

**EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

**APRIL 2022**

**PREPARED BY THE  
SAN DIEGO  
METROPOLITAN TRANSIT SYSTEM**

## TABLE OF CONTENTS

POLICY STATEMENT 2022 .....	2
I. INTRODUCTION.....	4
II. HARASSMENT POLICY.....	5
IV. DEFINITIONS.....	8
V. DISSEMINATION OF EEO PROGRAM.....	10
VI. RESPONSIBLE STAFF .....	12
VII. UTILIZATION ANALYSIS .....	15
VII. GOALS AND TIMETABLES .....	16
VIII. ASSESSMENT OF PRESENT EMPLOYMENT PRACTICES .....	17
IX. INTERNAL MONITORING AND REPORTING SYSTEM.....	21
List of Appendices.....	23
1. Occupational Category List .....	24
2. Utilization Analysis Chart.....	25
3. Underutilization Analysis .....	28
4. Short-Term Goals.....	29
5. Long-Term Goals for MTS.....	30
6. Employees Hired.....	31
7. Employees Promoted .....	33
8. Employees Terminated.....	35
9. MTS Policy 25 .....	37
10. Ethnic Identification .....	40
11. Designation of Personnel .....	41
12. Organizational Chart .....	42
13. Justification Why Prior Goals Were Not Met .....	54
14. Goals Memorandum.....	55

## POLICY STATEMENT 2022

It is the policy of the San Diego Metropolitan Transit System (MTS), its subsidiaries, San Diego Trolley, Inc. (SDTI), San Diego Transit Corporation (SDTC), and its contractors, to recruit, hire, train and promote all applicants and employees in accordance with Title VII of the Civil Rights Act of 1964, as amended. MTS will ensure that recruiting, selecting, hiring and promoting procedures do not adversely affect the employment of persons protected by Title VII and, in addition, that all MTS hiring and promoting criteria, requirements and tests are job-related. MTS is committed to undertaking an Affirmative Action Program in accordance with the provisions of Executive Order 11246 to the extent allowable by applicable law, the Equal Employment Opportunity Commission guidelines, and all other applicable equal employment regulations, taking into account its present size and future growth.

MTS is committed to Equal Employment Opportunity (EEO) for all persons. It is the policy of MTS to assure that discrimination based on race, color, religion, ancestry, national origin, age (over 40 years), sex, sexual orientation, gender, gender identity, gender expression, marital status, medical condition (cured or rehabilitated cancer), physical disability (including HIV and AIDS), mental disability, genetic information, and military or veteran status does not occur in relationships that may exist between MTS and any employee or applicant for employment. Such relationships may be defined as, but not limited to, recruitment, hiring, promotion, compensation, benefits, terminations, transfers, layoffs, recalls, company-sponsored training, education, and social and recreational programs. Goals and timetables with specific measurement and evaluation factors will be established to help measure management's progress in administering this EEO Program. We expect successful achievement of EEO goals to provide benefits to MTS through fuller utilization and development of previously underutilized human resources.

As part of the Agency's EEO Policy, MTS will also take affirmative action as called for by applicable laws to ensure that minority group individuals, females, veterans and qualified disabled persons are introduced into our workforce and considered for promotional opportunities.

MTS is committed to provide reasonable accommodations to applicants and employees who need them because of a disability or to practice or observe their religion, absent undue hardship.

Employees and applicants will not be subjected to harassment, intimidation or any type of retaliation because they have (1) filed a complaint; (2) assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state or local law requiring equal employment opportunity; (3) opposed any act or practice made unlawful by any federal, state or local law requiring equal opportunity; or (4) exercised any other legal right protected by federal, state or local law requiring equal employment opportunity. Violation of these policies is prohibited and will not be tolerated. The responsibility for the implementation of the EEO Program is assigned to Jeffrey Stumbo, Chief Human Resources Officer, MTS's Equal Employment Opportunity Officer, who reports directly to the CEO. All management and supervisory personnel are expected to support and implement this EEO Program in the performance of their job duties and responsibilities to ensure and achieve compliance. Further, the performance of all managers and supervisors will be evaluated based on the success of the program.

Any employee or applicant for employment who feels that they have been discriminated against has the right to file a complaint alleging discrimination with the Chief Human Resources Officer (EEO Officer). Complaints should be directed to:

Jeffrey Stumbo  
Chief Human Resources Officer (EEO Officer)  
(619) 557-4509  
[Jeff.Stumbo@sdmts.com](mailto:Jeff.Stumbo@sdmts.com)

If the Chief Human Resources Officer (EEO Officer) is involved in the complaint, the complaint should be filed with, and will be processed by, Karen Landers, MTS General Counsel.

MTS will update and reaffirm this EEO Policy Statement annually. The EEO Program is available for inspection by any employee or applicant for employment upon request.

  
\_\_\_\_\_  
**Sharon Cooney**  
Chief Executive Officer

January 4, 2022  
\_\_\_\_\_  
Date

## I. INTRODUCTION

### A. Equal Employment Opportunity

Underlying the concept of equal employment is the perception that all persons be judged on the basis of merit, individual ability and competence without regard to factors unrelated to successful job performance such as race, color, religion, ancestry, national origin, age, sex, gender, marital status, medical condition, physical disability, mental disability, genetic information, gender identity, gender expression, sexual orientation, military or veteran status, or other irrelevant circumstances.

EEO policies were mandated by Congress with the passing of the Civil Rights Act of 1964, but the notion of equality of opportunity can be traced to a broad spectrum of cultural traditions. The 14<sup>th</sup> Amendment to the Constitution and the Civil Rights Acts of 1866 and 1870, which entitles all citizens to equal benefit of all laws and proceedings, establishes the legal precedence for contemporary civil rights legislation.

The passage of this legislation has placed a prohibition upon the conscious, overt, discriminatory actions against individuals. Statistics of unemployment, underemployment, and incomes of minorities and females indicate that some employment practices continue to have disparate and discriminatory impact upon certain groups within our population.

The Civil Rights Act commands the removal of artificial barriers to employment when the barriers operate invidiously to discriminate on the basis of racial or other impermissible classification. The current thrust of equal employment opportunity according to the EEOC is to eliminate employment practices which appear neutral on the face, but have an adverse and discriminatory effect.

### B. Affirmative Action

Affirmative action is a process through which equal employment opportunity can be achieved and maintained. The necessity for affirmative action programs was first recognized in Executive Order 11246 and its amendments which required government contractors to implement positive, results-oriented steps to eliminate job discrimination. The order required that employers conduct a self-analysis to determine if any aspect of their employment system had an adverse effect upon members of protected classes and to take appropriate remedial actions. The employer must identify departments and job classifications which underutilize members of protected classes in an attempt to correct all disparities. In addition, the employer is committed to a sincere effort toward attaining definite goals for minority group members and females who will be hired or promoted to a specific job status in a given period of time.

## II. HARASSMENT POLICY

It is the policy of San Diego Metropolitan Transit System (MTS) and its operating entities, San Diego Trolley, Inc. (SDTI) and San Diego Transit Corporation (SDTC) (collectively, the “Agency”), to provide a work environment that is free from harassment, discrimination and retaliation as defined below.

Any unwelcome verbal, physical and/or visual conduct that is based on any protected characteristic and interferes with work performance constitutes harassment that is prohibited by this policy. “Protected characteristics” include sex (including pregnancy, childbirth, breastfeeding or related medical conditions), gender, gender expression, gender identity, race, color, religion (including religious dress and grooming practices), national origin, ancestry, age, physical or mental disability, legally protected medical condition, pregnancy, marital status, sexual orientation, military or veteran status, genetic information or any other basis protected by applicable federal, state or local law, as well as the perception that a person has any of the above characteristics or is associated with a person who has or is perceived as having any of the above characteristics. Bullying behavior is also prohibited.

### **Definitions**

Harassment is unwelcome verbal, visual or physical conduct based on a protected characteristic described above that creates an intimidating, offensive or hostile working environment or that interferes with work performance.

Discrimination is the act of differentiating among employees or applicants for employment in the terms and conditions of employment on the basis of any protected characteristic described above.

Sexual Harassment is one form of unlawful harassment and deserves special mention. Applicable state and federal law define sexual harassment as: Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual or sex-based nature when:

- Submission to that conduct is made either explicitly or implicitly a term or condition of an individual’s employment; or
- Submission to or rejection of the conduct is used as a basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.

Sexual Harassment may take the following forms:

- Verbal – epithets, derogatory or suggestive comments, slurs, unwanted sexual advances, sexual innuendoes, sexually oriented teasing or practical jokes invitations, or comments.

- Visual – derogatory posters, cartoons, drawings, display or distribution of sexually suggestive pictures, graphic emails, text messages or other materials.
- Physical – assault, blocking normal movement, unwanted touching, looks or gestures, and interference with work because of gender.
- Threats or Demands – requirements of sexual acts as a condition of keeping a job or avoiding disciplinary proceedings, or offers of job benefits in return for sexual favors.

Other conduct of a sexual nature, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment. For example, inquiries into one's sexual experiences or discussion of one's sexual activities may create an offensive work environment.

This policy prohibits a wide variety of conduct, including all inappropriate conduct, even if that conduct is less severe than harassment that violates local or federal law.

This policy applies to conduct at all Agency locations, Agency-sponsored business or social events, during business travel and all activities at which an employee represents the Agency. This policy may also apply to conduct that occurs outside of work or work-related events, but which has an impact on the working environment of Agency employees (such as sending emails from a home or from a non-Agency owned computer).

This policy and the laws protecting against harassment, discrimination and retaliation apply to all applicants for employment, employees (including coworkers, managers and supervisors), interns, and other third parties with whom the Agencies or its employees have a business, service or professional relationship (such as customers, vendors and independent contractors).

### **Required Internal Reporting Procedure**

All Agency employees are responsible for helping to ensure that the work environment is free from harassment, discrimination, bullying and retaliation. Employees who are subjected to, or are a witness to, harassment, discrimination, retaliation, and/or other inappropriate conduct prohibited by this policy must immediately report such conduct to any of the following individuals: Jeff Stumbo, Chief Human Resources Officer (EEO Officer) (phone number: 619-557-4509, email address: jeff.stumbo@sdmts.com); Brendan Shannon, Director of Human Resources, email: Brendan.shannon@sdmts.com; or department head.

The Chief Human Resources Officer (EEO Officer) or his/her designee has full responsibility to receive, investigate and resolve complaints involving violations of the policies stated herein, and to take appropriate corrective action. If the complaint relates to, or in some way involves, the Chief Human Resources Officer (EEO Officer), the complaint should be filed with the Chief Executive Officer (phone number: 619-557-4513; email address: sharon.cooney@sdmts.com) who may designate another individual to investigate.

When a supervisor or member of management becomes aware that harassment, discrimination or retaliation might exist, they must report any such misconduct to the Chief Human Resources Officer (EEO Officer).

Every complaint of harassment, discrimination and/or retaliation that is reported to management or Human Resources will receive a timely response and will be treated with as much confidentiality as possible, consistent with the need to conduct an investigation. In response to every complaint concerning conduct prohibited by this conduct, the Agency will conduct a prompt, impartial, fair, and thorough investigation. The investigation will be conducted by qualified personnel and will provide all parties due process and reach reasonable conclusions based on the evidence collected. Such an investigation typically requires the cooperation of the person making the complaint. This may include providing the details of the basis for the complaint orally and/or in writing, as well as any other information the Agency may require to investigate the complaint. The investigation will be kept as confidential as reasonably possible, but complete confidentiality cannot be guaranteed. All complaints and investigations will be documented and monitored to ensure reasonable progress. The Agency requires that all employees to cooperate in all investigations whether as a witness, third party, complainant, or subject of the investigation. Failure to cooperate in an internal investigation, obstruction of an investigation (including failure to answer questions truthfully) will result in discipline up to and including termination of employment.

If the Agency determines, based on the investigation, that misconduct in violation of this policy has occurred, the Agency will take appropriate action designed to remedy any violation of this policy, stop any harassment, discrimination and/or retaliation and prevent future harassment, discrimination and/or retaliation. Corrective action may include without limitation, training, counseling, discipline, up to and including termination, and other personnel action. Any employee who is found to have violated this policy is subject to disciplinary action up to and including termination of employment. The complainant and/or victim(s) of alleged mistreatment will be notified of the outcome of the investigation; however, because of privacy concerns, specific corrective actions taken in response to an investigation may not be shared.

Individuals who engage in unlawful harassment may also be held personally liable for their conduct, including monetary penalties as determined by a court.

To the extent a customer, vendor or other person with whom the Agency does business with engages in conduct in violation of this policy, the Agency will take appropriate corrective action.

### **Non-retaliation**

The Agency will not tolerate retaliation against any employee for making a good faith complaint of harassment, discrimination or any other unlawful conduct, or for initiating, assisting or participating in any investigation, action or proceeding regarding harassment or discrimination.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy or participated in the reporting and/or investigation process described above. "Adverse conduct" could include, but is not limited to:



- 1.shunning and avoiding an individual because they reported or opposed harassment, discrimination or retaliation;
- 2.expressed or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; or
- 3.denying employment benefits or altering the terms and conditions of employment because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Any employee who believes that he or she has been retaliated against or who witnesses retaliation against another employee must immediately inform the Chief Human Resources Officer (EEO Officer). Any complaint of retaliation prohibited by this policy will be promptly and thoroughly investigated as outlined above.

### **Additional Enforcement Information**

In addition to following the required internal complaint procedure, employees may also seek legal relief by filing a complaint with the appropriate state or federal agency. The California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC) will, in appropriate cases, investigate a complaint, and attempt to resolve the matter. If either of these agencies finds evidence of unlawful conduct and conciliation efforts fail, it may file a formal accusation. This can lead to a hearing before the Fair Employment and Housing Commission (FEHC) or the EEOC, which will make a final determination in the matter. If the FEHC or the EEOC finds a violation of the law, it can order appropriate remedies including back pay, limited emotional distress damages and administrative fines. The local office of the EEOC or DFEH can be contacted by consulting the government listings section of your telephone directory. For more information about eliminating sexual or other unlawful harassment, discrimination or retaliation in the workplace, please contact the Chief Human Resources Officer (EEO Officer).

