

TRANSIT AUTHORITY OF CENTRAL KENTUCKY

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Transit Authority of Central Kentucky
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Of Central Kentucky Board
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Purpose of Transit Authority of Central Kentucky
Equal Employment Opportunity Program

Purpose. Section 19 of the UMT Act states:

1. No person in the United States shall on the grounds of race, color, creed, national origin, sex, or age be excluded from participation in, or denied the benefits of, or be subject to discrimination under any project, program, or activity funded in whole or part through financial assistance under this Act. The provisions of this section shall apply to employment and business opportunities and shall be considered to be in addition to and not in lieu of the provisions of Title VI of the Civil Rights Act of 1964.
2. Transit Authority of Central Kentucky (TACK) will incorporate into its EEO Program an Affirmative Action Plan that will achieve prompt and full utilization of minorities and women at all levels and in all parts of TACK.

2. OBJECTIVES. The objectives of TACK EEO Program are:

- A. To ensure that TACK applicants, recipients, sub recipients, contractors, and/or subcontractors will not discriminate against any employee, or applicant for employment because of race, color, creed, national origin, sex, age, or handicap.
- B. To ensure that TACK applicants, recipients, sub recipients, contractors, and/or subcontractors will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to: hiring, promotion or upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, disciplinary action, rates of pay or other forms of compensation, and selection for training, including apprenticeship. It shall also include a written, affirmative action plan designed to achieve full utilization of minorities and women in all parts of the work force.
- C. To ensure that TACK applicants, recipients, sub recipients, contractors, and/or subcontractors will post in conspicuous places and make available to all employees and applicants for employment notices setting forth TACK EEO policy. In addition, applicants/employees will be notified of TACK procedures for filing complaints of discrimination internally, as well as externally with the EEOC, the local human rights commission, and/or the U.S. Department of Transportation (DOT).

Transit Authority of Central Kentucky
Equal Employment Opportunity Policy Statement

Transit Authority of Central Kentucky in recognition of its responsibility to its volunteers, its staff, and the community it serves, reaffirms its policy to assure fair and equal treatment in all its employment practices, for all persons. We will not discriminate on the basis of race, color, religion, sex, age, national origin, or against any qualified disabled individual, disabled veteran, or veteran of the Vietnam War.

In carrying out this responsibility, we will:

- 1) Commit to EEO for all, persons, regardless of race, color, creed, national origin, sex, or age. At its discretion the agency may include handicap;
- 2) A commitment to undertake an affirmative action program, including goals and timetables, in order to overcome the effects of past discrimination on minorities and women;
- 3) That the responsibility for the implementation of the EEO program is assigned to an agency executive (e.g. Manager/Director of EEO);
- 4) That all management personnel share in the responsibility and will be assigned specific tasks to assure compliance is achieved;
- 5) That applicants and employees have the right to file complaints alleging discrimination with the appropriate official;
- 6) That performance by managers, supervisors, etc., will be evaluated on the success of the EEO program the same way as their performance on other agency's goals; and
- 7) That successful achievement of EEO goals will provide benefits to the recipient/sub recipient/contractor through fuller utilization and development of previously underutilized human resources.

Employees and applicants are protected from coercion, intimidation, interference, or discrimination for filing a complaint of assisting in an investigation related to equal employment opportunities and/or discriminatory practices.

In addition, it is the responsibility of management and each supervisor to work to assure a continuation of this policy of Equal Employment Opportunity for all persons on the basis of individual merit.

Signed: _____ Date: _____
Executive Director

4. DISSEMINATION

TACK's Executive Director has issued a memorandum to each employee informing them of TACK Equal Employment Opportunity Policy. (See Attachment A)

Included also in TACK employee handbook is a copy of the EEO program and policy. All new employees will receive a copy of the employee handbook and the policy will be discussed during staff meetings and during initial training program.

The EEO policy is posted in the dispatch office.

5. DESIGNATION OF PERSONNEL RESPONSIBILITY

Victoria Burt has been designated as the Manager of TACK Equal Opportunity Program.

