

**TRI-COUNTY METROPOLITAN  
TRANSPORTATION DISTRICT OF OREGON**

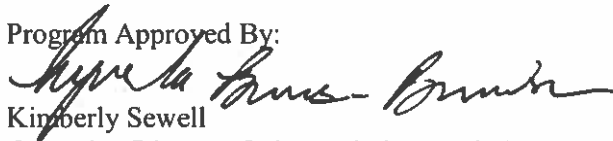
**AFFIRMATIVE ACTION PROGRAM  
FOR  
WOMEN AND MINORITIES,  
PROTECTED VETERANS AND INDIVIDUALS  
WITH DISABILITIES**

**Program Year July 1, 2022 to June 30, 2023**

# AFFIRMATIVE ACTION PROGRAM

Tri-County Metropolitan Transportation District of Oregon adopts this Affirmative Action Program for the period July 1, 2022 through June 30, 2023. This program encompasses two separate plans: A plan for Women and Minorities and a plan for Protected Veterans and Individuals with Disabilities.

Program Approved By:



Kimberly Sewell

Executive Director, Labor Relations and Human Resources and EEO Officer

Program and Plan Information	
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# Program and Plan Introduction

## Overview

Tri-County Metropolitan Transportation District of Oregon ("TriMet" or "the Agency") is a federal contractor subject to affirmative action regulations requiring written Affirmative Action Plans (AAP's) for minorities and women, and for protected veterans and individuals with disabilities.

TriMet provides bus, light rail and commuter rail service in the Portland metro area. The agency's transportation options connect people with their community while easing congestion and reducing air pollution, making our region a better place to live. In 2022-2023, TriMet made tremendous efforts to recover from the pandemic. These efforts focused on increasing ridership and to attract a workforce to address TriMet's ongoing needs. TriMet has also seen a decline in ridership due to changes in commuter patterns, social unrest and unprecedented safety and security concerns in the Portland-metro area. TriMet has undertaken measures to address these concerns and bring ridership back to pre-pandemic levels.

Tri-County Metropolitan Transportation District of Oregon's Affirmative Action Plan for Women and Minorities (AAP) is developed according to Executive Order No. 11246, as amended, and Title 41, Code of Federal Regulations, Part 60-1 (Obligations of Contractors and Subcontractors) and Part 60-2 (Affirmative Action Programs).

A separate AAP has been developed for protected veterans and individuals with disabilities in accordance with the Rehabilitation Act of 1973, Section 503, as amended, and Title 41, Code of Federal Regulations, Part 60-741, and The Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), as amended, and Title 41 Code of Federal Regulations Part 60-300.

## Notice of Confidential and Trade Secret Material Content

Within the agency, this document is not intended for general distribution. The AAPs in this program, including all related exhibits, supporting documents and all other forms of communication, contain confidential, trade secret and commercial information.

Records required to be made available by Oregon's Public Records and Public Meetings Laws will be made available in the prescribed manner unless such requirement is superseded or preempted by other applicable law.

18 U.S.C. §1905 prohibits the Office of Federal Contract Compliance Programs (OFCCP) from voluntarily releasing this information pursuant to the Freedom of Information Act (FOIA). Copies of the AAPs and/or any related exhibits, supporting documents, interview notes, and other forms of information that are made available to the OFCCP will be made available only as required for the purpose of allowing OFCCP to conduct a compliance evaluation or complaint investigation, and only on the condition that the OFCCP hold this information confidential, unless otherwise required by law, and not release any part of it to any other person or organization. Additionally, FOIA exemptions 3 and 4 protect information in this document from mandatory disclosure to FOIA requesters. *See, e.g., Chrysler v. Brown*, 441 U.S. 281 (1979).

Furthermore, release of any trade secret, confidential statistical or commercial information would be arbitrary and capricious in violation of the Administrative Procedure Act ("APA"). *See, e.g., CNA Financial Corp. v. Donovan*, 830 F.2d 1132, 1144 and n. 73 (D.C. Cir.) certiorari denied, 485 U.S. 977 (1988). Pursuant to 41 CFR §60-1.20(f), Tri-County Metropolitan Transportation District of Oregon requests that these AAPs be kept confidential.

If any person, the U.S. Government, or any other governmental agency is considering breaching the conditions under which these AAPs, including any and all related exhibits, supporting documents, and all other forms of information are loaned, or is considering a request for release of these AAPs under the FOIA, such person, the U.S. Government, or other governmental agency must immediately notify Sam Desue, Jr., General Manager, Tri-County Metropolitan Transportation District of Oregon, of the request for written authorization and conditional approval must be granted before any content may be disclosed.