### **Training**

- III. All employees receive training that complies with applicable statutory requirements and, within six months of hire and every two years thereafter.
- IV. DEFINITIONS

For purposes of this program, the following definitions apply:

- A. Adverse Effect – refers to a total employment process or any of its components which results in a differential rate of selection (for hire, promotion, etc.) and works to the disadvantage of a protected class. The difference in the rate of selection must be statistically significant at the .05 level.
- B. Artificial Barriers – refers to any or all aspects of a recruiting, selecting, or hiring process which precludes the employment of or limits the full utilization of qualified members of classes protected by Title VII.
- C. Discrimination – refers to any act, or any failure to act, which has the purpose or effect of limiting, excluding, or denying a person an employment opportunity on the basis of race, color, religion, ancestry, national origin, age, sex, gender,

marital status, medical condition, physical disability, mental disability, genetic information, gender identity, gender expression, sexual orientation and military or veteran status.

- D. Overt Discrimination – refers to the conscious and deliberate actions of an employer against individuals, limiting their activity within the workforce. This type of discriminatory action is expressly prohibited by the Civil Rights Act of 1964.
- E. Protected Classes – members of groups who, by virtue of past discrimination, continue to suffer the present effects of that discrimination. Applicants or employees may be considered members of a protected class, whenever, because of discrimination based on race, color, religion, ancestry, national origin, age, sex, gender, marital status, medical condition, physical disability, mental disability, genetic information, gender identity, gender expression, sexual orientation and military or veteran status, such employees were initially assigned to less desirable or lower paying jobs, were denied equal opportunity for advancement, and were subject to layoff or displacement from their jobs.
- F. Underutilization – refers to a condition where there are fewer minorities and/or females in a particular job category or department than would reasonably be expected based on their presence in the relevant labor force.
- G. Validity – the term used to describe how well personnel selection procedures measure or predict the job performance of individuals. Further information can be obtained from the EEOC Selection Guidelines.

## V. DISSEMINATION OF EEO PROGRAM

Formal communication mechanisms are established to publicize and disseminate MTS's EEO Policy, as well as appropriate elements of MTS's EEO Program, to its employees, applicants and members of the public.

### A. Internal Dissemination

The following actions are taken by MTS to internally disseminate the EEO Policy and Program:

1. The EEO Policy shall be included in the MTS Employee Handbook.
2. Special management and supervisory meetings are conducted semiannually to discuss the EEO Program and its implementation. Periodically managers and supervisors receive written communications from the CEO regarding the EEO Program. In addition, periodic supervisory training sessions are conducted to focus on equal opportunity and encouragement of employee growth and advancement, at all levels, without regard to race, color, religion, ancestry, national origin, age, sex, gender, marital status, medical condition, physical disabilities, mental disability, genetic information, gender identity, gender expression, sexual orientation and military or veteran status. New supervisors or managers receive EEO training within 90 days of their appointment.
3. The EEO Policy and Program, including complaint procedures, are clearly defined and explained during new employee orientation.
4. The EEO Policy Statement and EEO Posters are prominently displayed on appropriate office bulletin boards.
5. Meetings with employees and affinity groups are conducted to get suggestions on implementing and refining the EEO Program.

### B. External Dissemination

To ensure the general public has a full understanding of MTS's EEO Policy and Program, the following actions shall be taken by MTS:

1. The Chief Human Resources Officer (EEO Officer) will supply interested persons and community groups with MTS's EEO Policy and Program. Recruiting sources utilized by MTS will be informed of the EEO Policy and Program and will be requested to comply with them when recruiting for MTS openings. MTS will keep records on the referral of applicants, follow-up actions, and record feedback on the disposition of applicants referred by these organizations.
2. Recruitment advertising will be placed in targeted media. All employment advertisements will contain the phrase "San Diego Metropolitan Transit System is an Equal Opportunity Employer."

3. MTS annual reports and other external publications, where appropriate, will periodically feature aspects of the Equal Opportunity Policy and the EEO Program, and will feature employees of all classes.
4. Where recruiting contracts or other contractual obligations relating to employment are in force, MTS and its subsidiaries will inform contractors, orally and in writing, to conform to policies and procedures consistent with this EEO Program.
5. All successful contractors, vendors, and suppliers shall be notified in writing of MTS's EEO Program.

## VI. RESPONSIBLE STAFF

The Chief Executive Officer (CEO) of MTS is charged with the responsibility to ensure full adherence to timely implementation of this EEO Program.

The Chief Human Resources Officer (EEO Officer) will have staff responsibility for the Program. At the direction of the CEO, the Chief Human Resources Officer (EEO Officer) is directly responsible for coordinating the implementation and administration of the EEO Program for MTS and its subsidiaries. The Chief Human Resources Officer (EEO Officer) shall be directly responsible for circulating approved job specifications to those responsible for MTS recruiting, screening, selection and promotion. Any processes that lack job-related objectivity shall not be used or sanctioned.

If problems exist in the implementation of this plan, it is the responsibility of the CEO or his/her designee the Chief Human Resources Officer (EEO Officer) to make corrections so that MTS may fulfill its goals and ambitions in a timely manner.

- A. The responsibilities of the Chief Human Resources Officer (EEO Officer) for this program include:
1. Developing and recommending an EEO policy, a written EEO Program, and internal and external communication procedures.
  2. Conduct an annual workforce utilization study to determine where MTS and its subsidiaries need to implement efforts to achieve parity in employment with the availability of a qualified workforce within the County of San Diego.
  3. Assist management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables and developing programs to achieve goals.
  4. 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 necessary.
  5. Review the Agency's EEO Policy with managers and supervisors to ensure that EEO policies and procedures are being followed.
  6. Concurring in all hires and promotions.
  7. Periodically review employment complaints, reasonable accommodation policies, performance evaluations, grievance procedures and union agreements with the Human Resources Department to ensure there is no disparate impact.
  8. Reporting periodically to the CEO on progress of goals. Reports should include recommendations to improve program and achieve goals.

9. Serving as liaison between the agency, federal, state, and local governments, regulatory agencies, minority, disabled and women's organizations, and other community groups.
  10. Maintain awareness of current EEO laws and ensure that legal requirements affecting nondiscrimination are disseminated to responsible officials.
  11. Investigate and process employment discrimination complaints.
  12. Provide EEO training for employees and managers.
  13. In conjunction with the Human Resources Department, advise employees and applicants of available training programs and professional development opportunities.
  14. Audit postings of the EEO Policy Statement to ensure compliance information is posted and up-to-date.
  15. Assisting in recruiting minority, disabled and female applicants and establishing outreach sources for use by hiring officials.
- B. Although the Chief Human Resources Officer (EEO Officer) has primary responsibility for implementing MTS's EEO plan, carrying out EEO is an integral function of all managers and supervisors. Managers are expected to carry out the following responsibilities as part of their job in implementing the agency's EEO Program:
1. Assisting in identifying problem areas and establishing agency and unit goals and objectives;
  2. Being actively involved with local minority organizations, women's and disabled groups, community action organizations, and community service programs designed to promote EEO;
  3. Participating 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;
  4. Holding regular discussions with other managers, supervisors, and employees to assure the agency's policies and procedures are being followed;
  5. Reviewing the qualifications of all employees to assure that employees are given equal opportunities for transfers, promotions, training, salary increases, and other forms of compensations;
  6. Participating in the review and/or investigation of complaints alleging discrimination;

7. Encouraging employee participation to support the advancement of the EEO Program (e.g., conducting and supporting career counseling for all employees, professional development and career growth opportunities, posting promotional opportunities, shadowing, mentoring); and
8. Participating in periodic audits to ensure that each agency unit is in compliance.

## VII. UTILIZATION ANALYSIS

The purpose of a utilization analysis is to identify those job categories where there is underutilization and/or concentration of certain groups of persons in relation to their availability in the relevant labor market. It is also to establish a framework for goals and timetables to correct any employment practices that contributed to any underutilization or concentration. For purposes of the statistics reported in this program, SDTI and SDTC are reported within the number presented for MTS.

The utilization analysis consists of a workforce analysis and an availability analysis. The workforce analysis requires a statistical breakdown of the recipient's workforce by occupational category cross-referenced by ethnicity and gender including principal duties and rates of pay. The availability analysis is a comparison of the participation rate of persons at various levels in the workforce on the basis of ethnicity and gender with the availability of these persons in relevant labor market and recruiting areas.

- A. For the purposes of identifying underutilization within particular job classifications, MTS employees are separated into two categories:
  - 1. Regular – An Employee appointed to a position that is funded continuously and with the expectation that his tenure is indefinite.
  - 2. Temporary – An employee or a position that is paid by the hour and whose length of employment is specified prior to appointment.

The Utilization Analysis (Appendix 2) provides a detailed comparison between MTS's workforce and workforce availability in the San Diego County area according to the 2014-2018 ACS. The San Diego workforce information is derived from the 2014-2018 ACS EEO Tabulation.

Appendix 3 identifies and analyzes the current underutilization.



## VII. GOALS AND TIMETABLES

MTS's long-range goals are to ensure that employees are represented in each general job category in at least the same percentage as the ethnic, racial and female composition of the local labor market (Appendix 2). Based on our utilization analysis, MTS has established goals and timetables designed to correct any identified deficiencies.

In developing its long-range and short-term goals, MTS uses the following guidelines for goal setting:

1. Involve personnel staff, department and division heads, local and unit managers in the process;
2. Set goals that are significant, measurable and attainable;
3. Make goals with timetables specific for planned results;
4. Consider anticipated attrition, expansion, contraction (especially the impact on employment of projected contracting out and privatization/competitiveness activities), turnover in the work force, and availability of persons with required skills;
5. Consider effects of changes in existing employment practices that may contribute to underutilization; and
6. Use goals as targets that are reasonably attainable by applying good faith efforts.

### A. Long-Term Goals:

MTS continually strives to achieve parity between the composition of our workforce and the ethnic, racial and gender composition of the local labor market. Appendix 2 illustrates the existing underutilization by position and the projected time period that MTS has set to achieve parity. Appendix 5 lists the Agency's long-term goals and a description of the means by which we intend to achieve them.

### B. Short Term Goals:

In addition to the long-term goals, MTS sets short-term goals for immediate action. Appendix 4 lists the Agency's short-term goals and a description of the means by which we intend to achieve them.

## VIII. ASSESSMENT OF PRESENT EMPLOYMENT PRACTICES

### A. Recruiting, Selecting, and Hiring

MTS conducts a detailed assessment of present employment practices to identify those practices that operate as employment barriers and unjustifiably contribute to underutilization. The assessment and identification evaluates the impact of the agency's employment practices on all of its employment patterns, and has resulted in the following:

1. All recruiting, selecting and hiring within MTS is consistent with this program and applicable statutes;
2. In accordance with federal regulations, all selection criteria, such as written examinations, scored interviews, scored application forms and educational requirements that may disproportionately reject members of protected classes will be examined to ensure validity;
3. Special efforts are made to recruit females and males of particular ethnic groups who have traditionally been underutilized. The minority placement offices of the region's colleges and universities are placed on a mailing list to receive vacancy announcements. Emphasis is given to seeking and encouraging applicants from minority and women's groups where such applicants with the necessary qualifications and potential are available, including, but not limited to, utilization of the following service organizations, as appropriate:
  - San Diego Urban League
  - Local high schools, junior colleges, and colleges
  - Skills training centers
  - Local disabled, minority, and women's organizations
  - State employment service
  - Community action groups
  - Career Builder Diversity Page
  - WTS Job Board – Women In Transportation
  - Military and veteran-focused job fairs
4. Contacts and relationships have been developed with these and other individuals and groups that may be able to refer other applicants. Briefings will be held to acquaint them with MTS's EEO Program, present and future job opportunities at MTS, selection process and any appropriate recruiting literature available; and
5. Applicants are asked to fill out an online application profile. Completion of the information is on a voluntary basis and reveals the ethnic group of the applicants and how they learned of the open position.

To ensure achievement, MTS periodically reviews its practices in hiring job applicants and makes adjustments and corrections where necessary.

The results of the above employment practices are illustrated in Appendix 6, which provides a detailed breakdown by gender and ethnic background of positions applied for and filled in the previous four (4) fiscal years by MTS.

B. Seniority Practices

MTS uses seniority to determine work assignments and vacation selection for union represented classifications only.

C. Salaries and Promotions

Persons currently employed at MTS are given every consideration and encouraged to apply for open positions. Provided the current employee meets the qualifications of the open position for which they are applying and is not under disciplinary suspension or probation, he or she will be given equal consideration without regard to race, color, religion, ancestry, national origin, age, sex, gender, marital status, medical condition, physical disability, mental disability, genetic information, gender identity, gender expression, sexual orientation and military or veteran status except where the disability would impede fulfillment of the job's essential functions.

Promotional opportunities also arise at MTS when individuals are in "linked" positions. A lower-level position is "linked" to a higher-level position in the organization with the possibility of promotion to the higher position without an opening at the higher level. Promotions are open to any MTS employees who meet the following conditions:

- A. Employment standards for higher level.
- B. Highly satisfactory work at the lower level at MTS.
- C. At least one year of "top" step of the lower level position salary range.

All employees receive compensation and benefits in accordance with appropriate standards for positions of similar content regardless of if they are in a component of a protected class. Opportunities for performing overtime work or otherwise earning increased compensation are afforded to all qualified employees without discrimination based on race, color, religion, ancestry, national origin, age, sex, gender, marital status, medical conditions, physical disability, mental disability, genetic information, gender identity, gender expression, sexual orientation and military or veteran status. Promotion, compensation, and benefits for most hourly employees are governed by existing collective bargaining agreements, which prohibit discrimination for any of the reasons outlined above.

The results of the above employment practices are illustrated in Appendix 7, which provides a detailed breakdown by gender and ethnic background of positions applied for and filled in the previous four (4) fiscal years.

D. Training

All training programs supported or sponsored by MTS are equally open to females and minority group employees on the basis of qualifications, knowledge, skills, abilities and motivation. Employees who appear to have management potential will be encouraged to seek advancement into supervisory or other management positions by availing

themselves of pertinent education programs, company-sponsored training, and outside skill centers. MTS will take into consideration the efforts made by these employees to improve their opportunity for upward mobility when selecting employees for promotional opportunities.

MTS's commitment to meeting its utilization goals by providing promotional opportunities to females and minorities is evidenced by the demographics of the MTS Management Training Program.

MTS conducts periodic, ongoing training for maintenance and operations staff. This training is provided to all employees in a particular job classification, regardless of association in a protected class. MTS requires all newly hired assistant linemen and mechanics to enroll in the agency's apprenticeship training program. This program is four years in duration and includes both on-the-job and formal classroom training. All newly hired train operators and bus operators undergo an eight-week training program followed by annual recurrent training classes.

