
CHARLOTTESVILLE AREA TRANSIT

2022 – 2025

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM (EEOP)

The contents of this EEO Program are viewed as confidential and proprietary. Disclosure of such, whether intentional or inadvertent, would cause Charlottesville Area Transit competitive harm. All Materials contained herein along with attachments and appendices maintained at our corporate headquarters, are deemed exempt from disclosure under the provisions of the Freedom of Information Act (FOIA) and the Trade Secrets Act.

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I. FACILITY IDENTIFICATION STATEMENT

**EQUAL EMPLOYMENT OPPORTUNITY (EEO)
AFFIRMATIVE ACTION PROGRAM
FOR**

Charlottesville Area Transit

INCLUSIVE DATES OF THE AAP: From 1/1/2022 – 12/31/2025

EEO OFFICER: Ashley Reynolds Marshall, J.D.

**TITLE: Deputy City Manager for Racial Equity,
Diversity and Inclusion/EEO Officer**

TELEPHONE NUMBER: (434)-970-3116

READ AND APPROVED BY: Michael C. Rogers

(Signature)

TITLE: Interim City Manager

PREFACE

The CHARLOTTESVILLE AREA TRANSIT is fully committed to equal employment opportunity and affirmative action in all aspects of employment. In the preparation of this Affirmative Action Plan (AAP) we have used terminology found in FTA (formerly) Circular 4704.1A and its implementing regulations as a guide. Therefore, the use of such terms as “underutilization,” “deficiency,” “concentration,” “affected class minority persons,” “agency or unit goals,” “problem area,” etc. should not be construed as an admission, in whole or in part, that any problem area exists or that either minorities or women have been or are presently being underutilized, concentrated, or discriminated against in any way in violation of local, state or federal employment laws. Furthermore, nothing contained in this EOP or its supporting data should be construed as an admission, in whole or in part, that it has contravened such federal, state, or local employment practice laws.

In developing and implementing this AAP, we have been guided by our established policy of providing equal employment opportunity. Any placement goals that have established herein are not intended as rigid, inflexible quotas that must be met, but rather, as targets reasonably attainable by applying every good faith effort in implementing this AAP. The use of placement goals in this EOP are not intended, nor are the effects of such placement goals intended, to discriminate against an individual or group of individuals with respect to any employment opportunities for which he, she, or they are qualified on the grounds that he, she, or they are not the beneficiaries of affirmative action themselves. Nothing herein is intended to sanction the discriminatory treatment of any person. Indeed all employment decisions are based on job-related criteria. Thus, this EOP has been developed in strict reliance upon the Equal Employment Opportunity Program Guidelines for grant Recipients FTA Circular C 4704.1A.

While CHARLOTTESVILLE AREA TRANSIT firmly believes in communication and wide dissemination of its affirmative action policies and equal employment practices, this EOP contains certain proprietary information relating to our business that must be kept confidential. At a minimum, the complexity of this data is subject to misinterpretation and misuse, which again can

be very harmful to business goals and objectives solely unrelated to the affirmative action and equal employment opportunity concept.

Therefore, even though we are justifiably proud of the progress that is described in the following pages, this EOP, and its support data are to be disclosed only to individuals, companies, and government agencies where such individuals or entities have a legitimate business interest or legal entitlement to the information. CHARLOTTESVILLE AREA TRANSIT specifically requests the following:

If this information is supplied to another government contractor, recipient, EEOC representative, or any other person, it is not to be copied, reproduced, or disclosed without prior notification to CHARLOTTESVILLE AREA TRANSIT.

No information contained in this EOP is to be copied, removed from the premises, or released to other individuals without prior notification to CHARLOTTESVILLE AREA TRANSIT.

All monitoring system reports as required by federal regulations and laws have been completed. Reports that require specific data such as names of employees and salary information are not an official part of this EOP.

The material that formed the basis for this EOP is deemed to include personnel files, investigatory records, trade secrets, confidential operations information, confidential statistical data and other confidential commercial and financial data, within the meaning of the Freedom of Information Act (5 U.S.C., Section 552), Title VII of the Civil Rights Act of 1964 (as amended) (42 U.S.C. Sections 2000e et. Seq.), and the Trade Secrets Act (18 U.S.C. Section 1905, and 44 U.S.C Section 3508), the disclosure of which is prohibited by law and would subject the individual making the disclosure to criminal and/or civil sanctions.

This EOP does not constitute an express or implied contract between CHARLOTTESVILLE AREA TRANSIT and its employees, job applicants, or other persons. Nothing in this EOP provides any individual or group with a private right of action against CHARLOTTESVILLE AREA TRANSIT.

PROGRAM COMPONENTS

OVERVIEW

While Section 19 of the FTA Circular C 4704.1A prohibits discrimination on the basis of race, color, creed, national origin, sex, age, genetic information, disability, veteran status or retaliation, this program primarily addresses and prescribes specific affirmative programmatic components to assure nondiscrimination by CHARLOTTESVILLE AREA TRANSIT and its sub-recipients, contractors, subcontractors on the basis of race, national origin, and sex (including gender identity, sexual orientation and pregnancy), age and disability or veteran status. Circular FTA Circular C 4704.1A requires recipients and contractors to comply with prohibitions against discrimination on the basis of age established in the Age Discrimination in Employment Act of 1967, as amended, and prohibitions against discrimination on the basis of creed, as set out in EEOC guidelines interpreting Title VI of the Civil Rights Act of 1964. It also incorporates by reference requirements for compliance with prohibitions against discrimination on the basis of disability established in DOT regulations implementing the Rehabilitation Act of 1973, as amended 49 CFR Part 27.

AUTHORITIES

- 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 92-31B;
- Section 504 of the Rehabilitation Act of 1973, 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;

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- 29 CFR Part 1620, The Equal Pay Act;
 - 29 CFR Part 1625, The 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 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; and
 - Part II, Section 110(a) of the FTA Standard Grant Contract, dated 8-97.

