

**ULSTER COUNTY AREA TRANSIT  
EQUAL EMPLOYMENT OPPORTUNITY (EEO)  
PROGRAM**

**2013-2015**

**Ulster County Area Transit  
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## **Section 1: Equal Employment Opportunity (EEO) Policy Statement**

Ulster County Area Transit, including its sub recipients and contractors (UCAT), affirms its commitment to treat all applicants for employment and employees equally without regard to race, religion, creed, color, national origin, sex, age, disability, veterans' status, marital status or other class prohibited by local, State or Federal law. UCAT is an Equal Employment Opportunity employer. It is prohibited for UCAT or any of its employees to discriminate against an applicant for employment or another employee on the basis of race, color, and religious creed, sex, age, national origin, or any other basis prohibited by local, State or Federal law, or to 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 in part through Federal financial assistance.

Ulster County Area Transit (UCAT) supports the concept of an active affirmative action program consistent with Federal laws, court decisions, Executive Orders, and regulations, including goals and timetables, in order to overcome the effects of past discrimination on minorities and women.

The Ulster County Executive is recognized as the point of final authority and responsibility for UCAT's EEO Plan. The Director of Public Transportation has immediate and continuing administrative responsibility and authority, which is delegated by the Ulster County Executive, in matters related to the UCAT's total equal employment affirmative action obligations.

The responsibility for the implementation of the EEO Program is assigned to the Director of Public Transportation, as EEO Director. All UCAT managers and supervisors share in the responsibility of ensuring compliance is achieved through understanding, communicating, and active involvement in the support of this policy. Performance evaluations of managers and supervisors shall include evaluating the success of the EEO program in the same manner as performance on other goals.

UCAT is committed to undertake an affirmative action program to include the development of goals and timetables to help guide the implementation of the EEO program and measure progress. The successful achievement of EEO goals will provide benefits to UCAT through fuller utilization and development of previously underutilized human resources.

Applicants and employees have the right to file complaints alleging discrimination with the Director of Public Transit, Ulster County Personnel Officer, Supervisors, Managers, Federal or State Civil Rights Commissions, and the EEOC.

This policy extends to all areas of employment including recruitment, selection and placement, compensation, promotion, transfer, discipline, demotion, lay-off, termination, training, daily working conditions, benefits and all other terms and conditions of employment.

## **Guiding Legislation**

- Equal Pay Act of 1963, 29 U.S.C. 201
- Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d
- Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e
- UMT Act of 1964, as amended, 49 U.S.C. 1601
- Age Discrimination in Employment Act of 1967, 29 U.S.C. 633a
- Title IX of the Education Amendments of 1972, Public Law 92-318
- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794
- 28 CFR Part 42, Subpart F, “Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs”
- 29 CFR Part 1605, “Guidelines on Discrimination Because of Religion”
- 29 CFR Part 1606, “Guidelines on Discrimination Because of National Origin”
- 29 CFR Part 1607, “Uniform Guidelines on Employee Selection Procedures”
- 29 CFR Part 1620, “The Equal Pay Act”
- 29 CFR Part 1625, “Age Discrimination in Employment Act”
- 49 CFR Part 21, “Nondiscrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964”
- 49 CFR Part 27, “Nondiscrimination on the Basis of Handicap in Financial Assistance Programs”
- DOT Order 1000.12, “Implementation of the Department of Transportation Title VI Program,” dated 1-19-77
- Part II, Section 110(a) of the FTA Standard Grant Contract, dated 9-87

This policy will be updated at least once every 3 years. Supervisors and managers will meet semi-annually to discuss compliance with this program and EEO implementation progress. UCAT will meet annually with minority and female employees to obtain suggestions on EEO program implementation. All UCAT employees are receiving Diversity Awareness Training annually as part of Ulster County’s employee training program. A copy of this policy can be found in the employee personnel policies and procedures manual, on employee notice boards, recruiting application packages, and posted on UCAT’s website.

