinate executives and staff Directors.

**First/Mid Level Officials and Directors** - Individuals who serve as Directors, other than those who serve as Executive/ Senior Level Officials and Directors, including those who oversee and direct the delivery of products, services or functions at group, regional or divisional levels of organizations. These Directors receive directions from the Executive/Senior Level management and typically lead major business units. They implement policies, programs and directives of executive/senior management through subordinate Directors and within the parameters set by Executive/Senior Level management. Examples of these Kinds of Directors are: vice presidents and directors, Group, regional or divisional controllers; treasurers; human Resources, information systems, marketing, and operations Directors. The First/Mid Level Officials and Directors subcategory also includes those who report directly to middle Directors. These individuals serve at functional, line of business segment or branch levels and are responsible for directing and executing the day-to-day operational objectives of officials and Directors to subordinate personnel and, in some instances, directly supervising the activities of exempt and non-exempt personnel.

**Professionals** - Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background.

**Technicians** - Occupations requiring a combination of basic scientific knowledge and manual skill which can be obtained through 2 years of post high school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training.

**Sales** - Occupations engaging wholly or primarily in direct selling.

**Administrative Support** - Includes all clerical-type work regard-less of level of difficulty, where the activities are predominantly non-manual though some manual work not directly involved with altering or transporting the products is included.

**Craft Workers** - Manual workers of relatively high skill level having a thorough and comprehensive knowledge of the processes involved in their work. Exercise considerable independent judgment and usually receive an extensive period of training.

**Operatives** - Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training.

**Laborers** - Workers in manual occupations which generally require no special training who perform elementary duties that may be learned in a few days and require the application of little or no independent judgment.

**Service workers** - Workers in both protective and non-protective service occupations.

# DISTRICT WORKFORCE ANALYSIS

## Workforce Analysis

The composition of the District workforce, in terms of overall number of minority groups and women, continues to reflect the Districts strong commitment to equal employment opportunities. As of August 2013, the District's workforce population of 138 employees includes 93 men and 45 women. Of those 138, 50 men are minorities and 25 women are minorities.

See Chart below for a breakdown of Job Categories.

CO= CE44882  
 UE= CE44882

**EQUAL EMPLOYMENT OPPORTUNITY  
 2013 EMPLOYER INFORMATION REPORT  
 SINGLE ESTABLISHMENT REPORT - TYPE 1**

**SECTION B - COMPANY IDENTIFICATION**

1- LAKELAND AREA MASS TRANSIT DISTRICT  
 1212 GEORGE JENKINS BLVD  
 LAKELAND, FL 33815

2- LAKELAND AREA MASS TRANSIT DISTRICT  
 1212 GEORGE JENKINS BLVD  
 LAKELAND, FL 33815

**SECTION C - TEST FOR FILING REQUIREMENT**

1-Y 2-N 3-N DUNS NO.:005075627

POLK COUNTY  
 6- Y

**SECTION E - ESTABLISHMENT INFORMATION**

NAICS: 485119 Other Urban Transit Systems

**SECTION D - EMPLOYMENT DATA**

JOB CATEGORIES	HISPANIC OR LATINO		NOT-HISPANIC OR LATINO												OVERALL TOTALS	
	MALE	FEMALE	***** MALE *****						***** FEMALE *****							
			WHITE	BLACK OR AFRICAN AMERICAN	NATIVE HAWAIIAN OR PACIFIC ISLANDER	ASIAN	AMERICAN INDIAN OR ALASKAN NATIVE	TWO OR MORE RACES	WHITE	BLACK OR AFRICAN AMERICAN	NATIVE HAWAIIAN OR PACIFIC ISLANDER	ASIAN	AMERICAN INDIAN OR ALASKAN NATIVE	TWO OR MORE RACES		
EXECUTIVE/SR OFFICIALS & MGRS	0	0	2	0	0	0	1	0	2	1	0	0	0	0	0	6
FIRST/MID OFFICIALS & MGRS	2	0	4	2	0	0	0	0	0	2	0	0	0	0	0	10
PROFESSIONALS	2	1	1	0	0	0	0	0	2	0	0	0	0	0	0	6
TECHNICIANS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SALES WORKERS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ADMINISTRATIVE SUPPORT	0	0	0	1	0	0	0	0	4	2	0	0	0	0	0	7
CRAFT WORKERS	3	0	5	1	0	0	0	0	0	0	0	0	0	0	0	9
OPERATIVES	16	2	20	13	1	0	0	1	18	12	0	0	1	0	84	
LABORERS & HELPERS	1	0	5	2	0	3	0	0	0	1	0	0	0	0	0	12
SERVICE WORKERS	0	3	0	0	1	0	0	0	0	0	0	0	0	0	0	4
<b>TOTAL</b>	<b>24</b>	<b>6</b>	<b>37</b>	<b>19</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>26</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>138</b>	
PREVIOUS REPORT TOTAL	19	6	31	22	0	4	1	1	24	21	0	1	1	0	131	