The EOP submission includes the following components:

- Statement of EEO Policy
- Plan for Communication and Dissemination both internally and externally
- Designation of Personnel Responsibility
- Utilization Analysis: including a Workforce Analysis and Availability Analysis
- Goals and Timetables to correct identified areas of underutilization or concentration
- Assessment of Employment Practices
- Plan for Monitoring and Reporting on the EEO Program
- Title I of the Americans with Disabilities Act and Rehabilitation Act of 1973



Annual Equal Employment Opportunity Policy City of Charlottesville, Virginia – Transit Operations

FOR FEDERAL FISCAL YEAR 2023 (OCTOBER 1, 2022 – SEPTEMBER 30, 2023)

1. The City of Charlottesville has a strong commitment to the community and our employees. As an equal opportunity employer, we strive to have a workforce that reflects the community and our employees. No person is unlawfully excluded from employment opportunities based on race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age, marital status, genetic information, disability, veteran status, or other protected class.
2. The City of Charlottesville's 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.
3. All applicants and employees have the right to file complaints alleging discrimination. Retaliation against an individual who files a charge of 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.
4. The City of Charlottesville 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 of undue hardship.
5. As the City of Charlottesville's Interim City Manager, I maintain overall responsibility and accountability for the City's Compliance with its EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I have appointed Ashley Reynolds Marshall as the EEO Officer for Charlottesville Area Transit, (434) 970-3116. Ashley Reynolds Marshall will report directly to me and acts with my authority with all levels of management, labor unions, and employees.
6. All City of Charlottesville executives, management, and supervisory personnel, however, share in the responsibility for implementing and monitoring the City's EEO Policy and Program within their respective areas and will be assigned specific tasks to ensure compliance is achieved. The City of Charlottesville will evaluate its managers' and supervisors' performance on their successful implementation of the City's policies and procedures, in the same way, the City assesses their performance regarding other agencies' goals.
7. The City of Charlottesville 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 makes the EEO Program available for inspection by any employee or applicant for employment upon request.
8. I, Michael Rogers, Interim City Manager, 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.

Approved: _____

Michael Rogers, Esq. Interim City Manager

Date: _____

10/17/22

CHAPTER 1 - BACKGROUND

SECTION I – PURPOSE

General. No person in the United States shall, on the grounds of race, color, creed, national origin, sex (including gender identity, sexual orientation and pregnancy), disability status, 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 in part through Federal assistance under Section 19 of the 1964 Urban Mass Transportation Act (UMTA). The James. E. Harrison, Chief Executive Officer shall ensure compliance with the General purpose of this policy.

SECTION II – OBJECTIVES

This policy's objectives are:

1. To ensure that CHARLOTTESVILLE AREA TRANSIT will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex (including gender identity, sexual orientation and pregnancy), age, disability, veteran or marital status.
2. To ensure that CHARLOTTESVILLE AREA TRANSIT 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, disability, 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 actions, rates of pay or other forms of compensation, and selection for training, including apprenticeship. CHARLOTTESVILLE AREA TRANSIT shall also include a written, affirmative action plan designed to achieve full utilization of minorities and women in all aspects of the workforce.
3. To ensure that CHARLOTTESVILLE AREA TRANSIT makes available to employees and applicants for employment, notices setting forth the CHARLOTTESVILLE AREA TRANSIT's EEO policy. In addition, applicants/employees will be notified of the CHARLOTTESVILLE AREA TRANSIT's procedures for filing complaints of discrimination internally, as well as

externally with the EEOC, a local Human Rights Commission, and/or the U.S. Department of Transportation (DOT).

SECTION III – DEFINITIONS

For purposes of this policy, the following definitions will be used:

1. **Affirmative Action Plan** - means a written, detailed, results oriented set of procedures designed to achieve prompt and full utilization of minorities and women at all levels and in all parts of the recipient's workforce.
2. **Compliance** - refers to a condition in which the FTA will find CHARLOTTESVILLE AREA TRANSIT has met the requirements in circular FTA Circular C 4704.1A, and there is no indication or evidence of discrimination on the basis of race, color, creed, national origin, sex, disability, or age.
3. **Concentration** - means a higher representation of a particular group (e.g., Blacks, Hispanics, women, etc.) in a job category or department as compared to their representation in the relevant labor market.
4. **Contractor** - means any entity or organization that has entered into a federally funded contract with CHARLOTTESVILLE AREA TRANSIT.
5. **Discrimination** - refers to any act, or any failure to act, that has the purpose or effect of limiting, excluding, or denying a person employment opportunity because of race, color, creed, national origin, sex, disability, or age.
6. **FTA** - Federal Transit Administration
7. **Good Faith Efforts** - refers to those actions taken to achieve the objectives of the EEO Program. These actions may include, but are not limited to, the establishment and conduct of processes to implement specific provisions of this policy.
8. **Minority or Minority Group Persons** includes the following:
 - a. Black (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa;
 - b. Hispanic: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;

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- c. **Asian or Pacific Islander:** All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa; and,
 - d. **American Indian or Alaskan Native:** All persons having origins in any of the original people of North America, and who maintain cultural identification through tribal affiliation or community recognition.
9. **National Origin** - means the particular Nation where a person was born or where the person's parents or ancestors were born.
 10. **Noncompliance** - means a failure to meet the requirements of FTA Circular C 4704.1A and guidance issued pursuant to the circular or failure to implement an approved EEO program.
 11. **Primary Recipient** - means any recipient that is authorized or required to request Federal assistance on behalf of subrecipients and distributes financial assistance to subrecipients for the purpose of carrying out a program.
 12. **Probable Noncompliance** - refers to a condition in which the FTA has found that CHARLOTTESVILLE AREA TRANSIT does not fully satisfy these requirements and has requested CHARLOTTESVILLE AREA TRANSIT to take remedial or corrective actions to achieve compliance or has initiated an enforcement action against CHARLOTTESVILLE AREA TRANSIT.
 13. **Recipient** - means any state, political subdivision, instrumentality, or any public or private agency, institution, department or other organizational unit, to whom financial assistance is directly extended by.
 14. **Secretary** - means the Secretary of the Department of Transportation.
 15. **Subcontractor** - means any entity or organization that has entered into a subcontract relating to a federally funded contract with a contractor to provide a service in connection with a program or activity initiated by CHARLOTTESVILLE AREA TRANSIT.
 16. **Subrecipients** - means any entity that receives financial assistance through a primary recipient.

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17. **Transit-Related Employee** - is an employee of CHARLOTTESVILLE AREA TRANSIT who is involved in any aspect of an agency's mass transit operation funded by the FTA.
 18. **Activity** - means any program of assistance authorized by sections of the UMT Act; the Federal Aid Urban Systems Program, 23 U.S.C. 142(a)(2); and the Interstate Transfer Program 23 U.S.C. 103(4)(e) is also referred to within as FTA.
 19. **Underutilization** - refers to a condition where there are fewer minorities and/or women in a particular job category or department than would reasonably be expected based on their presence in the relevant labor force.