#### E. Terminations and Disciplinary Procedures

Disciplinary action may take the form of verbal or written admonition, suspensions without pay, and/or termination by the Chief Human Resources Officer (EEO Officer). Except serious cases, termination at MTS is preceded by documented, progressive discipline that generally includes the following steps:

1. Verbal Warning – The problem is specifically identified, assistance offered to overcome the problem, a reasonable length of time established for improvement to be demonstrated, and a description of the consequences that will result if the problem continues. An informal record of this warning shall be included in the employee's personnel records.
2. Written Warning – The written warning must identify, in specific written terms, the reason for the warning citing the previous verbal warning and the failure to respond positively to it. The employee shall be given, and by signature acknowledging receipt of, a copy of the warning. A copy of this notice shall have a distribution to the employee, employee's supervisor, and the employee's personnel file. A reasonable amount of time for noticeable improvement shall be allowed and specific consequences outlined for noncompliance.
3. Discharge – The last step in the progressive discipline process shall only be used when all other steps have failed to encourage satisfactory improvement. If satisfactory improvement is not shown, the written discharge action shall be taken. A copy of the discharge letter shall be given to the employee, supervisor, and the Human Resources Department for inclusion in the employee's personnel file. Disciplinary procedures for most hourly employees are handled by collective bargaining agreements.

MTS administers employee discipline without regard to protected classifications. Discipline steps for the majority of employees are outlined in the Collective Bargaining Agreements ("CBA's"). Step-based discipline is objective (e.g., application of the disciplinary steps outlined in the collectively bargained attendance policy), which reduces the possibility for disparate treatment. Disciplinary actions are tracked in each employee's personnel file. A breakdown of involuntary terminations for the previous four (4) fiscal years is outlined in Appendix 8.

F. Grievance Procedure

Employees of or any applicant for employment at MTS who feels they have been discriminated against should contact the Chief Human Resources Officer (EEO Officer) who will immediately investigate the circumstances involved in the complaint and will take appropriate corrective action in the case of a justified grievance.

Grievance procedures for administrative/management personnel are outlined in the management employee handbook. Formal grievance procedures for union represented employees are outlined in their collective bargaining agreements.

## IX. INTERNAL MONITORING AND REPORTING SYSTEM

The following procedures are being followed in order to continuously monitor employment procedures and practices to measure the results of the EEO Program.

- A. A complete record of data will be maintained to include the name, age, race, gender, position sought, referral source, and the ultimate disposition of each job applicant, where the collection of such information does not violate the individual's rights.
- B. A complete record of each promotional opportunity to include all persons considered, identified by age, race and gender.
- C. Employee termination data will be compiled including the name, age, race, gender, position and reason for termination.
- D. Staff responsible for the EEO Program at MTS will conduct a yearly workforce analysis based on the data gathered in sections A – C and submit a memorandum to the CEO that reports on the effectiveness of the program and submits recommendations for improvement (Appendix 15).
- E. Staff responsible for the EEO Program at MTS will meet on a quarterly basis with the Chief Human Resources Officer (EEO Officer) to review EEO efforts and results. The Chief Human Resources Officer (EEO Officer) will review results with all levels of management and assist in implementing adjustments so that immediate and appropriate steps can be taken to resolve any issues. Relevant information will be communicated to employees during regular departmental meetings as appropriate.
- F. The Chief Human Resources Officer (EEO Officer) will report the programs status to the CEO.
- G. A periodic EEO Program report shall be prepared and submitted to the Board members. This report is to show significant progress or lack of progress with regard to goals and recommend future actions and policy revisions as necessary.
- H. Ongoing training will be conducted with supervisors and managers at MTS to ensure compliance with all aspects of the EEO Program.
- I. The Chief Human Resources Officer (EEO Officer) will meet periodically with Human Resources staff to review current EEO goals and statistics on employment practices and policies.
- J. The Chief Human Resources Officer (EEO Officer) monitors and investigates all discrimination complaints. All complaints are tracked in a complaint log.
- K. EEO policies and procedures are communicated to union officials and collective bargaining agreements are reviewed for consistency with this EEO Program and applicable statutes to ensure there is no disparate impact.

- L. Subrecipients awarded contracts greater than \$50,000 and with 50 or more employees will submit their EEO Program annually and an EEO Utilization Report in January and July to the Chief Human Resources Officer (EEO Officer).
- M. Contractors awarded construction contracts greater than \$10,000 will submit monthly Employment Utilization Reports to the Labor Compliance Specialist. The Labor Compliance Specialist shall provide a report to the Chief Human Resources Officer (EEO Officer) on a semiannual basis.
- N. The Chief Human Resources Officer (EEO Officer) maintains a list of current subrecipients and contractors and their EEO Programs. The current list of subrecipients and contractors as of the date of this EEO Program includes: First Transit, Transdev, Allied Universal, New Flyer of America and Gillig LLC.
- O. The Chief Human Resources Officer (EEO Officer) confirms via email with the subrecipients and contractors that MTS has received and reviewed their EEO Programs.

## **List of Appendices**

1. Occupational Category List
2. Utilization Analysis Chart
3. Underutilization Analysis
4. Short-Term Goals
5. Long-Term Goals
6. Employees Hired
7. Employees Promoted
8. Disciplinary Actions
9. Employees Terminated (involuntary discharged)
10. MTS Policy 25
11. Ethnic Identification
12. Designation of Personnel
13. Organizational Chart
14. Justification Why Prior Goals Were Not Met
15. Goals Memorandum



## Appendix 1

### Occupational Category List

#### **Officials & Administrators**

Advertising, Marketing, Promotions, Public Relations, and Sales Managers  
Business Operations Specialists  
Financial Specialists  
Operations Specialties Managers  
Other Management Occupations  
Top Executives  
Architects, Surveyors, and Cartographers  
Computer Specialists  
Engineers  
Mathematical Science Occupations  
Physical Scientists

#### **Professionals**

Art and Design Workers  
Counselors, Social Workers, and Other Community and Social Service Specialists  
Entertainers and Performers, Sports and Related Workers  
Health Diagnosing and Treating Practitioners  
Lawyers, Judges, and Related Workers  
Librarians, Curators, and Archivists  
Life Scientists  
Media and Communication Workers  
Other Teachers and Instructors  
Postsecondary Teachers  
Primary, Secondary, and Special Education School Teachers  
Religious Workers  
Social Scientists and Related Workers

#### **Technicians**

Drafters, Engineering, and Mapping Technicians  
Health Technologists and Technicians  
Life, Physical, and Social Science Technicians  
Media and Communication Equipment Workers

#### **Protective Services (Non-Sworn)**

Supervisors of Protective Services  
Public Safety Workers  
Guards & Other Protective Services

#### **Administrative Support Workers**

Financial Clerks  
Information and Record Clerks  
Legal Support Workers  
Material Recording, Scheduling, Dispatching, and Distributing Workers  
Other Education, Training, and Library Occupations  
Other Office and Administrative Support Workers  
Secretaries and Administrative Assistants  
Supervisors, Office and Administrative Support Workers

#### **Skilled Craft Workers**

Construction Trades Workers  
Electrical and Electronic Equipment Mechanics, Installers, and Repairers  
Extraction Workers  
Material Moving Workers  
Other Construction and Related Workers  
Other Installation, Maintenance, and Repair Occupations  
Plant and System Operators  
Supervisors of Installation, Maintenance, and Repair Workers  
Supervisors, Construction and Extraction Workers  
Vehicle and Mobile Equipment Mechanics, Installers, and Repairers  
Woodworkers

#### **Service/Maintenance**

Agricultural Workers  
Animal Care and Service Workers  
Fishing and Hunting Workers  
Forest, Conservation, and Logging Workers  
Grounds Maintenance Workers  
Helpers, Construction Trades  
Supervisors, Building and Grounds Cleaning and Maintenance Workers  
Supervisors, Farming, Fishing, and Forestry Workers  
Air Transportation Workers  
Other Transportation Workers  
Rail Transportation Workers  
Supervisors, Transportation and Material Moving Workers  
Water Transportation Workers

## Appendix 2

### Utilization Analysis Chart

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
1	Job Category	Salary Range (\$XX,000-XX,000)	Total Workforce					Male								Female					
2	Use EEO-4		All	WM	MM	WF	MF	W	AI/AN	B	H/L	A	NHOPI	Multi	W	AI/AN	B	H/L	A	NHOPI	Multi
3	1 - Officials & Administrators																				
4	Current Workforce	131,000-330,000	25	15	4	5	1	15	-	1	1	1	-	1	5	-	-	-	-	-	1
5	Percent in Category	*Entry		60.0%	16.0%	20.0%	4.0%	60.0%	0.0%	4.0%	4.0%	4.0%	0.0%	4.0%	20.0%	0.0%	0.0%	0.0%	0.0%	0.0%	4.0%
6	Percent of Availability							38.0%	0.2%	2.3%	11.1%	5.8%	0.2%	1.7%	24.6%	0.1%	1.8%	6.0%	4.7%	0.1%	1.4%
9	Percent Underutilized										7%	2%			5%			8%	5%		
10	Underutilized (Yes/No)							No	No	Yes	No	No	No	No	Yes	No	No	Yes	Yes	No	No
11	Number Needed to Reach Parity							-	-	1	-	-	-	-	1	-	-	2	1	-	-
12	Planned percent Increase Year 1									0%					0%			0%	0%		
13	Planned percent Increase Year 2									0%					5%			0%	0%		
14	Planned percent Increase Year 3									0%								4%	5%		
15	Planned percent Increase Year 4									7%								4%			
16																					
17	2 - Professionals																				
18	Current Workforce	37,000-181,000	241	60	103	22	56	60	-	24	60	10	-	9	22	-	12	26	12	-	6
19	Percent in Category	*Entry		24.9%	42.7%	9.1%	23.2%	24.9%	0.0%	10.0%	24.9%	4.1%	0.0%	3.7%	9.1%	0.0%	5.0%	10.8%	5.0%	0.0%	2.5%
20	Percent of Availability							29.9%	0.1%	1.9%	6.8%	9.7%	0.2%	1.6%	28.8%	0.1%	1.5%	8.6%	9.0%	0.2%	1.6%
23	Percent Underutilized										6%				20%				4%		
24	Underutilized (Yes/No)							No	No	No	Yes	No	No	No	Yes	No	No	No	Yes	No	No
25	Number Needed to Reach Parity							-	-	-	13	-	-	-	47	-	-	-	9	-	-
26	Planned percent Increase Year 1										1%				5%				1%		
27	Planned percent Increase Year 2										1%				5%				1%		
28	Planned percent Increase Year 3										2%				5%				1%		
29	Planned percent Increase Year 4										2%				5%				1%		
30																					
31	3 - Technicians																				
32	Current Workforce	61,000 - 160,000	23	8	13	0	2	8	-	1	6	4	1	1	-	-	-	-	2	-	-
33	Percent in Category	*Entry		34.8%	56.5%		8.7%	34.8%	0.0%	4.3%	26.1%	17.4%	4.3%	4.3%	0.0%	0.0%	0.0%	0.0%	8.7%	0.0%	0.0%
34	Percent of Availability							22.0%	0.2%	2.6%	19.8%	9.3%	0.4%	1.9%	14.8%	0.1%	1.9%	16.4%	9.4%	0.1%	1.1%
37	Percent Underutilized														15%			16%	1%		
38	Underutilized (Yes/No)							No	No	No	No	No	No	No	Yes	No	No	Yes	No	No	No
39	Number Needed to Reach Parity							-	-	-	-	-	-	-	3	-	-	3	-	-	-
40	Planned percent Increase Year 1														5%			0%			
41	Planned percent Increase Year 2														5%			5%			
42	Planned percent Increase Year 3														5%			5%			
43	Planned percent Increase Year 4																	6%			
44																					

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
1	Job Category	Salary Range (\$XX,000-XX,000)	Total Workforce					Male							Female						
2	Use EEO-4		All	WM	MM	WF	MF	W	AI/AN	B	H/L	A	NHOPI	Multi	W	AI/AN	B	H/L	A	NHOPI	Multi
45	4 - Protective Service																				
46	Current Workforce	44,000-64,000	80	13	55	2	10	13	-	7	39	5	1	3	2	-	1	9	-	-	-
47	Percent in Category	*Entry		16.3%	68.6%	2.5%	12.5%	16.3%	0.0%	8.6%	48.8%	6.3%	1.3%	3.8%	2.5%	0.0%	1.3%	11.3%	0.0%	0.0%	0.0%
48	Percent of Availability							37.9%	0.0%	3.6%	12.5%	5.6%	0.2%	1.5%	20.4%	0.0%	0.0%	14.2%	1.5%	0.0%	2.5%
51	Percent Underutilized														18%			3%	2%		3%
52	Underutilized (Yes/No)							No	No	No	No	No	No	No	Yes	No	No	Yes	Yes	No	Yes
53	Number Needed to Reach Parity							-	-	-	-	-	-	-	14	-	-	2	1	-	2
54	Planned percent Increase Year 1														3%			0%	0%		0%
55	Planned percent Increase Year 2														5%			1.5%	0%		0%
56	Planned percent Increase Year 3														5%			1.5%	2%		1.5%
57	Planned percent Increase Year 4														5%						1.5%
58																					
59	5 - Paraprofessional																				
60	Current Workforce		0	0	0	0	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-
61	Percent in Category	*Entry						0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
62	Percent of Availability							0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
65	Percent Underutilized																				
66	Underutilized (Yes/No)							No	No	No	No	No	No	No	No	No	No	No	No	No	No
67	Number Needed to Reach Parity							-	-	-	-	-	-	-	-	-	-	-	-	-	-
68	Planned percent Increase Year 1																				
69	Planned percent Increase Year 2																				
70	Planned percent Increase Year 3																				
71	Planned percent Increase Year 4																				
72																					
73	6 - Administrative Support																				
74	Current Workforce	31,200-82,000	76	3	21	12	40	3	-	5	11	3	1	1	12	-	8	30	1	-	1
75	Percent in Category	*Entry		3.9%	27.6%	15.8%	52.6%	3.9%	0.0%	6.6%	14.5%	3.9%	1.3%	1.3%	15.8%	0.0%	10.5%	39.5%	1.3%	0.0%	1.3%
76	Percent of Availability							19.8%	0.2%	2.1%	11.7%	3.7%	0.2%	1.3%	28.5%	0.2%	2.8%	21.3%	6.2%	0.4%	1.8%
79	Percent Underutilized														13%				5%		0%
80	Underutilized (Yes/No)							No	No	No	No	No	No	No	Yes	No	No	No	Yes	No	No
81	Number Needed to Reach Parity							-	-	-	-	-	-	-	9	-	-	-	3	-	-
82	Planned percent Increase Year 1														4%				0%		
83	Planned percent Increase Year 2														3%				5%		
84	Planned percent Increase Year 3														3%						
85	Planned percent Increase Year 4														3%						
88																					