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### **Definition of Terms and Effective Date for Plan Data**

The effective date for data used to develop both Affirmative Action Plans (AAPs) is July 1, 2020.

The AAPs use numerous words, terms and phrases that are found in federal statutes, regulations and Executive Orders. The words, terms, phrases and existence of the AAPs are not intended to convey or constitute an admission of non-compliance with any law, regulation or Executive Order.

The Availability Analysis, geographic areas and statistical comparisons in the AAPs are used in compliance with federal contracting regulations, as interpreted by federal government representatives. The use of these analytical approaches does not indicate the Agency's agreement that these approaches are the most appropriate in all instances, that the sources of these statistics are the most relevant, or that they have significance outside the context of good-faith compliance with AAP regulations.

The grouping of job titles into "Job Groups" does not indicate that the Agency believes that the positions in these groups are of comparable worth. The term "Goal" is not used to indicate intent to discriminate against any applicant or employee because of race, color, religion, gender, or national origin, as stated in 41 CFR Part 60-2.16. The term "Affirmative Action" is used to encompass all measures designed to ensure equal employment opportunity and promote lawful recruitment and employment management practices.

These AAPs have been developed in accordance with EEOC's Guidelines on Affirmative Action, 29 CFR Part 1608, to fulfill federal contracting obligations. The Agency does not believe any violation of Title VII of the Civil Rights Act exists.

These AAPs do not create any contractual rights, obligation, or beneficial rights to any person or entity.

# **Equal Employment Opportunity Statement**

## **Tri-County Metropolitan Transportation District of Oregon**

**December 29, 2023**

TriMet is committed to providing equal employment opportunity for all employees and applicants. It is our policy that decisions including people are made on the basis of job requirements, independent of an individual's race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, military or veteran status, physical or mental disability, and/or any other status protected by law. This includes decisions involving hiring, job placement, transfer, promotion, compensation, benefits, training and agency-sponsored programs. TriMet maintains formal employment policies, available online and by request.

All forms of discrimination and harassment based on a status protected by law are unacceptable by, toward, or between any member of the work environment: co-workers, employees, managers, contractors, and nonemployees with whom the agency has a business, service, or professional relationship. Nonemployees may be excluded from the worksite and employees may be disciplined, up to and including dismissal, for conduct that is found to be inconsistent with the agency's employment policies.

Harassment based on a protected status is a form of discrimination that encompasses a broad spectrum of verbal, written, physical and visual behavior that creates an intimidating, offensive or hostile work environment or interferes with work performance. TriMet is committed to a workplace free of harassment, as outlined in HR policies 6.1, 6.2, and 6.3.

Examples of prohibited behavior include, but are not limited to: sexual advances, propositions and/or abuse; suggestive or offensive comments about an individual's body, gender, sexual orientation, age, race/ethnicity, disability, veteran status, or any other status protected by law; obscene, suggestive or offensive comments communicated verbally or through letters, notes, email, social media, website postings, photos, cartoons and/or jokes, and/or menacing behavior such as threats, coercion, slurs and epithets.

Employees and applicants are asked to report incidents of conduct that they believe to be discriminatory or harassing. All such reports are taken seriously and will be promptly investigated. Retaliation for making a report will not be tolerated.

Employees and applicants will not experience adverse consequences for making a good faith complaint; assisting in the review of a complaint, and/or opposing any act or practice made unlawful by applicable federal, state or local nondiscrimination law.

Managers, employees, and on-site contractors are expected to help maintain an environment free of discrimination and harassment and to take appropriate action if an employment policy is not followed. Kim Sewell, Labor Relations and Human Resources Executive Director and EEO Officer, is responsible for managing and auditing our employment policies and programs and will periodically report to me about their effectiveness.

TriMet is also committed to taking affirmative steps to employ and advance women, minorities, protected veterans, and individuals with disabilities. Our Affirmative Action Program helps ensure that our recruiting efforts reach and are open to a diverse group of candidates, and that equal opportunity for advancement is available to all employees. The value of a diverse workforce means that the agency makes reasonable accommodations for sincerely-held religious beliefs and practices and for individuals with disabilities, unless providing accommodation would result in an undue hardship. Additionally, as an Oregon public employer, TriMet provides a preference in hiring and promotion to veterans and disabled veterans, as defined under Oregon law.