**SECTION F - REMARKS**

DATES OF PAYROLL PERIOD: 07/14/2013 THRU 07/27/2013

**SECTION G - CERTIFICATION**

CERTIFYING OFFICIAL: THOMAS PHILLIPS  
 EEO-1 REPORT CONTACT PERSON: NANCY SMITH  
 EMAIL: nsmith@ridecitrus.com

TITLE: EXECUTIVE DIRECTOR  
 TITLE: DIRECTOR HR & ADMINISTRATION  
 TELEPHONE NO: 8633271308

CERTIFIED DATE[EST]: 08/05/2013 02:35 PM

# **SECTION FIVE**

## **Underutilization Short and Long Term Goals**

## ***UTILIZATION ANALYSIS***

To establish target EEO goals, the District utilized the 2010 Census Data to compute availability factors and to determine possible underutilization of women and minorities. The utilization analysis is used to identify those job categories where there is underutilization of women and minorities in the District's workforce when compared to availability in the labor market. It is also used to set reasonable placement goals for underrepresented groups. Any area(s) of possible job group underutilization are targeted goals for 2013-2016, with an ultimate goal to maintain workforce representation which meets or exceeds availability rates for minorities and women in all job groups. The goals analysis by job group also indicates where minority groups and women may have a higher rate of representation than the availability rate. The District's utilization analysis includes: (1) comparison of the workforce availability percentages of each job group with the workforce population in each job group; and (2) estimating potential hiring replacement opportunities, based on attrition and the budgeted number of positions for the current EEO fiscal period, and any anticipated increases or decreases in budgeted positions for the next budget year.

## **The 80 Percent Method**

According to this method, underutilization exists if the representation of protected class members in a job group is less than 80 percent of their availability.

The formula involves a two-step process to calculate whether underutilization exists:

### **Steps**

#### **1. Calculate expected number based on percentage of availability in EEO Group**

Total number Employees in the District's Job Group x Percent of Availability in EEO Group

#### **2. Calculate 80% of Availability**

80% x # Expected in EEO Group (**Result from Step 1**) Steps  
using current Department and Census data

#### **1. Calculate expected number based on percentage of availability in EEO Group**

Total number Employees in the District's Job Group x ALM percentage in EEO Group

### **EXAMPLE**

*Operatives 237 (total employees) x 20.8% (White Females ALM %) = 49 237 (total employees) x 5.3% (Hispanic Females ALM %) = 12.56*

#### **2. Calculate 80% of availability**

80% x # expected in EEO Group (result from Step 1)

### **EXAMPLE**

Number of White Females calculated in step 1 49 x 80% = 39.4 or 39 rounded

Number of Hispanic Females calculated in step 1 12.56 x 80% = 10.05 or 10 rounded

The 80% availability figure obtained in step two is compared to the number of employees utilized in the EEO group being examined. If the 80% figure is greater than current utilization in the EEO group, underutilization exists. Below is an example of this calculation method.

The current number of White Females in the Administrative Support group is 64 and the Utilization number is 39. The current number of White Females is higher than the utilization number so there are no parity needs.

The current number of Hispanic Females in the Administrative Support group is 7 and the utilization number is 10. The current number of Hispanic Females is lower than the utilization number so there is a parity need of 3.