SECTION IV – COVERAGE

1. **General.** All programs administered by the FTA are subject to Section 19 of the UMT Act. These include the assistance programs authorized by the UMT Act, 23 U.S.C. 142(a)(2), and 23 U.S.C. 103(e)(4). These programs are also covered by the implementing regulations 28 CFR Part 42, Subpart F and 49 CFR Part 21. In addition, all recipients are required to comply with Part II, Section 110(a) of the FTA Standard Grant Contract. These obligations are to be re-delegated to any contractor/subcontractor in a federally funded contract.
2. **Threshold Requirements.** CHARLOTTESVILLE AREA TRANSIT is required to comply with program requirements as outlined in this policy if it meets the following thresholds:
 - a. Employs 50 or more transit-related employees; and,
 - b. Requests and receives capital or operating assistance under Sections 2, 4(i), or 9 of the UMT Act; assistance under 23 U.S.C. 142(a)(2) or 23 U.S.C. 103(e)(4), or any combination thereof, in excess of \$1 million in the previous Federal fiscal year; or requests or receives planning assistance under Sections 8 and/or 9 in excess of \$250,000 in the previous Federal fiscal year.
3. **State-Administered Programs**
 - a. The FTA EEO objectives apply to those programs that are administered by designated State agencies. Generally, these programs include the FTA elderly and handicapped, and rural assistance programs funded under Sections 16(b)(2) and 18 of the UMT Act,

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- respectively. In addition, some States administer the FTA planning and formula capital/operating assistance programs funded under Sections 8 and/or 9 of the UMT Act for urbanized areas less than 200,000 population.
- b. Pursuant to a memorandum of understanding, the Federal Highway Administration (FHWA) has been delegated the lead responsibility to review and approve EEO programs submitted by State DOT.
 - c. In coordination with FHWA, FTA reviews these programs and those of other State agencies to assure that EEO is provided to the workforce related to mass transportation. In the memorandum of understanding, FTA has the lead responsibility for reviewing EEO programs submitted by transit agencies that meet the thresholds as listed above.
 - d. State agencies must administer their EEO programs in the following manner:
 - i. All designated State agencies will have the responsibility for assuring that their subrecipients are in compliance with the FTA EEO objectives.
 - ii. All designated State Agencies will maintain and provide data and report to the FTA as required or at the discretion of the FTA Area Civil Rights Officer. Data may be requested, especially in those cases where the designated State agency or subrecipient is the subject of an “onsite” compliance review by the FTA.
 - iii. CHARLOTTESVILLE AREA TRANSIT will be responsible for complying with the EEO objectives contained in this policy. FTA recommends that designated State agencies request EEO programs from their subrecipients. This will enable designated State Agencies to determine if subrecipients are in compliance with FTA EEO objectives.
 - iv. During the triennial review or at the discretion of the FTA Area Civil Rights Officer, FTA may request from designated State agencies the procedures and criteria used to determine the EEO compliance of subrecipients. FTA may conduct independent onsite EEO compliance reviews of subrecipients to examine their records and to determine compliance with FTA EEO objectives and requirements.

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4. **Contracting Out & Privatization/Competitiveness Programs.** In the planning and development of CHARLOTTESVILLE AREA TRANSIT's contracting out and privatization/competitiveness programs, full consideration must be given to the EEO ramifications of such program planning and development. Such decisions must be justified on the basis of sound business planning. Disparate impact on minority and female employees must be considered and appropriate steps taken to mitigate any hardships which might result from such decisions.
 5. **Frequency of Update.** CHARLOTTESVILLE AREA TRANSIT shall submit to the FTA an updated EEO submission on a quadrennial basis or as major changes occur in the workforce or employment conditions. At the discretion of the FTA Office of Civil Rights, less information may be requested where CHARLOTTESVILLE AREA TRANSIT's previously submitted EEO program has not changed significantly.
 6. **Other Information.** The FTA Area Civil Rights Officer may request information, in addition to that required by this policy, from CHARLOTTESVILLE AREA TRANSIT or its sub-recipients to resolve questions concerning EEO compliance. In certain instances, less information will suffice. In cases in which additional information is needed, this request will be made in writing to CHARLOTTESVILLE AREA TRANSIT. Failure to submit information requested by the FTA may delay completion of a compliance review or delay the further consideration of a pending grant application(s). Failure by CHARLOTTESVILLE AREA TRANSIT to comply with the terms of this policy may result in the finding by the FTA of noncompliance with Section 19 and Section 110(a) of the FTA Standard Grant Contract and the imposition of appropriate sanctions.

CHAPTER II - EEO PROGRAM COMPONENTS

PROGRAM REQUIREMENTS

SECTION I - POLICY STATEMENT

1. CHARLOTTESVILLE AREA TRANSIT is an Equal Employment Opportunity employer. CHARLOTTESVILLE AREA TRANSIT affirms its commitment to treat all applicants for employment and employees equally without regard to race, religion, creed, color, national origin, sex (including gender identity, sexual orientation, or pregnancy), age, disability, veteran status, marital status, or other class protected by local, state, or federal law. CHARLOTTESVILLE AREA TRANSIT and its employees are prohibited to discriminate against an applicant for employment or employee on the basis of race, color, religion, creed, sex, (including gender identity, sexual orientation and pregnancy) age, genetic information, national origin, disability, protected veteran status, or any other basis protected 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.
2. CHARLOTTESVILLE AREA TRANSIT supports the concept of an active Equal Employment Opportunity (EEO) 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. Such EEO program shall be made available for inspection by any employee or applicant for employee upon request.
3. The responsibility for the implementation of the EEO Program rests with me Michael C. Rogers, Interim City Manager. The management of the EEO Program & day-to-day responsibilities shall be the responsibility of the Ashley Reynolds Marshall, J.D., Deputy City Manager for Racial Equity, Diversity and Inclusion to serve as EEO OFFICER, who can be reached at (434)930-3116, and who reports directly to me. All CHARLOTTESVILLE AREA TRANSIT 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.

4. Applicants and employees have the right to file complaints alleging discrimination with the EEO Officer, Federal or State Civil Rights Commissions, the U.S. Department of Transportation, and the EEOC. 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.
5. CHARLOTTESVILLE AREA TRANSIT is committed to providing reasonable accommodations to applicants and employees who need them due to a disability or to practice or observe their religion, absent any undue business hardship for providing such.
6. 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.
7. Achievement of EEO goals will benefit recipient/subrecipient/contractors through fuller utilization and development of previously underutilized human resources.