If you would like to view this statement in a different format that is more accessible and understandable to you, make a request for accommodation, review the Affirmative Action Plan or the Affirmative Action Plan for Protected Veterans and Individuals with Disabilities, or report circumstances where an employment policy may not have been followed, please contact Angela Burns-Brown, Director of Talent Management and Associate EEO Officer, Tri-County Metropolitan Transportation District of Oregon, 101 SW Main Street, Suite 700 Portland, Oregon 97201, 503 962-2252.

Sam Desue, Jr.  
General Manager

**TRI-COUNTY METROPOLITAN TRANSPORTATION  
DISTRICT OF OREGON**

**AFFIRMATIVE ACTION PLAN  
FOR  
WOMEN AND MINORITIES**

**Program Year July 1, 2022 to June 30, 2023**

# Affirmative Action Plan Women and Minorities

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## **Introduction and Policy Statement**

Tri-County Metropolitan Transportation District of Oregon's Affirmative Action Plan for Women and Minorities (AAP) is developed according to Executive Order No. 11246, as amended, and Title 41, Code of Federal Regulations, Part 6-1 (Obligations of Contractors and Subcontractors) and Part 60-2 (Affirmative Action Programs). This AAP has been developed, approved and implemented according to the Program Adoption, Program and Plan Introduction, and the Equal Employment Opportunity Statement that precede these pages. This plan should not be read or interpreted without this section, which is considered a part of the AAP.

### **Responsibility for Implementation** [41 CFR 60-2.17(a)]

Each officer, director and manager is responsible for helping to maintain and promote the Affirmative Action Program within his or her area of responsibility.

#### **Policy and Responsibility for the AAP**

Sam Desue, Jr., General Manager, has overall responsibility for implementing the Affirmative Action Program and for leading efforts designed to ensure its success.

#### **Program Development and Monitoring for the AAP**

Kimberly Sewell, Executive Director, Labor Relations and Human Resources and EEO Officer, is responsible for developing and monitoring the Affirmative Action Program in accordance with applicable regulations. These responsibilities include:

- monitoring employment and personnel decisions to ensure that the actions defined in the Affirmative Action Program are implemented;
- developing and maintaining policies, guidelines, and programs that are designed to ensure equal employment opportunity;
- communicating the Agency's policies, programs and commitment to the Affirmative Action Program to managers and employees;
- keeping senior management informed about EEO and affirmative action issues, objectives, problems and accomplishments;
- training and coaching managers and employees with the goal of ensuring that the work environment is free from discrimination and harassment;
- providing guidance and support for those responsible for the day-to-day implementation of the Affirmative Action Program;
- confirming that periodic audits are undertaken to monitor equal employment opportunity for women and minorities;
- ensuring that applicants and new employees are appropriately informed of the Affirmative Action Program; and
- ensuring that the Affirmative Action Program is periodically reviewed, that the Affirmative Action Plan is updated annually, and that the EEO-1 Survey is filed when required.

## **Day-To-Day Implementation for the AAP**

Angela Burns-Brown, Director, Talent Management and Associate EEO Officer, is responsible for the day-to-day implementation of the Affirmative Action Program. Specifically, this includes:

- providing EEO Policy and AAP implementation direction and interpretation to managers and employees;
- assisting in maintaining work environments that are free of discrimination and harassment;
- maintaining audit and reporting systems to measure the effectiveness of the Affirmative Action Program, including:
  - measuring the progress toward goals and objectives,
  - data collection, analysis and retention as required by regulations, and
  - identifying circumstances in which responsive action is needed;
- reporting Affirmative Action Program results to senior management during the year as needed, and at the end of each plan year;
- assisting with the review and update of the AAP at the end of each plan year;
- assisting in the review and revision of policies and procedures to ensure compliance with federal laws and regulations;
- assisting managers and employees with issues related to the Affirmative Action Program;
- serving as a liaison between the Agency and regulatory and enforcement agencies as appropriate;
- helping the Agency stay current on developments related to Affirmative Action Program compliance;
- ensuring that workplace postings are maintained as required;
- ensuring that appropriate job listing and advertising occurs as required; and
- serving as a liaison between the Agency and organizations concerned with employment opportunities for women and minorities.