## ***IDENTIFICATION OF AREAS OF CONCERN***

The economic parity reporting process has been an effective mechanism for monitoring and improving the District's level of compliance with its affirmative action goals. Achieving economic parity is one area of concern to be monitored by the District during the effective period of this affirmative action plan. Another area of concern includes ensuring that all employment opportunities offered by the District are available to all employees without regard to race, color, national origin, sex, religion, disability, age or marital status, except as provided by law. While these areas of concern will continue to be monitored by the Equal Opportunity Office, each Director and supervisor within the District will fulfill his/her responsibility to ensure that the District is an Equal Employment Opportunity Employer, as required by state and federal law.

Currently, the District has no areas of concern.

## ***AFFIRMATIVE ACTION GOALS***

A goal is a way to measure success in attracting and employing underrepresented groups. When we know a specific number in an equal employment opportunity category under represents a certain group, we can decide where to direct our recruitment effort. Once problem areas are identified, affirmative action in recruitment begins by advertising to find a satisfactory sized pool of qualified applicants in the underrepresented group. If, in the final phase of selection, two applicants are equally suited for the position and one is from a group with an affirmative action goal, we should extend employment to that candidate. Affirmative action does not mean hiring under qualified persons to meet quotas or giving preference to persons in underrepresented groups. However, Veterans' Preference will be granted regardless of affirmative action goals, in compliance with Chapter 295, Florida Statutes.

An affirmative action effort must be reasonable and take into consideration the extent of the underrepresentation, the availability of candidates, the number of vacancies, and the timeframe of the Affirmative Action Plan. It should not impose disproportionate hand on the interests of qualified individuals who are not members of underrepresented groups. If significant numbers of employees in an underrepresented group must be hired to come close to the labor market, yet the turnover rate is low, it will take time before the goal can be reached. The availability of candidates is dependent upon effective community outreach, District recruitment, applicant flow, relevant qualifications, training and promotions. Problems and barriers to the employment of targeted groups should be identified and eliminated.

The overall affirmative action goal is to attract and employ qualified candidates in the Minority and Female groups for the equal employment opportunity categories identified as underrepresented in our District. In establishing affirmative action goals, we strive to achieve a workforce which closely reflects the labor force. Because of various barriers in recruiting qualified applicants from the current labor market, goals may not be achievable within one year. However, Directors and supervisors are encouraged to strive for equality in all equal employment opportunity groups over time.

## ***DEVELOPMENT OF AFFIRMATIVE ACTION GOALS***

The District recognizes that an ongoing review of personnel practices and progress towards affirmative action goals are an important element to the effectiveness and success of the EEO Program. The HR Director will keep up-to-date on the effectiveness of the EEO program by performing periodic reviews through tracking of the following:

- Applicant Flows
- Hires
- Promotions and Transfers
- Training
- Discipline
- Terminations

If the EEO program is shown to be ineffective in meeting the goals in regards to the employment of individuals in various positions, several steps will be taken to include an assessment of the District's recruiting efforts which include job advertisements, partnerships with colleges, universities and community groups; partnerships with agencies for people with disabilities and handicaps; partnerships with minority and women organizations; and job fair participation. Should there be a need to further assess the recruitment efforts; an EEO Advisory Committee will be created to ensure that the District meets the needs of the community.

## ***YEARLY GOALS***

The District does not have yearly hiring goals. The District's hiring is confined to replacements of current positions only.

# **SECTION SIX**

## **How goals will be achieved**

## ***ACTION ORIENTED PROGRAMS***

### **A) Professional Development Programs**

The District sponsors a variety of professional development programs to enhance employee skills in current positions and/or to prepare employees for promotional opportunities District-wide. The District also provides tuition payment for education courses and educational leave with pay under certain circumstances where there is a specific and direct benefit to the District.

**B) Mandatory Training** - Directors and employees are required to complete the Equal Employment Opportunity (Discrimination and Harassment Awareness and Prevention). Employees are required to take this CBT or on-site training every three years. Supervisors will also be required to complete the supervisory CBT or on-site training once it is implemented.

The Equal Employment Opportunity CBT outlines different forms of harassment including national origin, religion, race, disability, age and other protected class characteristics, as well as sexual and workplace harassment. This training teaches employees how to recognize forms of harassment, how to avoid behaviors that may be considered harassment, how to respond to a co-worker or third party who is participating in inappropriate behavior and how to report the situation to their Directors, an Intake Officer, the Employee Relations Director or a Civil Rights Analyst in the Equal Opportunity Office.