SECTION II – COMMUNICATION AND DISSEMINATION

- a. Managers and supervisors and non-supervisory staff shall be fully informed of the agency's policy through:
 - a. Written communication from the CEO/President/GM/City Manager.
 - b. Posting official EEO materials (e.g., Federal and state labor law poster(s) and the agencies policy statement on Transit's bulletin boards, near time clock, in employee's break rooms, and in the employment/personnel office.
 - c. Inclusion of the EEO program and policy in CHARLOTTESVILLE AREA TRANSIT's personnel and operations manual; employee's handbooks, reports and manuals.

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- d. Meetings with top management officials (bus operations, human resources, etc.), at least semi-annually, to discuss the EEO program and its implementation.
 - e. Meetings with all employees and affinity groups to seek input on the program implementation and refining the EEO program;
 - f. Conducting periodic EEO training for employees and for managers.
 - g. Providing EEO Training of Managers and Supervisors within 90-days of appointment.
 - h. Presentation and discussion of the EEO program as part of the employee orientation.
 - i. Sharing of the EEO policy with the CHARLOTTESVILLE AREA TRANSIT Board of Directors and additionally posting the policy on the CHARLOTTESVILLE AREA TRANSIT website, and employee accessible company intranet, throughout the CHARLOTTESVILLE AREA TRANSIT facility in visible locations and including it in the policy manual.
 - j. CHARLOTTESVILLE AREA TRANSIT shall maintain appropriate documentation, such as agendas and sign-in sheets for meetings conducted when the EEO Policy and its implementation are explained.

Externally, the EEO Policy shall be sent to regular recruitment sources including:

- a. Employment agencies; hiring halls; unions; educational institutions; minority, disability-focused and women's organizations; web-sites, civil rights organizations; community action groups; training organizations; and others who refer applicants as applicable.
- b. Public media sources, especially radio and television stations, newspapers, magazines, and other journals (especially those focused to disability, minority, and/or veterans concerns).
- c. All advertisements for talent include a statement that CHARLOTTESVILLE AREA TRANSIT is an EEO employer.
- d. Providing EEO Policy and related information on CHARLOTTESVILLE AREA TRANSIT's company website.

SECTION III – DESIGNATION OF PERSONNEL RESPONSIBILITY AND IMPLEMENTATION

While as Chief Executive Officer has the ultimate authority and responsibility for the implementation of the EEO Program rests with me, I have delegated the day-to-day management of the EEO program to the EEO Officer. The EEO Officer has the knowledge of civil rights precepts, policies, rules, and guidelines; sensitivity to, and awareness of, the varied ways in which discrimination occurs; a total commitment to the EEO program goals and objectives; and sufficient authority and ability to work and communicate with others to achieve the EEO goals and objectives.

1. The EEO Officer has the following duties:
 - a. Shall develop and recommend an EEO policy and program, including internal and external communication procedures;
 - b. Assist management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables, and developing programs to achieve goals;
 - c. Design, implement, and monitor internal audit and reporting systems to ensure EEO program effectiveness and to determine where progress has been made and where proactive action is needed;
 - d. Review the agency's non-discrimination plan with all managers and supervisors to ensure that the policy is understood.
 - e. Concurring in hiring and promotion process. All hire information, including salary offers, must be reviewed/approved by the EEO Officer.
 - f. In conjunction with Human Resources, periodically reviewing employment practices policies (e.g., hiring, promotions, and training), complaint procedures, reasonable accommodation policies, performance evaluations, grievance procedures, and union agreements.
 - g. Report at least semi-annually to the CEO on progress of each unit in relation to the organization's goals and on contractor and vendor compliance;

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- h. Serve as liaison between CHARLOTTESVILLE AREA TRANSIT , Federal State, and local governments, regulatory agencies, minority and women’s organization, disability-focused organizations and other community groups as required;
 - i. Maintain awareness of current EEO laws and regulations, and ensuring the laws and regulations affecting non-discrimination are disseminated to responsible officials and suggest changes to CHARLOTTESVILLE AREA TRANSIT’s EEO policy as necessary to maintain compliance
 - a. Investigate and process employment discrimination complaints and ensures all employees involved in EEO Investigations will have proper investigative training by a qualified instructor.
 - j. Providing EEO Training for employees and managers.
 - k. In conjunction with human resources, advising employees and applicants of available training programs and professional development opportunities and the entrance requirements
 - l. Auditing postings of the EEO Policy statement to ensure compliance information is posted and up to date.

Although the EEO Officer has the primary responsibility for day-to-day implementation of this EEO program, carrying out EEO and affirmative action is an integral function of all officials, managers, and supervisors. Management, from the supervisor of the smallest unit to the chairman of the board or chief executive officer, bears the responsibility of ensuring that the agency’s EEO policies and programs, as outlined in its EEO program, are carried out. Managers are expected to carry out the following responsibilities, as part of their job, in implementing this EEO program;

- b. Participate actively in periodic audits of all aspects of employment in order to identify and to remove barriers obstructing the achievement of specified goals and objectives;
- c. Hold regular discussions with other managers, supervisors, and employees and affinity groups to ensure CHARLOTTESVILLE AREA TRANSIT’s policies and procedures are being followed;

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- d. In conjunction with the EEO Officer, maintaining and updating the personnel database for generating reports required for the nondiscrimination program.
 - e. Cooperating with the EEO Officer in review of information and investigation of complaints
 - f. Encouraging employee participation to support the advancement of the EEO Program (e.g., professional development and career growth opportunities, posting promotional opportunities, shadowing, mentoring).
 - g. Per request, support and career counseling is provided to employees.

SECTION IV – ORGANIZATIONAL CHART

See Appendix C for current Organizational Chart showing senior management and EEO Officer Lines of authority.

SECTION V – UTILIZATION ANALYSIS

The purpose of the utilization analysis is to identify those job 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 also to establish the framework for goals and timetables and other affirmative action to correct employment practices that contributed to any identified absence, underutilization, or concentration.

1. A utilization analysis consists of a workforce analysis and an availability analysis. The workforce analysis requires a statistical breakdown of CHARLOTTESVILLE AREA TRANSIT's workforce by each department, job category (e.g. Officials/Managers, etc.), and job title. Each of the above should be cross-referenced by race, national origin, and sex. This analysis should be structured in lines of progression by departmental units to ensure that promotional opportunities will be considered. A table or chart is recommended for formulating this analysis. Also, principal duties and rates of pay must be indicated for each job category, grade/rank of employee, and job title for each employee. Where auxiliary duties are assigned, or where more than one rate of pay applies because of length of time in the job or other factors, a special notation should be made. Where

CHARLOTTESVILLE AREA TRANSIT or its contractors operate more than one shift or assigns employees within each shift to varying locations, indicate the number by race, national origin, and sex on each shift and in each location.