Managers are also responsible for matters important to the day-to-day implementation of the EEO Policy and AAPs. These responsibilities include:

- working to maintain work environments that are free of discrimination and harassment;
- helping to identify issues related to the Affirmative Action Program and recommending potential responsive actions; and
- carrying out specific affirmative steps as assigned.

## Affirmative Action Plan Approach and Development

### Definition of Plan Job Groups [41 CFR 2.12]

For purposes of this AAP, the Agency's workforce was segmented into Job Groups in accordance with OFCCP guidelines and the assumptions outlined in the Plan Introduction. The criteria used to place positions into a Job Group include similarity of qualifications, job duties, compensation and opportunities for advancement.

The Job Groups used for this plan are listed below.

Job Group Code	Job Group Name	EEO-1 Code	FLSA Status
11A	Managers & Officials: Executive	1.1	Exempt
11B	Managers & Officials: Senior-Level	1.1	Exempt
12	Managers & Officials: First & Mid-Level	1.2	Exempt
20	Professionals: Administrative	2	Exempt & Nonexempt
21	Professionals: Engineers & IT	2	Exempt
25	Professionals: Bargaining Unit	2 & 5	Nonexempt
30	Technicians	3	Exempt & Nonexempt
50	Admin Support: Non-Bargaining Unit	2 & 5	Exempt & Nonexempt
51	Admin Support: Bargaining Unit	2 & 5	Nonexempt
60A	Craft Workers: Apprentices	6	Nonexempt
60B	Craft Workers: Skilled	6	Nonexempt
70A	Operatives: Mini-Run Operators	7	Nonexempt
70B	Operatives: Bus Operators	7	Nonexempt
70C	Operatives: Light Rail Operators	7	Nonexempt
70D	Operatives: Street Car Operators	7	Nonexempt
75	Operatives: Non-Transit Operators	2	Nonexempt
80	Service Workers	8 & 9	Nonexempt
90	Service-Maintenance Workers	9	Nonexempt

### Organizational Profile [41 CFR 60-2.11]

#### Workforce Analysis

The Agency has used a Workforce Analysis for its Organizational Profile to identify employees at this facility by gender, race and ethnicity in each job title as of the beginning of the plan year.

Job titles are listed by organizational unit, sequenced from the lowest to the highest paid. For each job title, the number of men and women were reviewed by origin (White, Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaskan Native) to identify issues for which responsive action may be appropriate. Any issues identified by this analysis are described in the section titled "Prior Year Accomplishments and Analysis of Workforce and Employment Processes" and corresponding Action-Oriented Plans can be found in the section titled "Action-Oriented Plans, Goals and Objectives".

### **Availability Analysis by Job Group [41 CFR 2.14]**

The Agency's Availability Analysis is determined by Job Group as of the beginning of the plan year, in accordance with OFCCP regulations and the assumptions described in the Program and Plan Introduction. The term "Availability" is used in this plan to approximate the demographics of the persons in the reasonable recruitment area who are interested in and qualified to fill positions in particular Job Groups with the Agency.

The Availability Analysis takes the following factors into account:

1. *The percentage of women and minorities with requisite skills in the reasonable recruitment area.* The "reasonable recruitment area" is defined as the geographic area from which the Agency usually seeks or reasonably could seek candidates for employment openings; and

### **Availability Data Sources**

The sources of availability data are described in the Availability Analysis. They include, but are not limited to: U.S. Census Bureau Public Use Microdata Series (PUMS) Data (2021)

### Availability Analysis Results

The results of the Availability Analysis are summarized below. The overall availability of women and minorities was used to help determine whether the Agency should establish goals for any particular Job Group (see "Affirmative Action Plan, Goals and Objectives").

<b>Job Group Code</b>	<b>Job Group Name</b>	<b>Women Availability Estimate</b>	<b>Minority Availability Estimate</b>
11A	Managers & Officials: Executive	25.9%	13.4%
11B	Managers & Officials: Senior-Level	37.3%	17.1%
12	Managers & Officials: First & Mid-Level	52.0%	20.4%
20	Professionals: Administrative	56.8%	18.3%
21	Professionals: Engineers & IT	19.2%	31.0%
25	Professionals: Bargaining Unit	52.4%	19.4%
30	Technicians	26.9%	24.5%
50	Admin Support: Non-Bargaining Unit	80.5%	18.0%
51	Admin Support: Bargaining Unit	55.2%	20.1%
60A	Craft Workers: Apprentices	4.5%	20.1%
60B	Craft Workers: Skilled	5.3%	21.8%
70A	Operatives: Mini-Run Operators	28.1%	26.7%
70B	Operatives: Bus Operators	28.1%	26.7%
70C	Operatives: Light Rail Operators	6.0%	20.5%
70D	Operatives: Street Car Operators	6.0%	20.5%
75	Operatives: Non-Transit Operators	48.6%	16.9%
80	Service Workers	14.8%	30.5%
90	Service-Maintenance Workers	14.8%	30.5%