**C) Career Fairs** - As part of a proactive effort to recruit Minorities, Females and other qualified applicants, the District participates in career fairs and community events sponsored by universities or Minority university programs and others. The District anticipates continued involvement, whenever possible, in career fairs and other community events to reach targeted groups.

**D) Recruitment Strategies** - It is the District's strategic objective to increase diversity and the vision of equality within our organization. The District will continue to make a concerted effort to target recruitment resources toward under-utilized groups as identified in the Affirmative Action Plan. An integral part of any affirmative action program is an effective recruitment strategy. To ensure an active recruitment program, the District:

a) Makes job announcements accessible to those with disabilities.

b) Advertises positions for open positions are normally posted in local newspapers, and national journals/emagazines such as Passenger Transport for specialty/hard-to-fill/management positions; and online job boards such as Monster.com, Transit Talent and Workforce Central Florida. Vacancies posted, indicates that the District is an Equal Employment Opportunity Employer (EOE). Vacancy announcements for underutilized positions normally include the statement: *Women (and/or) minorities are encouraged to apply.*

The District will strive to ensure employees are given equal opportunity for positions by:

- Posting opportunities on all bulletin boards;
- Assist employees in identifying opportunities;
- Offer training, educational programs and job mentoring when possible.

The District will work with recruitment sources (organizations having effective contact with women, minority groups and persons with disabilities) to improve recruitment efforts. The District will also encourage the employment of women, minorities, and people with disabilities who are not currently in the workforce, by offering part-time employment, internships, or summer employment, when possible.

- c) When applicable, attends career fairs and recruiting activities offered by high schools, colleges, and universities and other organizations that reach Females and Minorities in targeted categories.
- d) Advertises in newspapers, periodicals, and magazines that have a large Minority and/or Female audiences.
- e) Advises organizations and agencies involved in the recruitment process of the District's policy on equal employment opportunity and affirmative action.
- f) Periodically reviews assessment tools to reduce the potential for a cultural employment bias.
- g) Maintains information on Minority professional organizations and trade groups in order to contact those that may be able to assist the District in recruiting applicants in targeted categories.
- h) Recognizes internships as a means to recruit Females and Minorities into entry-level positions as well as difficult-to-fill positions



## Management Harassment Training

*Presented by Edmund McKenna ESQ.*

February 26, 2014  
1:00 P.M – 3:00 P.M

<u>NAME</u>	<u>DEPARTMENT</u>	<u>SIGNATURE</u>
Sharon Roy	Operations	<i>[Signature]</i>
Linda McCallin	Operations	<i>[Signature]</i>
Juan Carlos Lopez	Operations	<i>[Signature]</i>
JOHN DURYEE	FACILITIES	<i>[Signature]</i>
Bill Kniereim	Operations	<i>[Signature]</i>
Deano Kirkland-McMillan	Operations	<i>[Signature]</i>
Paul Simms	Operations	<i>[Signature]</i>
Jose Luis SUAZO	Operations	<i>[Signature]</i>
BRIAN JARUSZEWSKI	ADMIN	<i>[Signature]</i>
Cathy Woloski	Mktg	<i>[Signature]</i>
Marcia Reberso	Ops	<i>[Signature]</i>
Joseph Cheney	Maint	<i>[Signature]</i>
Tina L. Moore	Exec.	<i>[Signature]</i>

## **SECTION SEVEN**

### **Explanations of How Directors are Advised of Responsibilities to Meet Goals**

## ***PERFORMANCE EVALUATIONS***

Compliance with the District's *EEO / AA* goals and objectives as expressed in this Affirmative Action Plan is the responsibility of all Directors and Supervisors.

For Director and Supervisory personnel, the Enterprise Resource Planning System (ERP) will be used to reflect compliance with the goals and objectives of this Affirmative Action Plan.

# **SECTION EIGHT**

## **Systems in Place to Monitor Affirmative Action Progress**

## ***PROGRAM EVALUATION***

The EEO Officer has the task of monitoring and reporting DISTRICT's progress towards equal employment opportunity in the workforce.