2. An availability analysis is a comparison of the participation rates of minorities and women at various levels in the workforce with their availability in relevant labor markets. A labor market has both geographic and occupational components. Different geographic areas and labor force data can be used for different job categories. As an example, professional positions would likely have a regional or national recruiting area as opposed to a local recruiting area as would be the case for less skilled jobs. Moreover, recruiting areas may reflect nearby concentrations of minority-group persons who may have been historically excluded from consideration.
3. Occupational data (in addition to general population and unemployment information), along with training and promotional opportunities, may be considered in determining the availability of persons for those employment opportunities from which minorities and women have traditionally been excluded. In determining availability for job categories not requiring special skills or abilities, general population or workforce age data may be suitable. Community and area labor statistics by race, national origin, and sex can be obtained from the U.S. Department of Commerce, Bureau of the Census, and its publications; U.S. Department of Labor, Bureau of Labor Statistics, and the Women's Bureau; State and local governments, especially State employment services and MPO's. Detailed occupational data by race, national origin, and sex in categories required for EEO reports (E.g., Professionals, Officials, Managers, Operators, etc.) is available in special affirmative action data packages from many State employment services. Similar data is available from the Research and Analytical Services staff of the EEOC.
4. CHARLOTTESVILLE AREA TRANSIT and its contractors present the availability data utilized in a table or chart form for the job categories and job titles being analyzed. Data used is the most recent, accurate, and relevant. Also, in assessing availability and projecting goals from such availability, the program identifies the data given the greatest weight and reasons underlying the decision.

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5. In performing the workforce and availability analyses, CHARLOTTESVILLE AREA TRANSIT or contractors have reviewed racial data cross-classified by sex to ascertain the extent to which minority-group women or minority-group men may be underutilized. Likewise, minority-group data is broken down by specific racial groups (i.e., Black, Hispanics, Asian, Pacific Islander, American Indian or Alaskan Native or Multi-racial) and has been reviewed in such manner in this plan.

A current Workforce Analysis – Appendix B, Utilization Analysis – Appendix F, and Availability Appendix E are found in separate Appendices to this EEO Program.

(The workforce Analysis Availability Data and Utilization Analysis have been performed as required by laws and contain confidential and proprietary information, and are, therefore, not included herein. These may be reviewed upon request.)

SECTION VI – GOALS & TIMETABLES

1. Goals and timetables are an excellent management tool to assist in the optimum utilization of human resources. Specific and detailed percentage and numerical goals with timetables must be set to correct any underutilization of specific affected classes of persons identified in the utilization analysis. Usually, long-range goals will be designed to eliminate underutilization in job categories where it has been identified. Based on the utilization analysis, CHARLOTTESVILLE AREA TRANSIT and its contractors will establish goals and timetables designed to correct any identified deficiencies. The goals and timetables should be attainable, in terms of the analysis and the entire program of affirmative action, to remedy existing employment practices that may unjustifiably be contributing to underutilization. In establishing the size of goals and the length of the timetables, CHARLOTTESVILLE AREA TRANSIT should consider results, which can reasonably be expected from putting forth every good faith effort to make the overall affirmative action program work. If goals and timetables are not met, there is an obligation to justify this failure following CHARLOTTESVILLE AREA TRANSIT's annual evaluation of the EEO Program. The justification for failing to meet a goal(s) should

address such factors as: whether the anticipated job openings materialized, the availability of persons whose employment could have resulted in the goal(s) being achieved, and the adequacy of recruitment and other affirmative actions to change existing employment practices so that the goal(s) could be achieved.

2. Long-range goals are stated as percentages, although numerical projections are recommended where feasible. Such goals should consider the fact that availability of traditionally underutilized or underemployed groups is not constant. Future projections should be taken into consideration. Generally, an EEO Program will be formulated with long-range goals to be attained within a period of 4 to 5 years.
3. Short-term or intermediate numerical goals should be set and pursued in order to assure accomplishment of long-range goals. Short-term goals represent the net increase in minority and/or women's employment in a particular job category within the next 12 months. Short-term goals should be stated, both as actual numbers and percentages, and are based on anticipated job openings, job group availability, and the long-range goals set for minorities and/or women in the particular job category. Projections of vacancies should also be established in terms of a job progression chart in order to determine which vacancies can be filled immediately by underutilized persons and the possibilities of these persons being promoted into upper-level positions in terms of long-range goals.
4. Short-term or intermediate goals should be weighted and established so that they are likely to produce the greatest results. As an example, if CHARLOTTESVILLE AREA TRANSIT has no members of a specific affected group in a particular job classification, initial short-term goals should be set higher to maximize the expectation of recruitment and selection from the affected group. On the other hand, if CHARLOTTESVILLE AREA TRANSIT has a good representation of traditionally underutilized groups in the lower steps of the job progressions, and members of each affected group are moving into higher steps of the job progressions with regularity, a lower allocation of openings at the upper level may be adequate. Achievement of EEO goals will benefit CHARLOTTESVILLE AREA TRANSIT, through fuller utilization and development of previously underutilized human resources.

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5. In developing goals and timetables to correct underutilization, CHARLOTTESVILLE AREA TRANSIT may incorporate the following guidelines for goal setting:
- a. Involve personnel staff and department managers in the process.
 - b. Set goals that are significant, measurable, and attainable.
 - c. Make goals with timetables specific for planned results.
 - d. Consider anticipated attrition, expansion, contraction (especially the impact on employment of projected contracting out and privatization/competiveness activities), turnover in the workforce, and availability of persons with required skills.
 - e. Consider how changes affect existing employment practices that may contribute to underutilization in increasing availability of minorities and women.
 - f. Goals should not be rigid and inflexible but must be targets reasonably attainable by applying every good faith effort to make all aspects of the affirmative action program work.
 - g. CHARLOTTESVILLE AREA TRANSIT will analyze in detail all employment practices relating to recruitment, selection, salaries, promotions, terminations, standards of discipline, seniority, leave policies, physical requirements, etc. All problems will be noted, and a proposed course of remedial action will be enumerated in CHARLOTTESVILLE AREA TRANSIT's EEO program.

A Goal Timetable – Appendix F can be found in separate Appendices to this EEO Program.