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
1	Job Category	Salary Range (\$XX,000-XX,000)	Total Workforce					Male							Female						
2	Use EEO-4		All	WM	MM	WF	MF	W	AI/AN	B	H/L	A	NHOPI	Multi	W	AI/AN	B	H/L	A	NHOPI	Multi
87	7 - Skilled Craft																				
88	Current Workforce	40,000-125,000	300	67	218	1	14	67	3	28	136	40	1	10	1	-	5	5	3	1	-
89	Percent In Category	*Entry		22.3%	72.7%	0.3%	4.7%	22.3%	1.0%	9.3%	45.3%	13.3%	0.3%	3.3%	0.3%	0.0%	1.7%	1.7%	1.0%	0.3%	0.0%
90	Percent of Availability							39.3%	0.5%	2.7%	41.9%	6.1%	0.3%	1.3%	2.3%	0.0%	0.2%	3.6%	1.8%	0.0%	0.0%
93	Percent Underutilized														2%			2%	1%		
94	Underutilized (Yes/No)							No	No	No	No	No	No	No	Yes	No	No	Yes	Yes	No	No
95	Number Needed to Reach Parity							-	-	-	-	-	-	-	5	-	-	5	2	-	-
96	Planned percent increase Year 1														0.5%			0.5%	0.0%		
97	Planned percent increase Year 2														0.5%			0.5%	0.0%		
98	Planned percent increase Year 3														0.5%			0.5%	0.5%		
99	Planned percent increase Year 4														0.5%			0.5%	0.5%		
100																					
101	8 - Service-Maintenance																				
102	Current Workforce	33,000-98,000	847	129	554	26	138	129	4	134	345	33	5	33	26	2	42	65	4	3	2
103	Percent In Category	*Entry		15.2%	65.4%	3.1%	16.3%	15.2%	0.5%	15.8%	40.7%	3.9%	0.6%	3.9%	3.1%	0.2%	5.0%	10.0%	0.5%	0.4%	0.2%
104	Percent of Availability							17.6%	0.2%	2.9%	29.9%	4.5%	0.3%	1.4%	14.4%	0.1%	1.8%	20.2%	5.3%	0.2%	1.2%
107	Percent Underutilized										1%				11%			10%	5%		1%
108	Underutilized (Yes/No)							No	No	No	Yes	No	No	No	Yes	No	No	Yes	Yes	No	Yes
109	Number Needed to Reach Parity							-	-	-	5	-	-	-	95	-	-	86	40	-	8
110	Planned percent increase Year 1										0.25%				3%			3%	1.5%		0.25%
111	Planned percent increase Year 2										0.25%				3%			3%	1.5%		0.25%
112	Planned percent increase Year 3										0.25%				3%			2%	1%		0.25%
113	Planned percent increase Year 4										0.25%				2%			2%	1%		0.25%
114																					
115	Notes: The Percent of Availability represents the civilian labor force employed at work (ages 16 & over) in San Diego County as derived from the EEO Tabulation 2014-2018 (5-year ACS Data) EEO 6w.																				
116																					
117																					
118																					

## Appendix 3

### Underutilization Analysis

Job Category	Male							Female						
	White	AI/AN	B	H/L	A	NHOPI	Multi	White	AI/AN	B	H/L	A	NHOPI	Multi
Officials & Administrators				1				1			2	1		
Professionals					13			47				9		
Technicians								3			3			
Protective Service								14			2	1		2
Administrative Support								9				3		
Skilled Craft								5			5	2		
Service-Maintenance					5			95			86	40		8

The main goal of the EEO Program is to reach parity with the local labor force. The three-year (FY19-April 2022) utilization analysis shows underutilization of racial minorities in the MTS employee population at 11.5% compared to the total MTS employee population. This represents an increase of 0.1% since the last three-year (2016-2018) utilization analysis, when the underutilization of racial minorities in the MTS employee population was 11.4% compared to the total MTS employee population.

This utilization analysis shows underutilization of women in the MTS employee population at 21.2% compared to the total MTS employee population. This represents an increase of 0.9% since the last three-year (2016-2018) utilization analysis, when the underutilization of women in the MTS employee population was 20.3% compared to the total MTS employee population.

Overall, the total amount of minorities the Agency employs exceeds the total number that would be expected based on the utilization analysis. Furthermore, the Agency employs a higher percentage of minorities in every category, except the Officials & Administrators category, than the availability percentage based on census data. For example, 66% of the Agency's employees in the Professionals category are minorities, compared to the 41.3% in availability percentage based on census data; 65.1% of the Agency's employees in the Technicians category are minorities, compared to the 63.2% in availability percentage based on census data; 81.6% of the Agency's employees in the Protective Services category are minorities, compared to the 41.6% in availability percentage based on census data; 80.2% of the Agency's employees in the Administrative Support category are minorities, compared to the 51.9% in availability percentage based on census data; 77.2% of the Agency's employees in the Skilled Craft category are minorities, compared to the 58.4% in availability percentage based on census data; and 81.7% of the Agency's employees in the Service Maintenance category are minorities, compared to the 68% in availability percentage based on census data. Lastly, there is no underutilization of African Americans in any category.

Therefore, MTS will focus its equal opportunity employment efforts on recruitment in the areas that show high levels of underutilization, specifically the Professional and Service/Maintenance occupational categories.

## **Appendix 4**

### **Short-Term Goals**

MTS will continue to concentrate its efforts in the recruitment of females in every category and plans to make headway towards full utilization in these categories within the next four years. The Skilled Craft and Service/Maintenance categories represent a “nontraditional” area, where it has been a challenge to recruit and retain females. MTS will further its efforts to attract female Skilled Craft workers by targeting females in recruitment campaigns for the Maintenance Apprenticeship Programs at both MTS Bus and MTS Rail, as well as increasing its recruitment campaigns for female bus and train operators.

Additionally, MTS will begin to concentrate on the recruitment of females as well as Hispanics and Asians in the Service/Maintenance category. MTS plans to decrease the discrepancy of underutilization in this area within the next fiscal year.

#### **FY 2023 Goals:**

The specific FY 2023 goals listed below focus on the areas where females and minorities are most underrepresented in the MTS workforce and areas where we expect to have opportunities for progress within the fiscal year.

- Target efforts in any Officials/Administrator vacancy to recruit females and minorities with the goal of reducing underutilization by one (1) position during FY23.
- Target training and recruitment efforts to reduce underutilization of females and minorities in the Professional category by 10 positions during FY23.
- Target training and recruitment efforts to reduce underutilization of females in the Technicians category by one (1) position during FY23.
- Target training and recruitment efforts to reduce underutilization of females in the Protective Services category by three (3) positions during FY23.
- Target training and recruitment efforts to reduce underutilization of females in the Administrative Support category by three (3) positions during FY23.
- Target training and recruitment efforts to reduce underutilization of females and minorities in the Skilled Craft category by two (2) positions during FY23.
- Target training and recruitment efforts to reduce underutilization of females and minorities in the Service/Maintenance category by 10 positions during FY23.

## **Appendix 5**

### **Long-Term Goals for MTS**

The long-range goals are to ensure parity between the San Diego County workforce availability and the current workforce of MTS. The San Diego County workforce information is derived from the EEO Tabulation 2014-2018 (5-year ACS data) EEO 6w.

In order to achieve our long-term goal of parity between MTS workforce and the availability of labor in the local market, we are focusing our efforts on recruiting females and minorities in all categories in which they are underrepresented.

MTS will continue to concentrate its efforts in the recruitment of females and minorities in the Officials/Administrators category. The relatively infrequent turnover in these positions, coupled with the industry-specific experience needed to fill many executive positions, makes this a particularly difficult goal. Due to the lack of requisite skills and experience in the labor pool, MTS is committed to training its existing population of females and minorities.

To further the completion of the existing long-term goal to alleviate underutilization of females and minorities, MTS has partnered with recruitment companies, such as Career Builder and other vendors to be highlighted in their “diversity and inclusion search” features. We expect that this tool, coupled with other efforts, will yield improvement towards our goals.

## Appendix 6

### Employees Hired

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NH/PI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
<b>1 - Officials &amp; Administrators</b>																
Number Applied	108	8	61	4	-	-	10	1	19	1	11	1	-	-	7	1
Total Hires	2	2	1	1	-	-	-	-	-	-	1	-	-	-	-	1
Selection Rate	1.9%	25.0%	1.6%	25.0%	N/A	N/A	0.0%	N/A	0.0%	N/A	9.1%	N/A	N/A	N/A	0.0%	N/A
Ratio to Highest Rate	7.4%	100.0%	6.6%	100.0%	N/A	N/A	0.0%	N/A	0.0%	N/A	36.4%	N/A	N/A	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	No	N/A	N/A	Yes	N/A	Yes	N/A	Yes	N/A	N/A	N/A	Yes	N/A
<b>2 - Professionals</b>																
Number Applied	767	588	272	173	2	4	79	44	284	254	77	78	6	4	47	31
Total Hires	38	39	21	13	-	-	3	2	12	14	1	7	-	-	1	3
Selection Rate	5.0%	6.6%	7.7%	7.5%	N/A	N/A	3.8%	4.5%	4.2%	5.5%	1.3%	9.0%	N/A	N/A	2.1%	9.7%
Ratio to Highest Rate	74.7%	100.0%	79.8%	77.6%	N/A	N/A	39.2%	47.0%	43.7%	57.0%	13.4%	92.7%	N/A	N/A	22.0%	100.0%
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No
<b>3 - Technicians</b>																
Number Applied	534	59	148	18	3	1	85	2	184	21	82	15	2	-	30	2
Total Hires	14	1	4	1	-	-	1	-	5	-	1	-	-	-	3	-
Selection Rate	2.6%	1.7%	2.7%	5.6%	N/A	N/A	1.2%	N/A	2.7%	0.0%	1.2%	0.0%	N/A	N/A	10.0%	N/A
Ratio to Highest Rate	100.0%	64.6%	27.0%	55.6%	N/A	N/A	11.8%	N/A	27.2%	0.0%	12.2%	0.0%	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	Yes	Yes	Yes	N/A	N/A	Yes	N/A	Yes	Yes	Yes	Yes	N/A	N/A	No	N/A
<b>4 - Protective Service</b>																
Number Applied	193	36	40	5	-	1	15	7	117	17	13	2	1	2	7	2
Total Hires	51	14	9	1	-	-	6	1	31	12	2	-	-	-	3	-
Selection Rate	26.4%	38.9%	22.5%	20.0%	N/A	N/A	40.0%	14.3%	26.5%	70.6%	15.4%	N/A	N/A	N/A	42.9%	N/A
Ratio to Highest Rate	67.9%	100.0%	31.9%	28.3%	N/A	N/A	56.7%	20.2%	37.5%	100.0%	21.8%	N/A	N/A	N/A	60.7%	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	Yes	Yes	No	Yes	N/A	N/A	N/A	Yes	N/A
<b>5 - Paraprofessional</b>																
Number Applied	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Hires	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>6 - Administrative Support</b>																
Number Applied	583	749	96	92	2	3	48	70	351	506	48	41	9	2	29	35
Total Hires	17	41	2	4	-	-	5	1	9	29	-	4	-	-	1	3
Selection Rate	2.9%	5.5%	2.1%	4.3%	N/A	N/A	10.4%	1.4%	2.6%	5.7%	0.0%	9.8%	N/A	N/A	3.4%	8.6%
Ratio to Highest Rate	53.3%	100.0%	20.0%	41.7%	N/A	N/A	100.0%	13.7%	24.6%	55.0%	0.0%	93.7%	N/A	N/A	33.1%	82.3%
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	No	Yes	Yes	Yes	Yes	No	N/A	N/A	Yes	No
<b>7 - Skilled Craft</b>																
Number Applied	3,297	215	749	40	4	2	246	53	1,866	92	213	17	53	2	166	9
Total Hires	75	4	18	-	-	-	7	1	38	1	4	-	1	1	7	1
Selection Rate	2.3%	1.9%	2.4%	N/A	N/A	N/A	2.8%	N/A	2.0%	1.1%	1.9%	N/A	N/A	N/A	4.2%	N/A
Ratio to Highest Rate	100.0%	81.8%	57.0%	N/A	N/A	N/A	67.5%	N/A	48.3%	25.8%	44.5%	N/A	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	Yes	N/A	N/A	N/A	Yes	N/A	Yes	Yes	Yes	N/A	N/A	N/A	No	N/A
<b>8 - Service-Maintenance</b>																
Number Applied	6,149	1,431	1,178	231	15	16	1,018	355	3,125	685	315	18	90	27	408	99
Total Hires	730	202	151	22	7	4	137	48	345	103	29	2	6	5	55	18



Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Selection Rate	11.9%	14.1%	12.8%	9.5%	N/A	N/A	13.5%	13.5%	11.0%	15.0%	9.2%	N/A	N/A	N/A	13.5%	N/A
Ratio to Highest Rate	84.1%	100.0%	85.2%	63.3%	N/A	N/A	89.5%	89.9%	73.4%	100.0%	61.2%	N/A	N/A	N/A	89.7%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	Yes	N/A	N/A	No	No	Yes	No	Yes	N/A	N/A	N/A	No	N/A

Notes: Our applicants/employees have the option to select "Decline to identify" when answering questions regarding their race/ethnicity, gender, and whether or not they have a disability or a certain veteran status. Since we don't require them to answer these questions, the numbers will not truly reflect our applicant pool and workforce.

Persons with Disabilities	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	700	132	165	28	9	3	161	8	247	67	20	4	3	2	95	20
Total Hires	22	12	7	3	-	2	6	1	6	4	-	-	1	1	2	1
Selection Rate	3.1%	9.1%	4.2%	10.7%	N/A	N/A	3.7%	N/A	2.4%	6.0%	0.0%	N/A	N/A	N/A	2.1%	5.0%
Veterans	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	110	14	30	4	2	1	33	7	20	2	5	-	12	-	8	-
Total Hires	102	11	27	3	1	1	29	5	34	2	3	-	1	-	7	-
Selection Rate	92.7%	78.6%	90.0%	75.0%	N/A	N/A	87.9%	71.4%	170.0%	N/A	60.0%	N/A	8.3%	N/A	87.5%	N/A

Notes: Notes: Our applicants/employees have the option to select "Decline to identify" when answering questions regarding their race/ethnicity, gender, and whether or not they have a disability or a certain veteran status. Since we don't require them to answer these questions, the numbers will not truly reflect our applicant pool and workforce.