## **Section 2: Dissemination**

UCAT exceeds established threshold criteria governing Equal Employment Opportunity (EEO) program requirements and reporting processes. According to the U.S. Department of Transportation’s UMTA C 4701.1 circular dated July 26, 1988, public transit agencies receiving Federal funding assistance in excess of \$1 million in the previous Federal Fiscal Year and employing 50 or more transit-related employees must prepare, implement and evaluate a formalized EEO program plan.

Formalized communication mechanisms have been established to publicize and disseminate UCAT’s EEO Policy, as well as appropriate elements of the program, to its employees, applicants, and the general public. Formalized communication mechanisms have been divided into two primary categories: External Dissemination and Internal Dissemination.

To ensure that all members of the staff are cognizant of our equal employment opportunity policy and their individual responsibilities in carrying out this policy, the following communication efforts will be made:

The County’s employment application forms contain a notice informing prospective employees that discrimination because of race, color, religion, national origin or sex is prohibited and that they may notify the appropriate local, State or Federal agency if they believe they have been the victims of discrimination.

Appropriate notices have been posted informing applicants and employees that Ulster County Area Transit is an Equal Opportunity Employer and of their right to notify an appropriate local, State or Federal agency if they believe they have been the victims of discrimination. A copy of this policy can be found in the employee personnel policies and procedures manual, on employee notice boards, recruiting application packages, and posted on UCAT’s website.

We will seek the cooperation of unions to help implement our EEO program and all union contracts contain a nondiscrimination clause.

**External Dissemination**

The EEO Plan will be disseminated under the guidance of the UCAT Director of Public Transit. The general guidelines for external dissemination shall be:

- Appropriate media (particularly those serving specific groups, i.e. minority groups, women and disabled);
- Public and private employment agencies; and
- Schools, colleges, and training organizations.

The following is a list of media contacted or utilized when issuing press releases and/or posting public information and notices:

UCAT Web Site	The Post Star Newspaper
Kingston Times	Kingston Daily Freeman & Las Noticias
Saugerties Times	Shawangunk Journal
Woodstock Times	Olive Press
New Paltz Times	Bluestone Press
Southern Post Pioneer	Times Herald Record
Mid Hudson News Network	Poughkeepsie Journal
Ulster County Press Release Wes Site	WAMC Radio (7 state region)
Associated Press	Cable 6 News (Time Warner)
Empire State News Network (Statewide)	Legislative Gazette
NYS Association of Counties Press	WDST Radio
WKNY Radio	WGHQ Radio
WBPM Radio	All Cumulus Radio Stations in the Market
All Clear Channel Radio Stations	Ulster County Web Site Home Page

In addition, all advertisements for employment will contain the following statement, "Minorities, women and disabled encouraged to apply" and "Equal Opportunity Employer" at the bottom of the advertisement. EEO posters, are posted on a permanent basis in the administration office, employee break room, and prominently displayed in the visitor waiting area.

The following is a list of public and private employment agencies that were notified by letter regarding the EEO Policy:

- Ulster County Personnel Department
- New York State Department of Labor
- Kelly Services
- Manpower, Inc.

The following is a list of schools, colleges, and training organizations in Ulster County that were notified of the EEO policy via letter:

- SUNY/Ulster
- SUNY/New Paltz
- BOCES

### **Internal Dissemination**

- Each Division Head will be responsible for his/her division's part of the EEO Policy and will be evaluated on their contribution to EEO as part of their performance appraisal.
- Non-supervisory staff will be informed of the EEO policy and program.
- As part of the job, employees are required to attend Diversity Awareness Training on an annual basis beginning October 2009.
- Any employees who are involved in organization and/or community groups which have special contacts with minorities and women's groups are encouraged to report to the Director of Public Transportation about the existence of such groups. Information collected about these groups will be passed on to other employees at staff meetings and employee newsletters.
- The Director of Public Transportation, in cooperation with the Ulster County Personnel Department, will conduct semi-annual meetings with all managers and supervisors to provide an update on EEO implementation progress and explain EEO-related rules and regulations and UCAT's responsibilities under these laws, as well as their individual responsibilities, as necessary.
- EEO-related posters are posted on all employee bulletin boards along with a copy of the EEO Policy Statement.