(Any short and long-term goals that are required by law due to this self-analysis contain confidential and proprietary information, and, are, therefore, not included herein. These analyses may be reviewed upon request.)

SECTION VII – ASSESSMENT OF EMPLOYMENT PRACTICES TO IDENTIFY CAUSES OF UNDERUTILIZATION: AFFIRMATIVE ACTION TO REMEDY PROBLEM AREAS

One of the primary goals of this affirmative action plan is to affirmatively include in all employment practices those who have been disadvantaged in the past due to oversight and/or discriminatory practices and to ensure nondiscrimination in treatment in all current aspects of employment. The comparative assessments found within have established

placement goals for minorities and/or women where required. These goals will be achieved through an ongoing assessment of outreach in hiring, review of hiring decisions, promotional patterns, training and development, and a review of terminations, demotions, and lay-offs.

CHARLOTTESVILLE AREA TRANSIT shall routinely conduct detailed assessments of current employment practices to identify those practices that operate as employment barriers and unjustifiably contribute to underutilization. Any problem areas that are identified shall have a proposed remedial, affirmative action included in the EEO program. The assessment shall include:

- a. Outreach in recruitment and employment selection procedures;
- b. Seniority practices, job upgrades, and promotional opportunities and procedures;
- c. Compensation determinations and benefits administration;
- d. Disciplinary procedures and terminations (voluntary and involuntary); and,
- e. A reasonable assessment of external factors which may lead to underutilizations.

CHARLOTTESVILLE AREA TRANSIT has reviewed its employment practices as required by FTA C 4701.A). Specifically, CHARLOTTESVILLE AREA TRANSIT has reviewed its hiring activity, promotional activity, transfer activity, terminations, training and reprimand activities. In any instance where the statistical/numerical thresholds were met as identified in the Circular 4704.1a, a more in-depth review of that employment activity and its selection process has been undertaken and corrective action taken as appropriate. Specifically, CHARLOTTESVILLE AREA TRANSIT has reviewed its employment practices results, the underutilization results and current job group goals, and has set forth the following course of action:

Recruitment and Hiring: The EEO Officer for CHARLOTTESVILLE AREA TRANSIT shall review the composition of the applicant flow by minority group status and sex on an ongoing basis, and again annually. CHARLOTTESVILLE AREA TRANSIT maintains a register at the point of receiving applications for employment, indicating the name of the applicant, the minority group status (African American, Hispanic, American Indian, Asian, or Pacific Islander and Multi-Racial) and sex of the applicant and the job applied for. The contents of this register is summarized

according to the position for which employment applications were received and the applicant flow is compared with the availability analysis figures. An analysis will be made to see whether any variations are due to mistakes in the availability analysis, failure to maximize minority and female applicant flow, or some other cause. Remedial actions, as applicable, include, a review of final dispositions to ensure they are accurately used, review of procedures with those involved in the selection process to ensure full understanding and ensure compliance with non-discrimination requirements, and a review of the process itself, to ensure impediments do not exist for providing equal employment opportunity to all. This includes a detailed review of the requisition activity. Also, hiring activity and practices will continue to be reviewed annually and training provided as applicable.

CHARLOTTESVILLE AREA TRANSIT reviews all of its position descriptions, position titles, application forms, interview procedures, skills testing procedures (if any), final selection process, and similar matters to determine whether they interfere with hiring and advancement of qualified minorities and women. If any potential problems are identified, they are reviewed and addressed as applicable. Additionally, in order to achieve its numerical objectives, the EEO Officer will coordinate strategic outreach directed toward those groups underutilized within this EEO program. Particular emphasis will be given to positions in those categories that are underutilized for the job category in which the vacancy exists. No external factors were identified that may influence the full participation of minorities, women, the disabled and veterans.

Promotions and Transfers: CHARLOTTESVILLE AREA TRANSIT has also analyzed its transfer and promotion practices and remedial actions are taken, as applicable. Similar to the above-mentioned actions, the steps include, review of dispositions, and a review of the process itself and with Supervisors, as applicable, etc. to ensure impediments do not exist for providing equal employment opportunity to all. Transfer and promotion practices will continue to be analyzed annually. All formal and informal training programs (when budgets permit) are reviewed for inclusion and diversity.

Compensation: CHARLOTTESVILLE AREA TRANSIT has evaluated its procedures and practices regarding wages, compensation, and benefits. If any potential problems are identified, they are reviewed and addressed as applicable. Wages will continue to be reviewed annually to ensure employees are treated with fairness and without regard to minority group, sex, disability or protected veteran status.

Benefits: All facilities, sponsored recreation and social events and special programs such as educational assistance and other benefits are and will continue to be available to all employees without regard to minority group, sex (including gender identity and sexual orientation), age, disability or protected veteran status. See Appendix J and K-FMLA and Harassment Policies in separate Appendices upon request.

Turnover/Retention/Terminations: CHARLOTTESVILLE AREA TRANSIT's human resources are its most important resource. While employees leave for a variety of reasons, turnover is always a great loss to CHARLOTTESVILLE AREA TRANSIT. The EEO Officer reviews termination data to ensure that the workplace is bias free.

Discipline: Managers and supervisors evaluate and will continue to evaluate in a non-discriminatory manner pursuant to CHARLOTTESVILLE AREA TRANSIT's Personnel Policy. In addition, managers and supervisors will consult with the EEO Officer to ensure that any disciplinary actions for violations of the Transit's policies as stated in the personnel policy are applied in a non-discriminatory manner. Disciplinary actions include warnings, suspensions, and terminations. All employees have the right to appeal an adverse action. Employees are also informed that they have the right to file an employment discrimination complaint with the EEOC. Notices are posted on bulletin boards and pertinent information is provided.

Training: CHARLOTTESVILLE AREA TRANSIT encourages employees to seek training to develop skills and may offer different training programs as applicable and where budgets permit, to all employees in an effort to ensure the workforce can improve their skills as a means to provide greater opportunities for career development and progression. Additionally, CHARLOTTESVILLE AREA TRANSIT provides appropriate Equal Employment Opportunity and related training to all

supervisors and managers within 90-Days of hire or entering into such supervisory/management roles.