## Appendix 7

### Employees Promoted

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
<b>1 - Officials &amp; Administrators</b>																
Number Applied	19	4	11	3	-	-	-	-	1	1	-	-	-	-	7	-
Total Promotions	10	3	8	3	-	-	-	-	1	-	-	-	-	-	1	-
Selection Rate	52.6%	75.0%	72.7%	100.0%	N/A	N/A	N/A	N/A	100.0%	0.0%	N/A	N/A	N/A	N/A	14.3%	N/A
Ratio to Highest Rate	70.2%	100.0%	72.7%	100.0%	N/A	N/A	N/A	N/A	100.0%	0.0%	N/A	N/A	N/A	N/A	14.3%	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	No	N/A	N/A	N/A	N/A	No	Yes	N/A	N/A	N/A	N/A	Yes	N/A
<b>2 - Professionals</b>																
Number Applied	214	62	42	19	-	-	130	10	28	18	3	9	-	-	11	6
Total Promotions	67	41	29	15	-	-	4	1	25	13	3	8	-	-	6	4
Selection Rate	31.3%	66.1%	69.0%	78.9%	N/A	N/A	3.1%	10.0%	89.3%	72.2%	N/A	88.9%	N/A	N/A	54.5%	66.7%
Ratio to Highest Rate	47.3%	100.0%	77.3%	88.4%	N/A	N/A	3.4%	11.2%	100.0%	80.9%	N/A	99.6%	N/A	N/A	61.1%	74.7%
Potential Adverse Impact (Yes/No)	Yes	No	Yes	No	N/A	N/A	Yes	Yes	No	No	N/A	No	N/A	N/A	Yes	Yes
<b>3 - Technicians</b>																
Number Applied	33	2	10	2	-	-	5	-	6	-	12	-	-	-	-	-
Total Promotions	10	1	4	1	-	-	-	-	4	-	2	-	-	-	-	-
Selection Rate	30.3%	50.0%	40.0%	50.0%	N/A	N/A	0.0%	N/A	66.7%	N/A	16.7%	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	60.6%	100.0%	60.0%	75.0%	N/A	N/A	0.0%	N/A	100.0%	N/A	25.0%	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	N/A	No	N/A	Yes	N/A	N/A	N/A	N/A	N/A
<b>4 - Protective Service</b>																
Number Applied	54	15	5	-	-	-	4	-	36	15	2	-	-	-	7	-
Total Promotions	11	2	2	-	-	-	-	-	9	2	-	-	-	-	-	-
Selection Rate	20.4%	13.3%	40.0%	N/A	N/A	N/A	0.0%	N/A	25.0%	13.3%	0.0%	N/A	N/A	N/A	0.0%	N/A
Ratio to Highest Rate	100.0%	65.5%	100.0%	N/A	N/A	N/A	0.0%	N/A	62.5%	33.3%	0.0%	N/A	N/A	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	Yes	No	N/A	N/A	N/A	Yes	N/A	Yes	Yes	Yes	N/A	N/A	N/A	Yes	N/A
<b>5 - Paraprofessional</b>																
Number Applied	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Promotions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>6 - Administrative Support</b>																
Number Applied	34	37	3	3	-	-	5	7	20	26	1	1	2	-	3	-
Total Promotions	13	14	-	1	-	-	3	-	9	12	-	1	1	-	-	-
Selection Rate	38.2%	37.8%	0.0%	33.3%	N/A	N/A	60.0%	0.0%	45.0%	46.2%	N/A	N/A	50.0%	N/A	0.0%	N/A
Ratio to Highest Rate	100.0%	99.0%	0.0%	55.6%	N/A	N/A	100.0%	0.0%	75.0%	76.9%	N/A	N/A	83.3%	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	Yes	Yes	N/A	N/A	No	Yes	Yes	Yes	N/A	N/A	No	N/A	Yes	N/A
<b>7 - Skilled Craft</b>																
Number Applied	150	12	20	2	3	-	17	2	75	6	20	-	8	2	7	-
Total Promotions	154	7	31	1	3	-	13	1	82	5	18	-	7	-	-	-
Selection Rate	102.7%	58.3%	155.0%	N/A	N/A	N/A	76.5%	N/A	109.3%	83.3%	90.0%	N/A	87.5%	N/A	0.0%	N/A
Ratio to Highest Rate	100.0%	56.8%	100.0%	N/A	N/A	N/A	49.3%	N/A	70.5%	53.8%	58.1%	N/A	56.5%	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	Yes	No	N/A	N/A	N/A	Yes	N/A	Yes	Yes	Yes	N/A	Yes	N/A	Yes	N/A
<b>8 - Service-Maintenance</b>																
Number Applied	342	79	21	9	-	2	63	10	214	54	13	4	-	-	31	-
Total Promotions	28	10	2	2	-	-	9	2	13	5	1	1	-	-	3	-

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Selection Rate	8.2%	12.7%	9.5%	22.2%	N/A	N/A	14.3%	20.0%	6.1%	9.3%	7.7%	N/A	N/A	N/A	9.7%	N/A
Ratio to Highest Rate	64.7%	100.0%	42.9%	100.0%	N/A	N/A	64.3%	90.0%	27.3%	41.7%	34.6%	N/A	N/A	N/A	43.5%	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	No	N/A	N/A	Yes	No	Yes	Yes	Yes	N/A	N/A	N/A	Yes	N/A

Notes: Our applicants/employees have the option to select "Decline to identify" when answering questions regarding their race/ethnicity, gender, and whether or not they have a disability or a certain veteran status. Since we don't require them to answer these questions, the numbers will not truly reflect our applicant pool and workforce.

	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Persons with Disabilities																
Number Applied	28	14	14	3	-	-	2	-	9	11	-	-	2	-	1	-
Total Promotions	2	-	1	-	-	-	1	-	-	-	-	-	-	-	-	-
Selection Rate	7.1%	0.0%	7.1%	0.0%	N/A	N/A	50.0%	N/A	0.0%	0.0%	N/A	N/A	0.0%	N/A	0.0%	N/A
Veterans																
Number Applied	64	7	13	1	-	-	22	3	25	3	-	-	-	-	4	-
Total Promotions	22	-	5	-	-	-	3	-	11	-	-	-	-	-	3	-
Selection Rate	34.4%	0.0%	38.5%	N/A	N/A	N/A	13.6%	0.0%	44.0%	0.0%	N/A	N/A	N/A	N/A	75.0%	N/A

Notes: Our applicants/employees have the option to select "Decline to identify" when answering questions regarding their race/ethnicity, gender, and whether or not they have a disability or a certain veteran status. Since we don't require them to answer these questions, the numbers will not truly reflect our applicant pool and workforce.

## Appendix 8

### Employees Terminated

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NH/PI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
<b>1 - Officials &amp; Administrators</b>																
Total Workforce	19	6	15	5	-	-	1	-	1	-	1	-	-	-	1	1
Total Involuntary Terminations	1	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-
Involuntary Termination Rate	5.3%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A	0.0%	N/A	100.0%	N/A	N/A	N/A	0.0%	0.0%
Ratio to Lowest Rate	0.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A	100.0%	N/A	0.0%	N/A	N/A	N/A	100.0%	100.0%
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	N/A	No	N/A	Yes	N/A	N/A	N/A	No	No
<b>2 - Professionals</b>																
Total Workforce	163	78	60	22	-	-	24	12	60	26	10	12	-	-	9	6
Total Involuntary Terminations	43	22	23	12	-	-	5	2	12	5	1	2	-	1	2	-
Involuntary Termination Rate	26.4%	28.2%	38.3%	54.5%	N/A	N/A	20.8%	16.7%	20.0%	19.2%	10.0%	16.7%	N/A	N/A	22.2%	0.0%
Ratio to Lowest Rate	100.0%	93.5%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	100.0%
Potential Adverse Impact (Yes/No)	No	No	Yes	Yes	N/A	N/A	Yes	No	No	No	No	No	N/A	N/A	Yes	No
<b>3 - Technicians</b>																
Total Workforce	21	2	8	-	-	-	1	-	6	-	4	2	1	-	1	-
Total Involuntary Terminations	8	1	2	-	-	-	1	-	3	1	1	-	-	-	1	-
Involuntary Termination Rate	38.1%	50.0%	25.0%	N/A	N/A	N/A	100.0%	N/A	50.0%	N/A	25.0%	0.0%	0.0%	N/A	100.0%	N/A
Ratio to Lowest Rate	100.0%	76.2%	0.0%	N/A	N/A	N/A	0.0%	N/A	0.0%	N/A	0.0%	100.0%	100.0%	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	Yes	N/A	N/A	N/A	Yes	N/A	Yes	N/A	Yes	No	No	N/A	Yes	N/A
<b>4 - Protective Service</b>																
Total Workforce	68	12	13	2	-	-	7	1	39	9	5	-	1	-	3	-
Total Involuntary Terminations	31	4	15	-	-	-	3	2	12	2	-	-	-	-	1	-
Involuntary Termination Rate	45.6%	33.3%	115.4%	0.0%	N/A	N/A	42.9%	N/A	30.8%	22.2%	0.0%	N/A	N/A	N/A	33.3%	N/A
Ratio to Lowest Rate	73.1%	100.0%	0.0%	100.0%	N/A	N/A	0.0%	N/A	0.0%	0.0%	100.0%	N/A	N/A	N/A	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	Yes	No	N/A	N/A	Yes	N/A	Yes	Yes	No	N/A	N/A	N/A	Yes	N/A

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
<b>5 - Paraprofessional</b>																
Total Workforce	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Involuntary Terminations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>6 - Administrative Support</b>																
Total Workforce	24	52	3	12	-	-	5	8	11	30	3	1	1	-	1	1
Total Involuntary Terminations	10	20	1	2	-	-	1	2	7	10	1	4	-	-	-	2
Involuntary Termination Rate	41.7%	38.5%	33.3%	16.7%	N/A	N/A	20.0%	25.0%	63.6%	33.3%	33.3%	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	92.3%	100.0%	50.0%	100.0%	N/A	N/A	83.3%	66.7%	26.2%	50.0%	50.0%	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	Yes	No	No	N/A	N/A	N/A	N/A	N/A
<b>7 - Skilled Craft</b>																
Total Workforce	285	15	67	1	3	-	28	5	136	5	40	3	1	1	10	-
Total Involuntary Terminations	54	5	16	1	-	-	10	-	22	3	3	1	1	-	2	-
Involuntary Termination Rate	18.9%	33.3%	23.9%	N/A	N/A	N/A	35.7%	N/A	16.2%	N/A	7.5%	N/A	N/A	N/A	20.0%	N/A
Ratio to Lowest Rate	100.0%	56.8%	31.4%	N/A	N/A	N/A	21.0%	N/A	46.4%	N/A	100.0%	N/A	N/A	N/A	37.5%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	Yes	N/A	No	N/A	No	N/A	N/A	N/A	No	N/A
<b>8 - Service-Maintenance</b>																
Total Workforce	683	164	129	26	4	2	134	42	345	85	33	4	5	3	33	2
Total Involuntary Terminations	288	86	53	10	5	3	59	17	129	33	15	3	9	6	18	14
Involuntary Termination Rate	42.2%	52.4%	41.1%	38.5%	N/A	N/A	44.0%	40.5%	37.4%	38.8%	45.5%	N/A	N/A	N/A	54.5%	N/A
Ratio to Lowest Rate	100.0%	80.4%	91.0%	97.2%	N/A	N/A	84.9%	92.4%	100.0%	96.3%	82.3%	N/A	N/A	N/A	68.6%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	N/A	N/A	N/A	Yes	N/A

## Appendix 9

### MTS Policy 25



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

## Policies and Procedures

No. 25

### SUBJECT:

Board Approval: 6/19/2014

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM FOR EMPLOYEES AND CONTRACTORS

### PURPOSE:

To establish a policy of equal opportunity employment.

### BACKGROUND:

Federal regulations require the adoption of an approved Equal Employment Opportunity (EEO) program as a condition of receipt of federal funds.

The MTS EEO Program requires the annual setting of goals and contains monitoring and reporting requirements relative to attainment of those goals. It sets forth public dissemination procedures, recruiting, selecting and hiring procedures, and grievance procedures. In addition, it incorporates an EEO Program for the employees of MTS' contractors. The program is revised annually and the full plan is on file with the Clerk of the Board.

### POLICY:

- 25.1 It is the policy of the San Diego Metropolitan Transit System, San Diego Transit Corporation and San Diego Trolley, Inc. (collectively, "MTS"), as well as its third-party contractors, to recruit, hire, train, and promote all applicants and employees in accordance with the California Fair Employment and Housing Act ("FEHA") and Title VII of the Civil Rights Act of 1964, as amended. MTS will ensure that its recruitment, selection, hiring and promotion procedures do not adversely affect the employment of persons protected by FEHA and Title VII. Furthermore, MTS will ensure that all hiring and promotional criteria, requirements and tests are job-related. MTS will adhere to the provisions of Executive Order 11246, the Equal Employment Opportunity Commission (EEOC) guidelines, and all other applicable standards consistent with California and federal laws.



Metropolitan Transit System (MTS) is a California public agency and is comprised of San Diego Transit Corporation and San Diego Trolley, Inc. nonprofit public benefit corporations, in cooperation with Chula Vista Transit and National City Transit. MTS is the taxicab administrator for eight cities and the owner of the San Diego and Arizona Eastern Railway Company. MTS member agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.