## **INTERNAL PROGRAM EVALUATION**

The practices that are followed concerning compensation are applied across the board. Full-time non-bargaining employees obtain pay increases based on Board of Directors-approvals. Union employees pay increases are negotiated by the Union.

# **SECTION NINE**

## **Discrimination Complaint Process**

## ***INTERNAL COMPLAINT PROCEDURE***

Any employee or applicant for a District position who feels he/she has been denied equal treatment or employment opportunities because of their race, color, national origin, sex, religion, disability, age or marital status may file an employment discrimination complaint. Employees are also protected from unwelcome sexual advances or conduct of a sexual nature that they find offensive or intimidating. Contact the HR/Risk Director immediately, physically located at 1212 George Jenkins Blvd., Lakeland, FL 33815. An additional alternative for filing a complaint is directly with the EEO Commission: Phone: 1-800-669-4000 or 202-663-4900.

### **\*\*NOTE\*\***

The U.S. EEO Commission administers and ensures agency compliance with the EEO laws, regulations, policies, and guidelines. The central and regional offices are primarily responsible for encouraging resolutions and processing of EEO complaints and formal complaints, to include Alternative Dispute Resolution (ADR).

EEO Headquarters: U.S. Equal Employment Opportunity Commission  
131 M Street, NE  
Washington, DC 20507  
202-663-4900

Tampa Field Office: 501 E Polk Street, Ste 1000  
Tampa, FL 33602  
800-669-4000

Website: for further information, applicants and current employees may refer to the EEOC's website at [www.eeoc.gov](http://www.eeoc.gov).

## ***SEXUAL HARASSMENT POLICY***

Under federal law, sexual harassment is a prohibited practice that violates the sex discrimination provisions of Title VII of the Civil Rights Act of 1964. The District charges each and every Director and supervisor with the responsibility of taking preventive measures to ensure that the workplace is free of sexually inappropriate, intimidating, or threatening conduct which infringes upon an employee's right to work in an environment free of such conduct.

Sexual harassment, as well as any other form of employment discrimination, is a violation of Rule 60L-36.004, Florida Administrative Code (F.A.C.). This rule provides for disciplinary action for violations of the District's sexual harassment policy, as well as for supervisors who fail to report its occurrence. Disciplinary action, up to and including dismissal, may be appropriate for violations of the District's sexual harassment or employment discrimination policies.

## ***RETALIATION***

Any employee who files an employment discrimination complaint, participates in an employment discrimination proceeding or otherwise opposes employment discrimination is protected under Federal and State law from retaliation. Any person who fires, demotes, harasses, or otherwise takes an unlawful employment action toward such an employee is subject to disciplinary action up to and including dismissal.

## **FILING COMPLAINTS**

Procedures for Filing an Employment Opportunity Program Complaint. The HR Director has the specific responsibility of investigating employee and applicant complaints of discrimination, including complaints of sexual harassment. The HR Director is available for informal consultation should an employee and/or Director desire information regarding a discrimination or harassment concern. The HR Director will meet with complainant to review the allegations, clarify issues, and obtain names of witnesses, if applicable. Some complaints may be resolved through discussions with appropriate personnel of the District. If the HR Director determines that there are no issues of discrimination or harassment based on protected class, he/or she will inform the complainant. The HR Director will refer the complainant to other appropriate individuals, such as department management. In the event HR Director determines that a formal investigation is warranted, he/she shall conduct a full, prompt, thorough investigation of the allegations. Such investigation may include interviews with all parties named by the complainant and the respondent, as well as an analysis of relevant materials and records. Upon completion of the investigation, the HR Director shall present a written determination/finding to the complainant. This determination/finding may include a recommendation for corrective action.

Any applicant, customer, or employee who believes he or she or another person has been subjected to a discrimination of the equal employment opportunity policy is encouraged to report the incident(s) or action(s) to management as soon as possible after the alleged discrimination occurs. Early reporting is encouraged, because management's ability to investigate and act on reports diminishes with time.

To file a complaint, applicants and current employees are encouraged to contact the District's HR Director located at:

### **Lakeland Area Mass Transit District**

1212 George Jenkins Blvd  
Lakeland, FL 33815  
863-327-1308