### **Section 3: Designation of Responsibility**

The Ulster County Executive is recognized as the point of final authority and responsibility for UCAT's EEO Plan. The Director of Public Transportation has immediate and continuing administrative responsibility and authority, which is delegated by the Ulster County Executive, in matters related to the UCAT's total equal employment affirmative action obligations. Each UCAT division head will be responsible within his/her respective division for EEO program implementation and progress.

The Director of Public Transportation will coordinate and administer the day-to-day operation of the EEO Plan. All UCAT managers and supervisors share in the responsibility of ensuring compliance is achieved through understanding, communicating, and active involvement in the support of this policy. Performance evaluations of managers and supervisors shall include evaluating the success of the EEO program in the same manner as performance on other goals. The responsibilities of the Director of Public Transportation include, but are not limited to, the following:

1. To maintain and amend the written EEO policy statement and EEO Plan.
2. Reporting semi-annually to the Ulster County Executive on EEO issues and progress.
3. Assuring that current legal information affecting affirmative action is communicated to responsible officials (e.g. County Attorney, County Personnel Officer).
4. The design, implementation, and monitoring of an internal EEO audit and reporting system.
5. Develop recruiting strategies to increase the hiring of minorities, females, and the disabled.
6. Act as a liaison between minority, females, and disabled within UCAT who encounter problems internal to, or that interface with, UCAT.
7. Prepare and submit EEO reports to the FTA and other agencies, as required.
8. Closely coordinate EEO training programs with the Ulster County Personnel Department.
9. Concurring on all hires and promotions and process all discrimination complaints.

#### **Section 4: Recent Success**

UCAT has achieved several notable EEO successes over the past three years, which include the following:

- In 2008, UCAT employed 52 employees. Of this amount, 19 were female and 10 were of minority group status. The staff has grown to 61, we now have 24 females and 14 are minority group status.

- UCAT met its goal of broadening its age difference by three (3) years. In 2008 it was between 28 and 77 years old. As of 2012 it is 29 and 81.
- In 2012, UCAT hired 24 employees. Of this amount, 6 were female, 8 were of minority group status.
- In 2013, UCAT promoted a female to senior management bringing utilization in line.
- As of November 2012 the professional and Office & Clerical totals 6, 5 females and one male exceeding utilization rates in those job titles and missed our goal of 40% of our workforce by 1%.
- All UCAT employees attend a one-day mandatory seminar on Diversity Awareness sponsored by the Ulster County Personnel Department. This training will continue for all UCAT employees on an annual basis.
- UCAT exceeded its goal of maintaining its minority workforce to 8% of our workforce and is now at 23% of the workforce.

## **Section 5: Goals and Timetables**

UCAT's Equal Employment Opportunity (EEO) program has been very successful in ensuring a diverse workforce, however, more work is needed. In 2012, UCAT employed a total of 24 females, which is approximately 35% of the total workforce. During the same year, UCAT employed 14 persons of minority group status, which is approximately 23% of the total workforce. Unfortunately, UCAT employed zero persons with disabilities in 2012. A total of 61 transit-related employees were employed by UCAT in 2012.

Year 2010 Census data indicates that the overall percentage of females age 18 or older in Ulster County is 73,613 or 40.3% of the population segment. The total number of males age 18 or older is slightly less at 72,064 or 39.5%. In comparison, UCAT's workforce population for males and females is 61% and 39%, respectively, which is considerably less balanced than the general Ulster County population. While we have increased the numbers from 2008 we still have a ways to go. UCAT is actively recruiting females to help increase the female workforce.