## **Prior Year Accomplishments and Analysis of Workforce and Employment Processes** [41 CFR 60-2.17]

The Agency has conducted a review of employment practices and personnel actions during the preceding twelve months. The following is a summary of this review.

### **Action-Oriented Plan Accomplishments - Prior Year**

#### **Outreach Activities**

During the plan year, TriMet continued its practice of communicating its EEO and affirmative values in print and online. Subcontractors, vendors and suppliers were notified of the Agency's Affirmative Action Program and were reminded to take actions appropriate to their contracting status.

TriMet also hosted and participated in an unprecedented number of outreach events, many targeting marginalized and underrepresented communities. These activities are represented below.

<b>Date</b>	<b>Name of Fair</b>
Tues 7/19/2022	Noon Tunes
Tues 7/26/2022	Noon Tunes
Tues 8/2/2022	Noon Tunes
Sun 8/7/2022	Carfree Sunday
Tues 8/9/2022	Noon Tunes
Sat 8/13/2022	Rosewood Saturday Celebration
Thurs 8/18/2022	Portland Youth Opportunity Fair
Tues 8/30/2022	Noon Tunes
Fri 9/9/22	Portland Veterans Job Fair & Stand Down
Thurs 9/15/22	Goodwill Job Connection
Wed 9/21/22	WorkSource Vancouver- public Sector Hiring event
Friday 9/23/22	Goodwill Job Connection
Sat 10/15/22	Love is strong - Community Pulse
Fri 10/21/2022	PCC Disability Focused Job Fair
Tues 11/8/2022	Oregon Tech Institute Government & Nonprofit Fair
Wed 11/9/2022	Oregon Tech Institute Fall Engineering & Technology Fair
10/28/2022	COMTO Career Fair
11/2/2022	Scott talking to students from Vocational Rehab
Thurs 11/3/2022	Joint Base Lewis McChord Hiring Event
Tues 11/8/2022	Oregon Tech Institute Government & Nonprofit Fair
Wed 11/9/2022	Oregon Tech Institute Fall Engineering & Technology Fair
Thurs 11/17/2022	Oregon Tech Institute Fall Engineering & Technology Fair
1/1/2023	Grant High School
1/18/2023	Central City Concern Job Club
1/19/2023	TriMet Maintenance Hiring Event
1/20/2023	African Job Fair- AFHHO and CAIRO

2/1/2023	Job Connection Tigard/Baseline
2/3/2023	CDL Steering Committee
2/22/2023	NW Youth Careers Expo
2/28/2023	Incight
3/8/2023	Meet The Trades
3/14/2023	TriMet Hiring Event
3/16/2023	JBLM
3/16/2023	Walmart Layoff
3/31/2023	UP Career Fair
4/19/2023	OSU Internship Fair
4/19/2023	Incight
5/2/2023	PSU internship fair
5/8/2023	PSU Veteran Resource Center
5/9/2023	TriMet and Raimore Hiring Event
5/12/2023	Washington County Chamber Hiring Expo
5/19/2023	Women in Trades
5/20/2023	Women in Trades
5/25/2023	PCC Trades Career Fair
6/8/2023	Urban League
6/19/2023	Juneteeth
6/20/2023	Incight Career Fair- SE Works

### **Internal Activities**

1. The Agency communicated the commitments and accomplishments of the Affirmative Action Program to managers and asked for their assistance and support.
2. ERG Activities
3. The Agency's employee development efforts continued to encourage and assist employees wishing to enhance their vocational skills and experiences. This includes offering tuition reimbursement for eligible non-union employees. This also includes reverse mentoring program for union staff. TriMet also offers a number of maintenance training programs.
4. The Agency expanded the E3 learning and development program to provide training and leadership development opportunities for employees. Program topics have included technical skill development subjects as well as these employment topics:

Hiring Well  
 Bias Busting  
 Moving from Employee to Supervisor  
 Cultural Agility and Unconscious Bias Awareness  
 Cultural Agility: Addressing the Impact of Micro-aggressions in the