- a) Victoria Burt will be responsible for developing and recommending EEO policy, a written EEO program, and internal and external communication procedures;
- b) Responsible for collecting and analyzing employment data, identifying problem areas, setting goals, and developing programs to achieve goals;
- c) Concurring in all hires and promotions;
- d) Assisting in recruiting minority, handicapped and women applicants, and establishing outreach sources for use by hiring officials;
- e) Assuring that current legal information affective affirmative action is disseminated to responsible officials;
- f) Serving as liaison between the agency, Federal, State, and local governments, regulatory agencies, minority, handicapped and women's organizations, and other community groups;
- g) Reporting periodically to the Executive Director on progress of each unit in relation to the agency's goals;
- h) Designing, implementing, and monitoring internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed;
- i) Processing employment discrimination complaints.

6. UTILIZATION ANALYSIS

The purpose of the utilization analysis is to identify those categories where there is an underutilization and/or concentration of minorities and women in relation to their availability in the relevant labor market. It is to establish the framework for goals and timetables and other affirmative actions to correct employment practices that contributed to any identified absence, underutilization, or concentration. (See Attachment B – Workforce Analysis and Goals by Job Title and Group)

7. GOALS AND TIMETABLES

Based on the utilization analysis, TACK's program currently does not have any identified deficiencies. Our current percentage of minorities and women exceeds the State and Federal threshold in all job categories.

TACK will continue to analyze in detail all employment practices relating to recruitment, selection, salaries, promotions, terminations, standards of discipline seniority maternity/paternity leave, height and weight requirements, etc. If problems do occur TACK will propose a course of action in the agency's submitted EEO program.

8. ASSESSMENT OF EMPLOYMENT PRACTICES TO IDENTIFY CAUSES OF UNDERUTILIZATION: AFFIRMATIVE ACTION TO REMEDY PROBLEM AREAS.

TACK currently does not have an underutilization problem when it comes to hiring minority or women applicants.

If we incur a problem area, we will do an assessment of TACK's employment practices on all of its employment patterns including recruitment, selection, promotion, termination, transfer, layoff, disciplinary action, compensation and benefits, training, etc.

We will do a statistical data analysis if the need arises to document the impact of the employment practices by race, nation origin, and sex.

9. MONITORING AND REPORTING SYSTEM

TACK will assess its EEO program on an ongoing basis by utilizing the following monitoring and reporting tools:

- a. Assessing EEO accomplishments with the TACK program;
- b. TACK will evaluate the EEO program during the year and will take any necessary corrective action regarding the development and execution of programs or goals and timetables.
- c. TACK will identify these units which have failed to achieve a goal and will take appropriate action to remedy the situation;
- d. TACK will provide a precise and factual data base for future projections if needed.

10. COMPLAINTS

Complaint Process/Resolutions

**TRANSIT AUTHORITY OF CENTRAL KENTUCKY
PROCEDURES FOR CIVIL RIGHTS,**

PERSONNEL, DISCRIMINATION AND SERVICE COMPLAINTS

* * *

This process sets forth the method by which complaints from staff and those parties receiving services from Transit Authority of Central Kentucky, (TACK) may seek resolution of those complaints.

I. RIGHTS OF APPEAL

Parties to file a complaint are:

- A. Applicants for or recipients of services, or persons acting on behalf of such applicants or recipients who are appealing denial, reduction, exclusion from or termination of service, dissatisfaction with a service received, or failure to act upon a request for services with reasonable promptness.
- B. Parties who have been affected by TACK's failure to take into account their choice of service or when a determination for service has been made that is contrary to the wishes of the recipient.
- C. Persons who feel their civil rights have been violated through actions or omissions of TACK staff or Board.
- D. Staff who have grievances stemming from personnel practices.

II. APPEALS PROCESS

TACK has established a process facilitating informal resolution. Failing that, a formal process involving the TACK Board of Directors is available. Should the local decision regarding the complaint remain unsatisfactory to the complainant, a referral shall be made to the Kentucky Transportation Cabinet for complaints concerning TACK's service delivery of job performance.

A. Informal Resolution

To initiate the complaint process, the complainant shall express his/her dissatisfaction in writing to TACK staff. Staff has the responsibility to assist the complainant in making the complaint and in its resolution. TACK staff will send a copy of a written complaint to the Board Chairman.