***Goal 1:*** *UCAT's goal is to increase the number of employed females to 43% of the total workforce by Year 2015.*

The minority group population percentage employed by UCAT is significantly higher than the percentage of Ulster County's minority group population. According to Year 2010 Census data, 15,909 or 8.7% of Ulster County's population was of minority group status. The total and minority group populations aged 18 or over in Ulster County in 2010 were 145,677 and 10,570, respectively. Therefore, the minority group population aged 18 or over was 7.25% of the total Ulster County population. In 2012, UCAT's total minorities employed totaled 14 or 23% of the total workforce. The number of UCAT's minority group persons employed exceeded Ulster County's proportional minority group



population by approximately 16%. UCAT's ability to recruit persons of minority group status has been very successful.

**Goal 2:** *UCAT's goal is to maintain the minority group workforce population above 20% through the Year 2015.*

UCAT employed zero disabled persons in 2012. It may be very difficult or impossible to employ persons with disabilities either as bus operators or to work with maintenance staff in the bus garage. Persons with disabilities are encouraged to apply for available positions within UCAT offices.

**Goal 3:** *UCAT's goal is to increase the number of disabled persons working within UCAT offices from zero to one by Year 2015.*

In 2012, UCAT's workforce age range was between 29 and 81 years of age.

**Goal 4:** *UCAT's goal is to maintain the age range of employees through Year 2015.*

### **Monitoring and Reporting System**

UCAT has in place an effective internal EEO monitoring and reporting system. EEO progress is reviewed semi-annually among UCAT management. This process allows UCAT to take corrective action in its EEO practices throughout the year, if necessary.

The system is set up as follows:

On a semi-annual basis the Director and all supervisory staff will assess accomplishments or shortfalls.

The Director and staff will look at employees in each job category by race, national origin, and sex who have applied for promotion or transfer vs. those promoted or transferred.

Disciplinary actions and terminations by race, national origin and sex will also be assessed for negative patterns.

This will enable Ulster County Area Transit to identify units that are non-compliant or have failed to embrace the policy.

### **Section 6: EEO Complaint Process**

Any employee or applicant alleging to be subjected to discrimination, unfair practice or retaliation on the basis of any of the protected classifications noted in the EEO Policy Statement, may file a written complaint within 30 days of the alleged violation to the Director of Public Transportation located at 1 Danny Circle, Kingston, NY, 12401, or by telephone at 845-340-3333. Upon filing the complaint of alleged discrimination, the Director of Public Transportation will proceed with an investigation to determine if there

has been a violation of this Policy. Decisions and finding will be conveyed to the County Executive, who is the final point of authority

If for some reason an employee or applicant does not want to bring a complaint to the Director of Public Transportation, then the employee or applicant should contact the Ulster County Personnel Officer concerning the complaint. The Ulster County Personnel Officer can be contacted by writing to the Ulster County Personnel Department, 5<sup>th</sup> Floor, P.O. Box 1800, 244 Fair Street, Kingston, NY 12402-1800 or by telephoning 845-340-3535. The Ulster County Personnel Officer will communicate and provide the results of her investigation to the County Executive, who is the final point of authority, and the Director of Public Transportation.

Confidentiality will be maintained to the extent practical to conduct a full investigation to make a determination. All employees are required to fully cooperate during the course of an investigation.

If it is determined that a violation of this Policy has occurred, UCAT will take immediate action to remedy the situation. Any employee who is found to have violated this Policy may be subject to disciplinary action, up to and including termination from employment.

In addition to the complaint procedures described above, complaints may be filed with the New York State Division of Human Rights or the United States Equal Employment Opportunity Commission.

A reasonable accommodation policy handout is given to each new employee explaining his or her rights and the complaint process. ( See attachment K )

## **Section 7: Appendices**

- A. Workforce Analysis and Goals by Job Title and Group
- B. EEO Job Categories at UCAT
- C. Job Titles Included in Grade with Salary Structure
- D. Salary Structure
- E. UCAT Organizational Chart
- F. UCAT EEO-4 Report
- G. Signed UCAT Policy on EEO
- H. U.S. Census Labor force and Employment
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