Workplace  
Gender Diversity 101: Removing the Mystery  
Conversations for Performance  
EEO and Investigation Training

5. During the plan year a women's affinity group, Women's Forum, continued its efforts in connecting women within the agency. The quarterly forum was developed to bring together women with diverse backgrounds for networking purposes. Additional affinity groups were added, including: PRIDE; Disability Awareness; and Black/African American Employee Resource Groups. An dedicated FTE was hired to coordinate the Employee Resource Group efforts.
6. Employment openings were posted on the TriMet intranet and internet, thereby helping to ensure that all interested employees had equal opportunities to apply for consideration.
7. The Agency conducted an agency wide DEIA survey and focus groups to help ensure TriMet provides a workplace and conditions where all employees have opportunities to give their best performance and contribute to the Agency's goals and values.
8. The Human Resources Department offered career development coaching and a number of resume workshops.
9. An early onboarding program was added that included key workforce skills targeting employees from underrepresented groups to assist them in their skill development.

**Diversity Plan Activities**

1. TriMet's Inclusion, Diversity, Equity, and Accessibility division worked collaboratively with HR and other division on developing TriMet's DEIA Strategy. This strategy is focused internally and includes strengthening TriMet's efforts in recruiting, hiring, and retaining a diverse workforce.
2. HR began monitoring hiring panels to help ensure panels are diverse and panelists are on track to complete the Hiring Well training course. The course provides managers the essential skills for making employment selection decisions. Course content also focuses on interviewing skills that address unconscious bias awareness. Microaggression 101 was also introduced, which is the first all employee required training at TriMet. It is anticipated that all employees will be required to participate in the course by June 30, 2022.
3. To encourage greater applicant flow and more referrals of qualified candidates to managers for considerations, TriMet was flexible in requiring public transit experience and reviewed and revised its job descriptions to clearly state required experience versus preferred or desired experience.
4. Hiring events included information in Spanish and translators were on site to assist limited English speakers.

**Goal Accomplishments - Prior Year**

The Agency has conducted a review of the Affirmative Action Program's goal accomplishments during the prior plan year. The following is a summary of this review.



<b>Job Groups Where A Majority of Openings Are Typically Filled Through Employee Initiated Requests</b>					
25 Professionals: Bargaining Unit	---		19.4%	15.8%	During the plan year, there were no external hires and four internal placements into the Job Group, resulting in one minority placement. The placement goal for minorities was achieved for all practical purposes.
70B Operatives: Bus Operators	28.1%	25.3%	---		During the plan year, there were no external hires and 161 internal placements into the Job Group, resulting in 45 women placements. The placement goal for women was not achieved.
70C Operatives: Light Rail	6.0%	23.0%	---		During the plan year, there were no external hires and 38 internal placements into the Job Group, resulting in ten women placements. The placement goal for women was achieved for all practical purposes.
70D Operatives: Street Car Operators	---		20.5%	29.1%	During the plan year, there were no external hires and six internal placements into the Job Group, resulting in no minority placements. The placement goal for minorities was not achieved.
80 Service Workers	---		33.3%	30.5%	During the plan year, there were 108 external hires and 19 internal placements into the Job Group, resulting in 43 minority placements. The placement goal for minorities was not achieved.

### **Workforce Analysis by Organizational Unit [41CFR 60-2.17(b)(1)]**

A review of the Agency's workforce did not find a significant concentration or under-utilization of women or minorities by organizational unit.

### **Workforce Analysis by Job Group [41CFR 60-2.17(b)(1)]**

Outlined below is a list of the plan's Job Groups and the results of an analysis to determine if goals should be established.

<b>Job Group Code</b>	<b>Job Group Name</b>	<b>Placement Goal for Women</b>	<b>Placement Goal for Minorities</b>
11A	Mgrs. & Officials: Executive	Yes	Yes
11B	Mgrs. & Officials: Senior-Level	No	No
12	Mgrs. & Officials: First & Mid-Level	No	Yes
20	Professionals: Administrative	No	Yes
21	Professionals: Engineers & IT	No	Yes
25	Professionals: Bargaining Unit	No	No
30	Technicians	No	No
50	Admin Support: Non-Bargaining	Yes	Yes
51	Admin Support: Bargaining Unit	No	Yes
60A	Craft Workers: Apprentices	Yes	Yes
60B	Craft Workers: Skilled	No	Yes
70A	Operatives: Mini-Run Operators	Yes	No
70B	Operatives: Bus Operators	No	Yes
70C	Operatives: Light Rail Operators	Yes	Yes
70D	Operatives: Street Car Operators	Yes	Yes
75	Operatives: Non-Transit Operators	No	No
80	Service Workers	Yes	Yes
90	Service-Maintenance Workers	Yes	Yes

<sup>1</sup> Placements into the Job Group are nearly always made from existing employee requests for consideration and where employment selections are administered according to collective bargaining agreement recognized seniority.