- 25.2 It is the policy of MTS to assure that discrimination based on race, color, religious creed, ancestry, national origin, sex, gender, age, marital status, medical condition, physical disability, mental disability, genetic information, gender identity, gender expression, sexual orientation, or military and veteran status does not occur in relationships that may exist between these organizations and any employee or applicant for employment. Such relationships may be defined as, but not limited to, recruitment, hiring, promotion, compensation, benefits, terminations, transfers, layoffs, recalls, company-sponsored training, education, and social and recreational programs. Goals and timetables with specific measurement and evaluation factors will be established to help measure management's progress with remedying discrimination.
- 25.3 The responsibility for the implementation of the EEO Program is assigned to the Director of Human Resources and Labor Relations. All management personnel within MTS are expected to support and implement the EEO Program in performance of their job duties and responsibilities. Any employee or applicant who feels they have been discriminated against has the right to file a complaint alleging discrimination with the Director of Human Resources and Labor Relations. If the Director of Human Resources and Labor Relations is involved in the complaint, the complaint should be filed with and will be processed by the General Counsel.
- 25.4 In the development and implementation of their employment and promotional policies, MTS will base decisions solely on the individual's qualifications (merit) and the feasibility of any necessary job accommodations.

#### PROCEDURES:

An outline of basic procedures included in the Program is as follows:

##### Annual

- Director of Human Resources and Labor Relations will conduct utilization study to determine needs and set goals to eliminate underutilization.
- Chief Executive Officer will approve goals to correct any underrepresentation.
- Manager of Human Resources will update lists of women's and minority media, community organizations, and college minority placement offices.
- Director of Human Resources and Labor Relations will communicate EEO Program to all employees.
- Various aspects of Program will be featured from time to time in MTS publications.
- Briefings will be held with various underrepresented groups.

##### Reports



- At the beginning of each fiscal year, the EEO report for the preceding year will be posted on the MTS intranet. The report will include employment results and an EEO summary.

#### Records

- Contractors awarded construction contracts greater than \$10,000 will submit monthly Employment Utilization Reports (CC-257).
- Contractors awarded nonconstruction contracts greater than \$50,000 and with 50 or more employees will submit annual Workforce Reports.
- Director of Human Resources and Labor Relations will maintain a record on each job applicant, promotional opportunity, termination data, and referral of applicants (follow-up action and feedback on disposition of those recommended).

#### Posting/Notification

- EEO Policy will be posted on the Agency intranet and contained in employee handbook.
- All employment ads will contain "San Diego Metropolitan System is an Equal Opportunity Employer."
- Required federal and state posters will be displayed in employee lounge.
- All successful contractors shall be notified of their obligations under MTS' EEO Program for contractors.

#### POLICY.25.EEO FOR EMPLOYEES AND CONTRACTORS

This original policy was adopted on 10/18/84.

Policy revised on 8/13/92.

Policy revised on 10/26/95.

Policy revised on 5/27/99.

Policy revised on 2/26/04.

Policy revised on 4/10/08.

Policy revised on 6/19/14.



## Appendix 10

### Ethnic Identification

1. White (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.
2. African American (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.
3. Hispanic or Latino: All persons having origins in any Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
4. Asian: All persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent. This area includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.
5. Native Hawaiian or Other Pacific Islander: All persons having origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands.
6. American Indian or Alaskan Native: All persons having origins in any of the original peoples of North and South America (including Central America), and who maintain cultural identification through tribal affiliation or community recognition.
7. Multiracial: All persons having origins in more than one of the Federally designated racial categories.

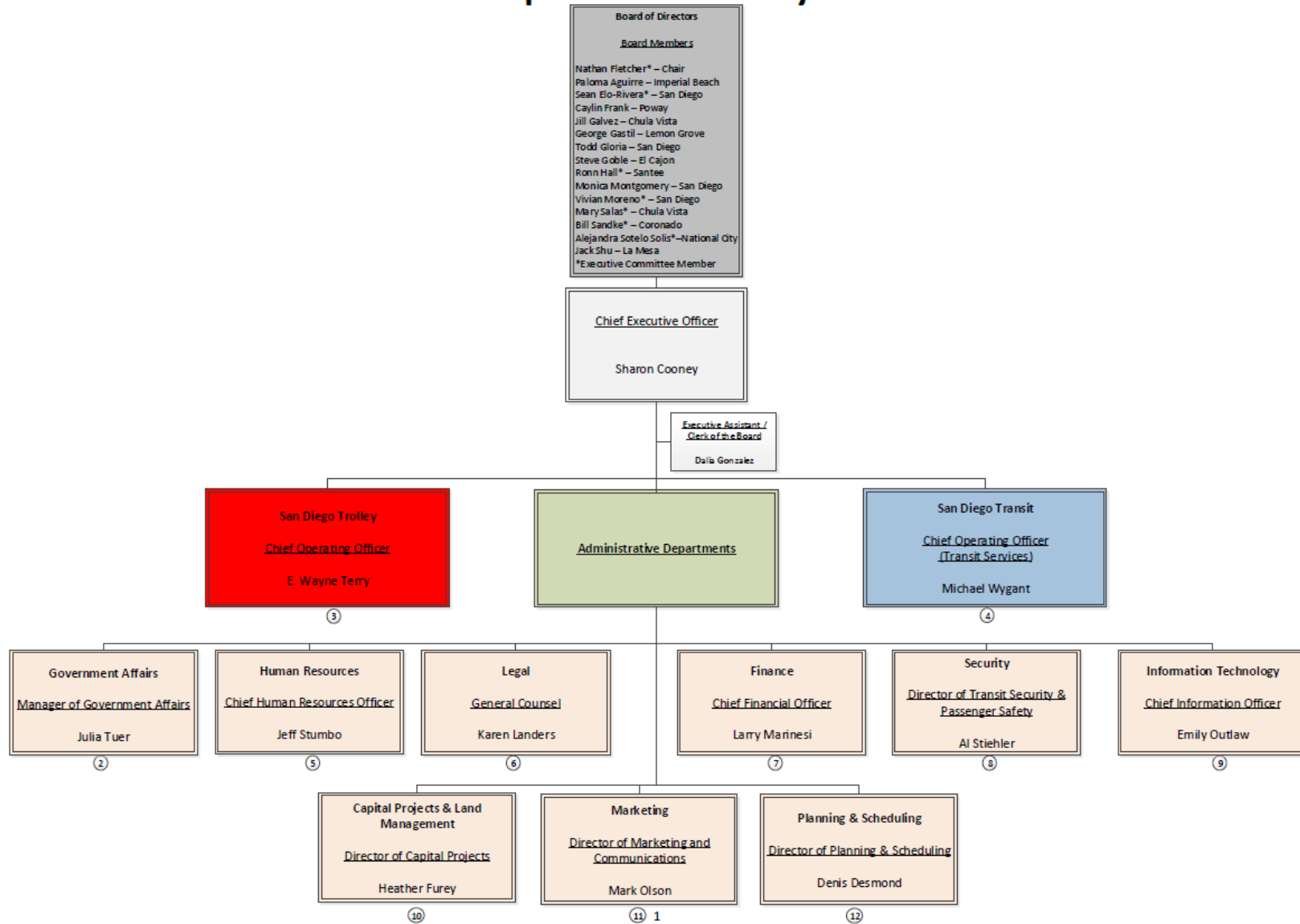
## **Appendix 11**

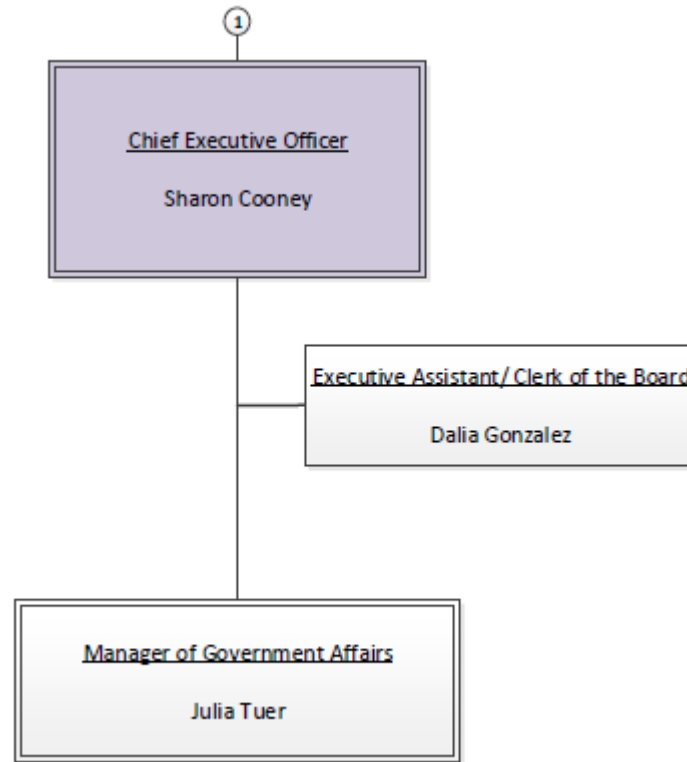
### **Designation of Personnel**

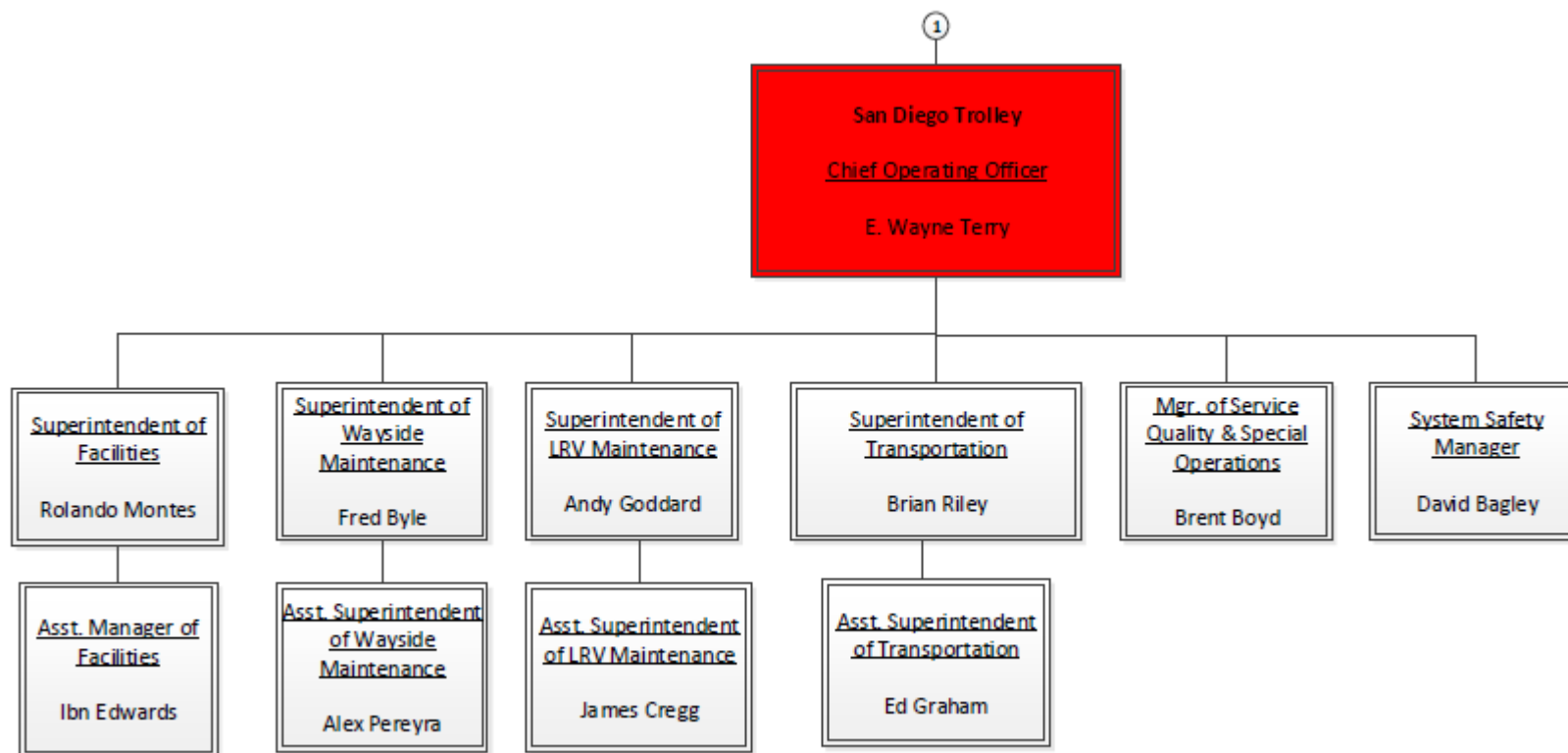
1. EEO Officer: Jeffrey Stumbo, Chief Human Resources Officer (EEO Officer).
2. General Counsel, Point of Contact: Karen Landers, General Counsel.