SECTION VIII: MONITORING AND REPORTING SYSTEM

An important part of any successful EEO program is the establishment of an effective and workable internal monitoring and reporting system. This system should:

- Assess the results of action plans taken since the last program submission and review accomplishments – See Appendix D-Long Term Goal Attainment Chart (2018 – 2022 results) in separate Appendices upon request;
- Enable CHARLOTTESVILLE AREA TRANSIT to evaluate the EEO program during the year and to take any necessary corrective action regarding the development and execution of programs or goals and timetables. These assessments are required to be conducted at a minimum, semi-annually;
- Provide documentation that supports actions to implement the Plan for minority and female job applicants or employees and informs managers of the program’s effectiveness and or failure to achieve a goal; and
- Include meetings to discuss the EEO Program. CHARLOTTESVILLE AREA TRANSIT, has held meetings with top management officials, that included discussion of the EEO program and its implementation and areas that need further focus. Also, CHARLOTTESVILLE AREA TRANSIT will schedule meetings to be held periodically with HR Manager and Supervisors, wherein the results and all aspects of the Equal Opportunity Program will be reviewed.
- Include a review of employment practices. CHARLOTTESVILLE AREA TRANSIT will analyze in detail all employment practices relating to recruitment, selection, salaries, promotions, terminations, standards of discipline, seniority, maternity/paternity leave, etc. All problems will be noted, and a proposed course of remedial action will

be identified, as applicable. See Appendix A- Activity Tables in separate Appendices to this EEO Program upon request.

- The EEO Officer shall ensure that all sub-recipients, contractors, and/or subcontractors know of their legal requirements under FTA C 4704.1A at time of contract and/or renewal. At this time, CHARLOTTESVILLE AREA TRANSIT has one sub-contractor as follows:
 - JAUNT, Inc. 104 Keystone Place, Charlottesville, VA 22902. They provide CHARLOTTESVILLE AREA TRANSIT with ADA Paratransit Service.
- CHARLOTTESVILLE AREA TRANSIT will further review adherence to non-discrimination and equal employment opportunity regulations through a request and review of Jaunt, Inc.'s written Equal Opportunity Program and EEO Policy Statement on an annual basis. See Appendix I – EEO Program Review Checklist in separate Appendices to this EEO Program upon request.

SECTION IX: CONCLUSION

This Equal Employment Opportunity Program (EEOP), covering the timeframe January 1, 2022 to 12/31/25 portrays CHARLOTTESVILLE AREA TRANSIT's commitment to equal employment opportunity and affirmative action and will be utilized as a management tool to ensure that CHARLOTTESVILLE AREA TRANSIT reaches out and includes the rich diversity of talent found in the surrounding labor market.

We are pleased with the success we have had in making inroads in the hiring and promotion of minority group members and women but are mindful of the fact that it will take the concerted efforts of management at all levels to sustain such. The goals we have set herein are reminders of where we fall short using statistical data in the hiring, development and/or retention of minority group members and women compared to that labor market. We strive to continue to make equal employment opportunity both a commitment and a continued reality at CHARLOTTESVILLE AREA TRANSIT .

AAPENDIX I - NON-COMPLIANCE AND REMEDIAL ACTION PROCEDURES

In the event that CHARLOTTESVILLE AREA TRANSIT is found to be in non-compliance or probable non-compliance with Section 19 of the Urban Mass Transportation Act of 1964 (UMT Act) or where the FTA has found evidence of discrimination prohibited under Section 19 and remedial action is required, the following procedures will be followed:

1. Upon receipt of a non-compliance, probable non-compliance, or discrimination finding, CHARLOTTESVILLE AREA TRANSIT will formulate and submit a Remedial Action Plan for correcting the deficiencies cited in the Letter of Finding.
2. Within 30 days of the receipt of the FTA Letter of Finding, CHARLOTTESVILLE AREA TRANSIT will submit a Remedial Action plan, and if necessary, sufficient reasons and justification for the FTA to reconsider any of its findings or recommendations. The Remedial Action Plan shall:
 - a. List all corrective actions accepted by CHARLOTTESVILLE AREA TRANSIT or its contractors;
 - b. Describe how the corrective actions will be implemented;
 - c. Include a written assurance that CHARLOTTESVILLE AREA TRANSIT will implement the accepted corrective action(s) and has the capability to implement the accepted corrective actions(s) in the manner discussed in the plan; and,
 - d. All requests for reconsideration shall:
 - i. State which of the findings or recommendations CHARLOTTESVILLE AREA TRANSIT requests the FTA to reconsider;
 - ii. Provide a justification for the request to reconsider, including any evidence or information supporting such a request; and,
 - iii. Include a written assurance that on the basis of the requested reconsideration, CHARLOTTESVILLE AREA TRANSIT will be in compliance.

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3. Within an additional 30 days, the FTA will review and submit the Final Remedial Action Plan to CHARLOTTESVILLE AREA TRANSIT.
 - a. CHARLOTTESVILLE AREA TRANSIT will review and consent or respond to this plan within 15 days of receipt.
 - b. If CHARLOTTESVILLE AREA TRANSIT does not agree with the Final Remedial Action Plan, it will submit a written statement of its reasons for not agreeing to the remedial action contained in the plan.

APPENDIX II - DISCRIMINATION COMPLAINTS

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, creed, national origin, sex (including gender identity, sexual orientation or pregnancy), disability or protected veteran status, or age may file a written complaint with the EEO Officer. CHARLOTTESVILLE AREA TRANSIT has developed a Discrimination Complaint Form for this purpose to assist in the process. The Complaint process is communicated to employees via internal posting, website, intranet policies and procedures and in the new employee documents. All complaints are documented to include date of complaint, basis of complaint, date reviewed, resolution and date of resolution. All complaints are reviewed by the EEO Officer. The investigation may include review of documents, interviews, assessment of evidence and other actions relevant to the circumstance of each case. If it is determined that a violation has occurred, action to eliminate the offending conduct will be taken promptly up to and including dismissal. The typical timeframe from filing of complaint to resolution is approximately 30 days depending on the duration of the investigation. In those cases where the complainant is dissatisfied with the CHARLOTTESVILLE AREA TRANSIT'S resolution, or the case is not being resolved in a timely manner, the same complaint may be submitted to the FTA, the DOT Secretary, EEOC, or a State agency for investigation. A complaint must be filed within 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary. FTA recommends that EEO complaints be initially filed with the CHARLOTTESVILLE AREA TRANSIT for resolution. Unless otherwise permitted, the final determination of all EEO complaints affecting programs administered by the FTA will be made by the Office of the Secretary, DOT.