TACK staff will attempt to resolve the complaint within 15 working days, investigating the cause and merit of the complaint. The Board Chairman may participate in the informal resolution process at his discretion.

A written response must be made to the complainant and copied to the Board Chairman. This response must also outline the local appeals process.

The TACK Staff or Board Chairman may request removal from this process if it is felt that objectivity may be affected or if any of the parties cannot be available within the time allotted to resolve the complaint. In that case, the Board Chairman will designate another member of the Board or another staff person.

B. Local Appeal Process

The complainant, if not satisfied with the informal decision, any decision, may request within fifteen (15) working days a local appeals process. This must be in writing to the Board chairman and may include any additional information the complainant deems favorable to his cause. The Board Chairman or his designee must establish within thirty (30) working days a committee of the Board to hear the complaint or may convene the full Board to address to complaint. In the case of a committee hearing the complaint, the full Board of Directors may, at their option, review the action of the committee.

The appellant may attend the local appeals process to represent himself or have a representative of his choice present. The Board Chairman or designated Board member shall chair the meeting.

The decision resulting from the local appeals process will be forwarded in writing to the complainant within fifteen (15) working days. This constitutes the grievance procedure for complaints other than based on TACK services funded by the Kentucky Transportation Cabinet and governed by their policies. Notice of the right to non-local appeal where applicable will be included in the notice of the decision.

C. Non-local Appeal Process

For complaints involving the provision of services by TACK and its practice of Cabinet policies, request can be made to the Cabinet for a decision. TACK will cooperate with the Cabinet and complainant in resolution of the complaint.

Written Local Complaint Process

All written complaints can be mailed to:
Transit Authority of Central Kentucky,
1209 N. Dixie Hwy
Elizabethtown, KY 42710
Attn: Glenn Arney, Executive Director

11. CONCLUSION

The purpose of the TACK Equal Employment Opportunity program is to carry out the Provisions of the Federal Transit Laws, 49 U.S.C. 5332 (b) and the Federal Transit Administration programs. TACK will ensure that no person in the United States shall on the grounds of race, color, creed, national origin, sex, or age be excluded from participation in, or denied the benefits of, or be subject to discrimination in employment under any project or activity funded in whole or in part through financial assistance by UMTA.

ATTACHMENT "A"

EXECUTIVE DIRECTOR LETTER
TO EMPLOYEES ON EEO POLICY

To: TACK Staff

From: Glenn Arney, Executive Director

Date: June 19, 2021

Subject: Equal Employment Opportunity

It is the policy of TACK to provide equal opportunity in employment to all employees and applicants for employment.

No person on the grounds of race, color, creed, national origin, sex or age shall be excluded from participation in, or denied the benefits of, or be subject to discrimination as an employee or applicant for employment with TACK.

Victoria Burt, Manager of TACK Equal Opportunity Program is responsible for the Equal Employment Opportunity program which included monitoring and reviewing the effectiveness of the program as required by law.

If you have any questions, please direct them to the Victoria Burt, Manager of TACK Equal Opportunity Program.

ATTACHMENT “B”

WORKFORCE ANALYSIS AND GOALS BY
JOB TITLE AND GROUP

TACK has attached the current EEO spreadsheet.

Hardin and Meade County, Kentucky current population 2012 census is as follows:

Minority:	Hardin	Meade
White	81.0%	92.1%
Black	12.6%	3.9%
American Indians	0.5%	0.6%
Asia	2.1%	0.8%
Pacific Islanders	0.3%	0.1%
Hispanics	5.3%	3.5%
Person reporting two or more races	3.4%	2.4%

Currently TACK has 36% minorities

	Hardin County:	Meade County:
Male	49.8%	50.0%
Female	50.2%	50.0%

Currently TACK has the following:

Male 47%
Female 53%

Hardin and Meade County Government and Kentucky State Government’s Goal is 10%.

TACK’s goal is to maintain 22% minorities, because currently we exceed the state and local average.

REVISIONS

- 6/28/12 Inception – Approval of Transit Authority of Central Kentucky Board
- 5/12/14 Revised policy per Kentucky Transportation Cabinet per letter received.
- 6/19/2021 Revised to include Executive Director change and change of the EEO Program Manager.