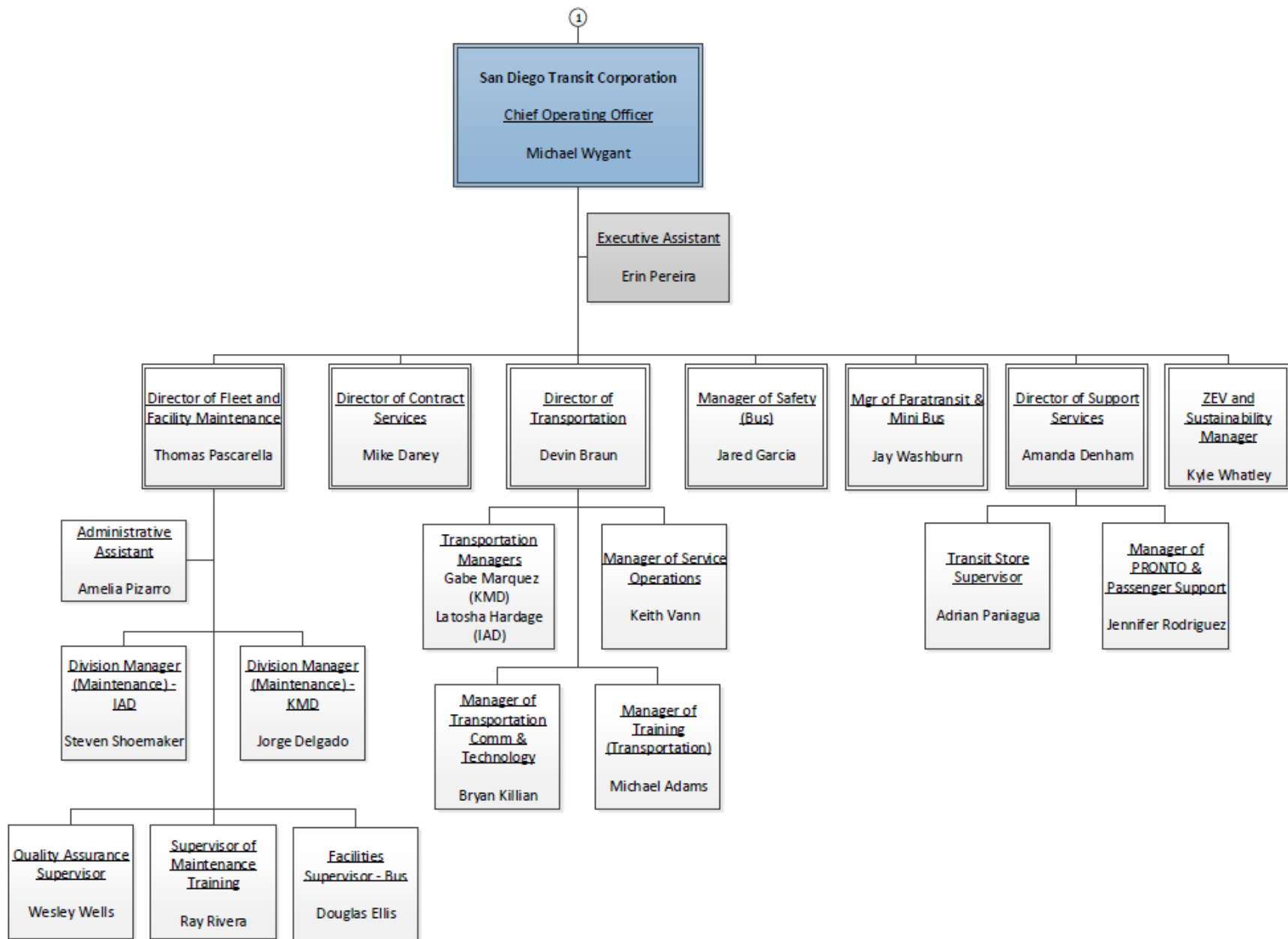
## Appendix 12

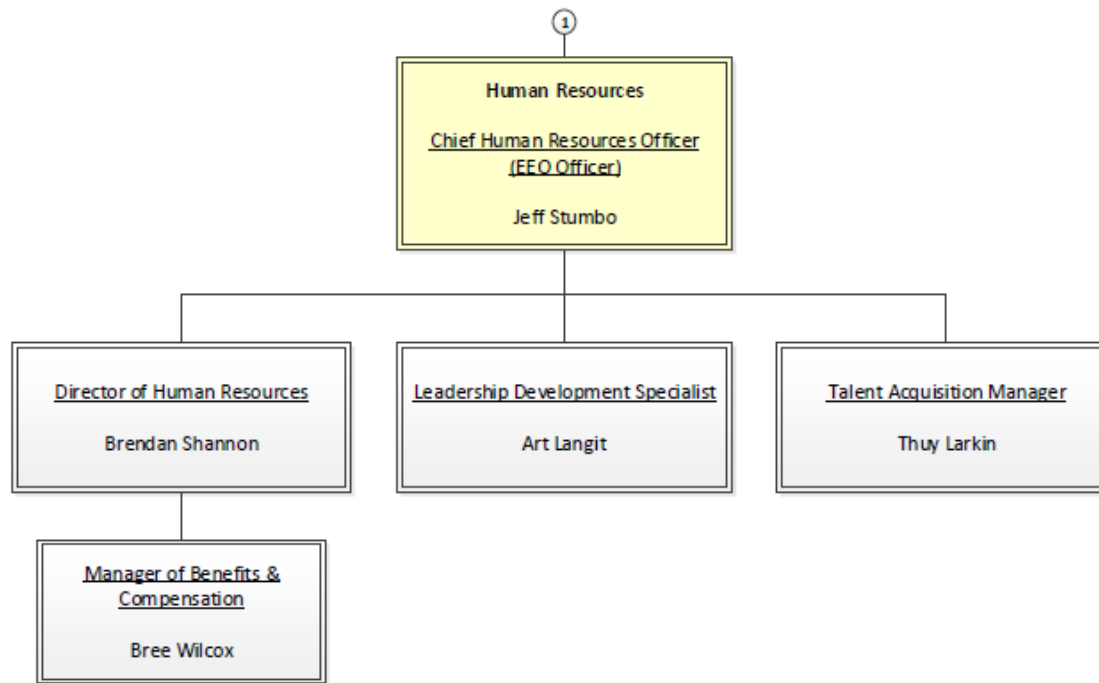
### Organizational Chart Metropolitan Transit System