SUBMISSION OF COMPLAINTS

1. Filing Complaints of Discrimination

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- a. In addition to filing complaints internally, complainants may submit written complaints to the FTA Director, Office of Civil Rights, the FTA Area Civil Rights Officers, the Departmental Director of Civil Rights, and/or the local EEOC Office.
 - b. In cases where the complainant is unable or incapable of providing a written statement, but wished FTA to investigate alleged discrimination, a verbal complaint of discrimination may be made to the FTA Director, Office of Civil Rights, or a FTA Area Civil Rights Officer. The complainant will be interviewed by the FTA civil rights officer and, if necessary, the official may assist the person in converting verbal complaints to writing.

2. Complaint Format

- a. All complaints must be in writing and signed by the complainant or his/her representative before action can be taken. Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination.
- b. The FTA will provide the complainant or his/her representative with a written acknowledgement that the complaint was received, within ten (10) working days from the date it was received. Concurrently, FTA will transmit the complaint to the Departmental Office of Civil Rights.

3. Request for Additional Information from Complainant and/or Respondent

- a. In the event that the complainant or respondent has not submitted sufficient information to make a determination of jurisdiction or investigative merit, the FTA may request additional information from either party.
- b. This request shall be made by registered mail within 15-working days of the receipt of the complaint by Departmental Office of Civil Rights and will require that the party submit the information within 60-working days from the date of the original request.
- c. Failure of the complainant to submit additional information within the designated timeframe may be considered good cause for a determination of no investigative merit.

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4. **Notification of Disposition** – the Departmental Director of Civil Rights shall notify the party charged and primary recipient (if not the respondent) of the disposition within five (5) days by registered letter the decision to investigate or not investigate the complaint:
 - a. If the decision is to investigate, the notification shall state the jurisdiction, inform the parties that an investigation will take place, and request any additional information needed to assist the investigator in preparing for the investigation.
 - b. If the decision is to not investigate, the notification shall specifically state the reason for the decision.
 5. **Referral to Other Agencies** - In the event that the DOT lacks the jurisdiction, the complaint will be referred to other State or Federal agencies, informing the parties of the action.
 6. **Complaint Investigation**
 - a. Departmental Investigation. The Departmental Office of Civil Rights may elect to conduct its own investigation of the complaint. The investigation may be conducted by “desk audit” or an “onsite” investigation.
 - b. Referral of Complaint to the FTA. Cases determined by Departmental Office of Civil Rights to have investigative merit may be sent back to the FTA to conduct an “onsite” investigation or may be recommended for a comprehensive EEO review of the recipient.
 - c. Priority Complaints. All incoming complaints shall be examined to determine if the discrimination alleged would be irremediable if not dealt with promptly. If such a determination is made, the complaint shall be given priority status. The processing, investigation, and determination of such complaints shall be accelerated to advance significantly the normal completion date of the process.
 - d. Investigator’s Preparation. Before beginning the investigation, the investigator shall send a letter of introduction, establishing the times and dates for the investigation and interviews. This preparation shall be completed within 30 working days after the assignment has been given to the investigator, contingent upon the investigator’s workload and resources.

7. **Investigative Report** - A written report will be prepared by the responsible investigator at the conclusion of the investigation. This report will be reviewed by the Executive Director for thoroughness. The investigative report will include the following:

- a. Summary of the complaint, including a statement of the issues raised by the complainant and the recipient's reply to each of the allegations;
- b. Citations of relevant Federal, State, and local laws, rules, regulations, and guidelines, etc.,
- c. Description of the investigation, including a list of the persons contacted by the investigator and a summary of the interviews conducted; and,
- d. A statement of the investigator's findings and recommendations.

8. **Disposition of Complaints**

- a. Approval and Notice of Disposition. The Departmental Office of Civil Rights will approve or disapprove the findings and recommendations made by the investigator in the investigative report. The consequent disposition of the complaint will be communicated to the complainant and recipient by letter. In addition, a rationale supporting the disposition made and any recommendations to any party will be included in the letter.
- b. Informal Resolution. If the Notice of Disposition is issued and finds CHARLOTTESVILLE AREA TRANSIT in noncompliance, CHARLOTTESVILLE AREA TRANSIT is required to initiate voluntary remedial actions agreeable to the Office of Civil Rights.
- c. Enforcement Procedure. In cases in which all required means of remedial action have failed to bring the recipient into compliance, enforcement procedures will be initiated by the Departmental Office of Civil Rights in conjunction with the FTA.
- d. Request for Reconsideration. CHARLOTTESVILLE AREA TRANSIT may request reconsideration findings within 30 days of the Notice of Disposition. This request should include any additional information or analysis CHARLOTTESVILLE AREA TRANSIT considers relevant. The Office of Civil Rights will inform the recipient of its decision to accept or reject the request within 30 days after its receipt.

In cases in which a request for reconsideration is approved, the responsible investigator will reopen the investigation and proceed to process the complaint in the same manner described above. All applicants and employees should follow the above procedures in dealing with possible discrimination.

Laws Enforced by the EEOC

- Title VII of the Civil Rights Act
- Equal Pay Act of 1963
- Age Discrimination in Employment Act of 1967 (ADEA)
- Rehabilitation Act of 1973, Sections 501 and 505
- Titles I and V of the Americans with Disabilities Act of 1990 (ADA)
- Civil Rights Act of 1991

Policy Format

Alternative accessible formats of this policy will be provided to applicants or employees upon request.

HOW TO FILE AN EEO COMPLAINT WITH FTA

Written complaints should be submitted to:

Director, Office of Civil Rights
Federal Transit Administration
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590

<http://www.fta.dot.gov/civilrights/13940.html> 

APPENDIX III – TITLE I OF THE AMERICANS WITH DISABILITIES ACT OF 1990

CHARLOTTESVILLE AREA TRANSIT is covered by Title I of the Americans with Disabilities Act of 1990 which prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.

An individual with a disability is a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such an impairment; or
- Is regarded as having such impairment.

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question.

Reasonable accommodation may include, but is not limited to:

- Making existing facilities used by employees readily accessible to and usable by persons with disabilities.
- Job restructuring, modifying work schedules, reassignment to a vacant position;
- Acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

CHARLOTTESVILLE AREA TRANSIT shall make a reasonable accommodation to the known disability of a qualified applicant or employee if it would not impose an “undue hardship” on the operation of the employer’s business. Reasonable accommodations are adjustments or modifications provided by to enable people with disabilities to enjoy equal employment opportunities. Please contact Ashley Reynolds Marshall, J.D., EEO Officer at (434) 970-3116 or email: marshalla@charlottesville.gov for information, concerns, and/or to file a complaint.