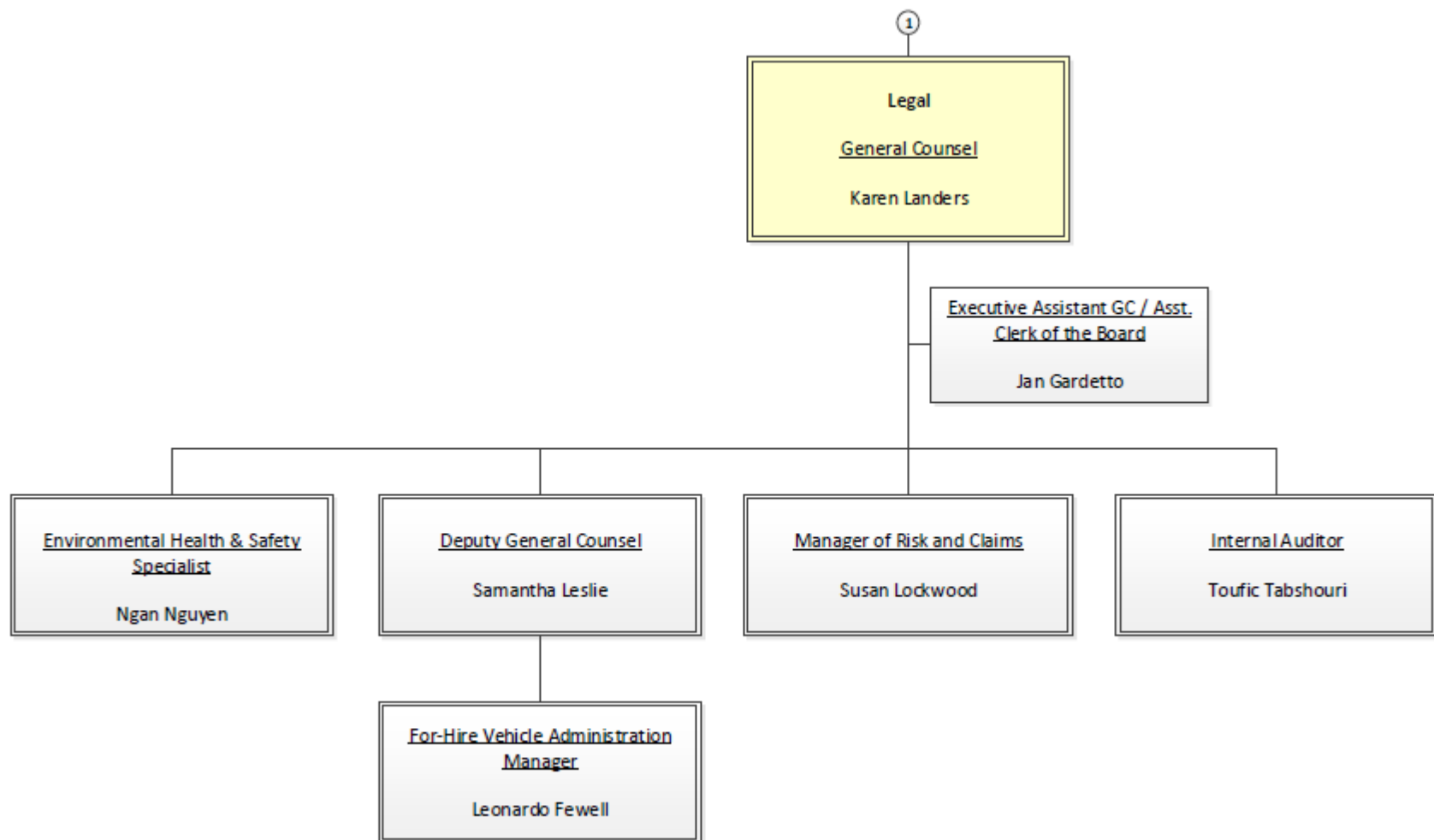




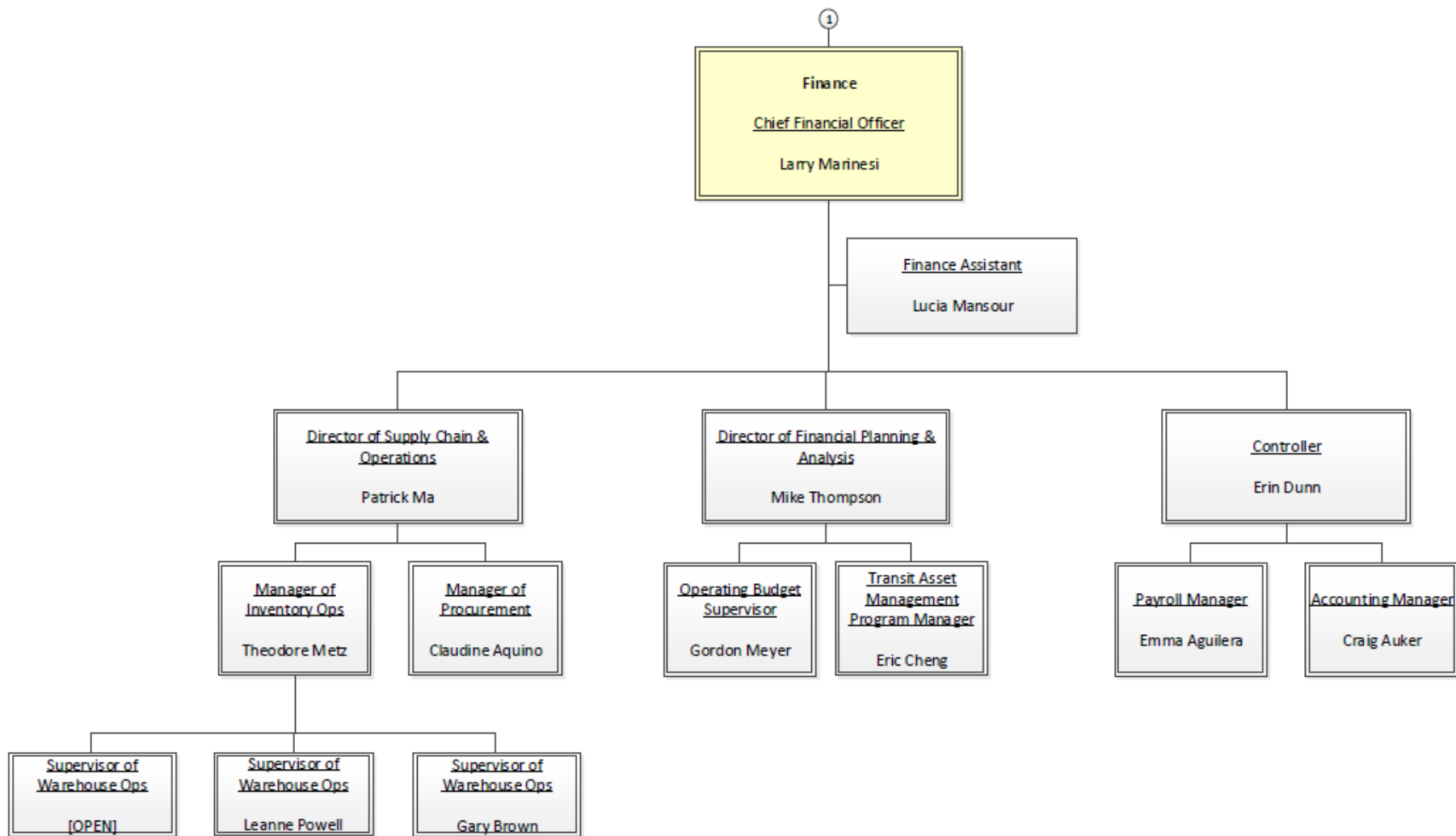


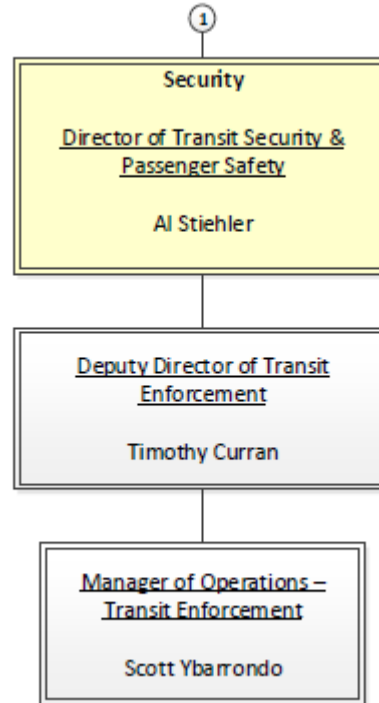


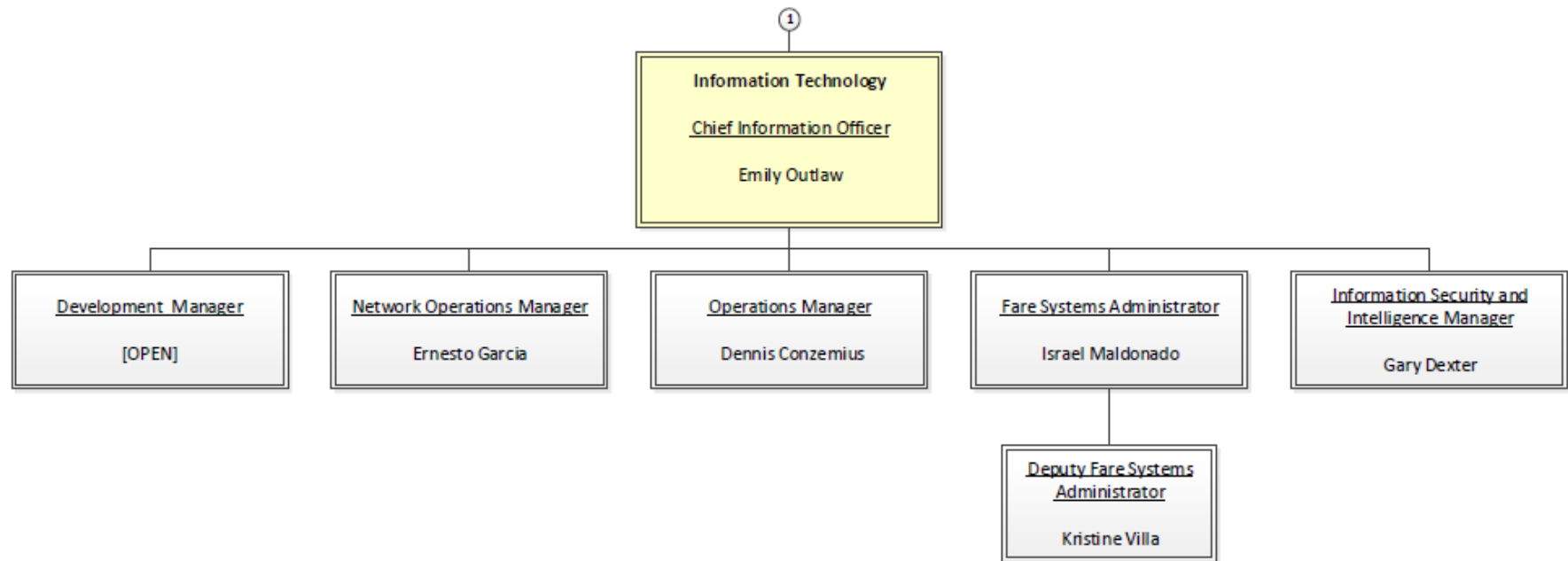


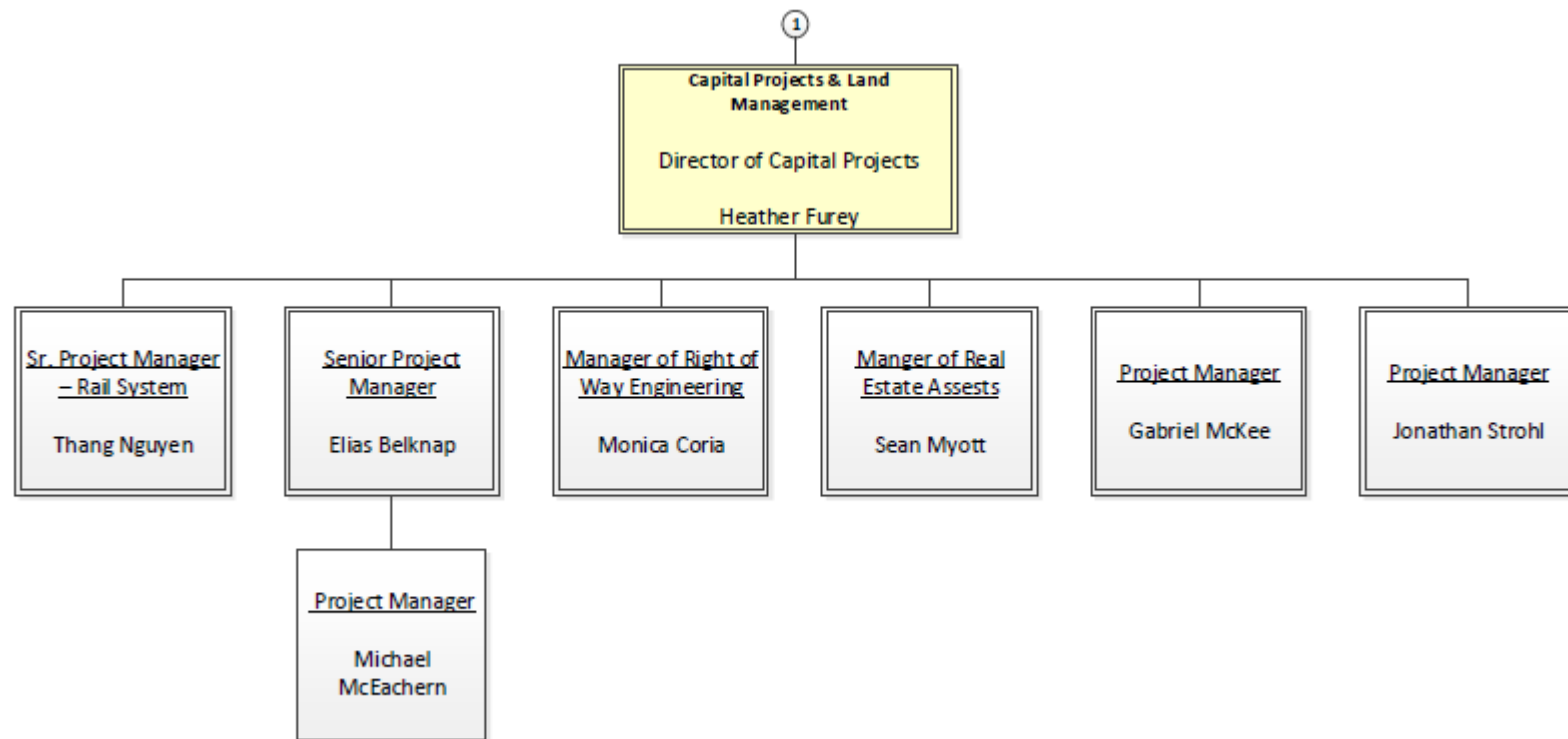


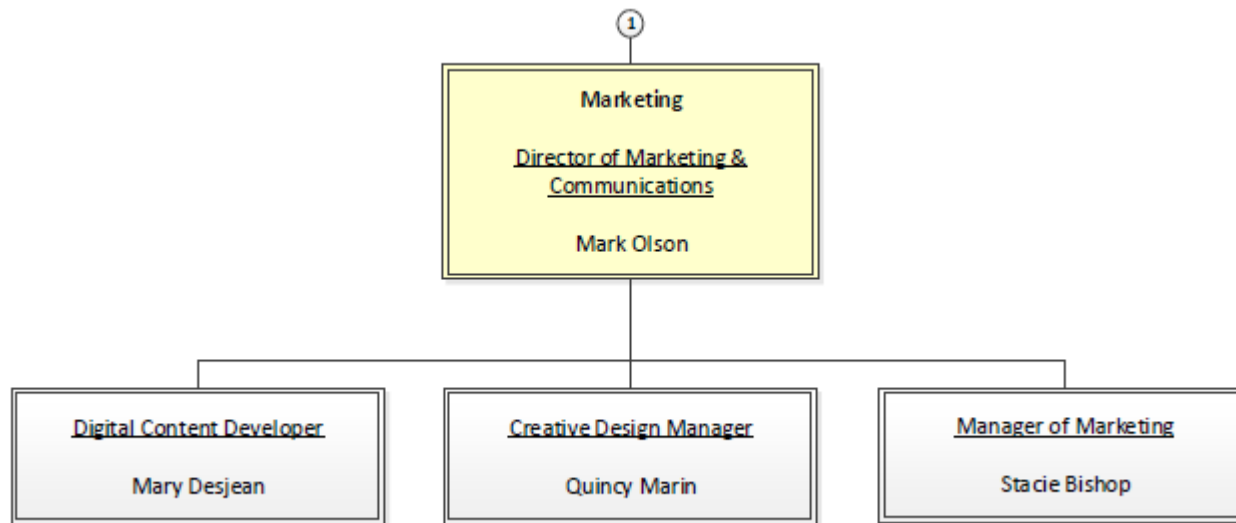


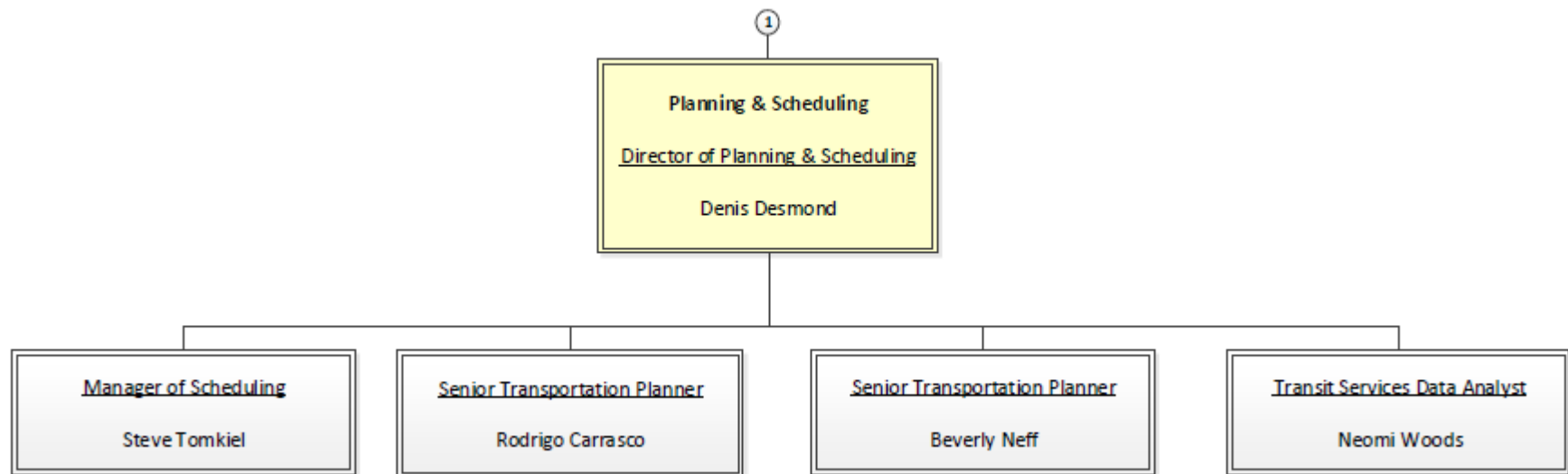












## **Appendix 13**

### **Justification Why Prior Goals Were Not Met**

As set forth above in this EEO Program, the long-range goals are to ensure parity between the San Diego County workforce availability and the current workforce of MTS. In FY18, MTS made short-term goals regarding the full utilization of females and minorities. Since FY18, we have added one (1) female and one (1) Hispanic male in the Officials/Administrators category, five (5) Hispanic females in the Protective Service category, 10 multiracial males and one (1) Hispanic female in the Skilled Craft category, 29 multiracial employees and 10 Hispanics in the Service/Maintenance category, and have full utilization of African Americans in all categories.

Despite our efforts to achieve full utilization of females and minorities, the lack of new positions and the significant reduction in turnover in recent years limits the tools we have to eliminate underutilization. Lack of turnover delays the impact of our efforts to train females and minorities who now may be qualified for higher level positions. Turnover coupled with the industry-specific experience needed to fill many management positions, makes this a particularly difficult goal. Additionally, some positions are filled internally in accordance with the appropriate union contract, such as an apprenticeship position.

## Appendix 14

### Goals Memorandum



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### Memorandum

DATE: January 12, 2022

TO: Sharon Cooney, Chief Executive Officer

FROM: Jeffrey Stumbo, Chief Human Resources Officer (EEO Officer)

SUBJECT: Updated EEO Goals – FY22

The purpose of this email is to adjust the Equal Employment Opportunity and Affirmative Action goals for FY22 and reaffirm the Agency's EEO Policy Statement.

The attached utilization report shows that at the close of FY21, protected employees were underrepresented in the following categories at MTS:

<b>FY21</b>	<b>African American</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Native Hawaiian / Pacific Islander</b>	<b>American Indian / Alaskan Native</b>	<b>2 or more</b>	<b>Women</b>
Officials/Administrators	0	3	1	0	0	1	4
Professionals	0	0	21	1	0	0	40
Technicians	0	2	0	0	0	1	7
Admin. Support	0	0	4	0	0	0	0
Protective Services: Non-Sworn	0	0	0	0	0	1	17
Craft Workers (Skilled)	0	0	0	0	0	0	7
Service/Maintenance	0	3	47	0	0	0	194

<b>FY19</b>	<b>African American</b>	<b>Hispanic</b>	<b>Asian</b>	<b>Native Hawaiian / Pacific Islander</b>	<b>American Indian / Alaskan Native</b>	<b>2 or more</b>	<b>Women</b>
Officials/Administrators	0	2	1	0	0	0	4
Professionals	0	0	9	0	0	0	37
Technicians	0	0	0	0	0	0	7
Admin. Support	0	0	2	0	0	0	0
Protective Services: Non-Sworn	0	0	0	0	1	0	19
Craft Workers (Skilled)	0	0	0	1	0	0	0
Service/Maintenance	0	21	48	0	0	0	184

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Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc., San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations), and San Diego Vintage Trolley, Inc., a 501(c)(3) nonprofit corporation, in cooperation with Chula Vista Transit. MTS is the taxicab administrator for seven cities. MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.





The main goal of the EEO Program is to reach parity with the local labor force. The FY21 utilization analysis shows underutilization of racial minorities in the MTS employee population at 5.32% compared to the total MTS employee population. This represents a decrease of 0.5% since FY19, when the underutilization of racial minorities in the MTS employee population was 5.82% compared to the total MTS employee population.

The FY21 utilization analysis shows underutilization of women in the MTS employee population at 16.85% compared to the total MTS employee population. This represents a decrease of 0.33% since FY19, when the underutilization of women in the MTS employee population was 17.18% compared to the total MTS employee population.

Overall, the total amount of minorities the Agency employs exceeds the total number that would be expected based on the utilization analysis. For example, the Agency employs 143 more African American Service/Maintenance workers and 42 more Hispanic Professionals than necessary to achieve parity with the available local labor pool. Additionally, there is no underutilization of African Americans in any category.

#### **Background:**

Achieving parity with the availability in the local labor market has been a longstanding goal of the Agency. Despite our efforts to achieve full utilization of women and minorities, there has been a lack of applicants due to COVID-19 as well as a lack of new positions in each category, which limits the tools that we have to eliminate underutilization. This delays the impact of our efforts to train women and minorities who now may be qualified for higher level positions. Additionally, some positions are filled internally in accordance with the appropriate union contract, such as an apprenticeship position.

#### **FY22 Goals:**

Since fully utilizing women and minorities is a perpetual goal, we set both short and long term goals to achieve the desired ends. The goals listed below focus on the areas where women and minorities are most underrepresented in the MTS workforce and areas where we expect to have opportunities for progress.

The Agency will make a good faith effort to fill any vacancies in the following categories at the rates indicated:

- Officials/Administrators: 1 Woman
- Professionals: 6 Women and 3 Asians
- Technicians: 1 Woman
- Protective Services: Non-Sworn 2 Women
- Service/Maintenance: 5 Hispanics and 10 Women

#### **Attachments:**

1. Executed 2022 EEO Policy Statement
2. FY2021 - Utilization analysis

cc: Brendan Shannon, Director of Human Resources