### **Job Group Disparity Analysis [41CFR 60-2.17(b)(2)]**

A Disparity Analysis was conducted according to OFCCP methodology. The findings from this review are summarized below.

<b>Employment Action</b>	<b>Analysis of Rate Differences</b>
<b>Hires to Applicant Flow</b>	A review of hires to considered applicants found that the rate of selection for women and minorities is substantially the same as for men and majority class members. The Agency conducted a review of hiring decisions and found that any hiring rate difference was due to non- discriminatory reasons.
<b>Promotions</b>	A review of promotions by Job Group to the workforce within the Job Group found that the rate of selection for women and minorities is substantially the same as for men and majority class members. The Agency conducted a review of promotion decisions and found that any promotion rate difference was due to non-discriminatory reasons.
<b>Separations</b>	A review of separations by Job Group to the workforce within the Job Group found that the rate of separations for women and minorities is substantially the same as for men and majority class members. The Agency conducted a review of separation decisions and found that any separation rate difference was due to non-discriminatory reasons.

### **Training and Development**

A diverse group of training and development programs are offered to all on an equal-access basis. The Agency will continue to encourage women and minorities to consider using these programs to develop skills and knowledge that may help advance their careers.

### **Compensation Systems [41CFR 60-2.17(b)(3)]**

Benefits such as employee healthcare insurance and retirement funding have been, and will continue to be, offered to all employees (women and men, and minority and majority class participants) using the same eligibility and benefit schedules.

Employee pay continues to be determined using non-discriminatory factors. TriMet's compensation practices are aligned with the Oregon Pay Equity Act. A review of pay by gender, race and ethnicity concluded that pay is administered without regard for gender or minority status.

### **Organization-Sponsored Programs**

Agency-sponsored recreational and social events are non-segregated and non-discriminatory.

### **Internal Audit and Reporting System [41CFR 60-2.17(d)]**

An audit of the Agency's EEO and Affirmative Action Program recordkeeping systems reveals that required records are maintained and reported according to regulations.

## **Action-Oriented Plans, Goals and Objectives** [41 CFR 60-2.15, 60-2.16 and 60-2.17(c)]

### **Workforce Analysis and Annual Goal Approach**

The table on the following page compares the utilization of women and minorities by Job Group to the Availability of women and minorities as determined by the Availability Analysis. The utilization and availability of women was studied separately from the utilization and availability of minorities. Placement rate goals are established where appropriate. Goals in this AAP are not quotas, do not amount to an admission of impermissible conduct, do not reflect a finding of discrimination, and do not reflect a finding of a lack of good-faith affirmative action efforts. Rather, the establishment of any goal is designed to be a technical targeting term used exclusively by affirmative action planners who seek to apply good-faith efforts to increase in the future the percentage of minorities and/or women employed in a particular Job Group.

## Tri-County Metropolitan Transportation District of Oregon TriMet Affirmative Action Program

**Utilization Analysis and Placement Goal Table<sup>1</sup> | 41 CFR 60-2.15 and 60-2.16|**

**June 30<sup>th</sup>, 2022-July 1, 2023**

Job Group	Total	Total		Total		Utilization		Availability		Placement Goal	
		Men	Women	Men	Women	% Women	% Minority	% Women	% Minority	Yes/No Women	Yes/No Minority
11A Mgrs & Officials: Executive	13	8	5	3	38.5%	23.1%	25.9%	13.4%	No	No	
11B Mgrs & Officials: Senior-Level	38	26	12	6	31.6%	15.8%	37.3%	17.1%	No	No	
12 Mgrs & Officials: First & Mid-Level	205	157	48	50	23.4%	24.4%	52.0%	20.4%	No	Yes	
20 Professionals: Administrative	207	112	95	49	45.9%	23.7%	56.8%	18.3%	No	Yes	
21 Professionals: Engrs & IT	60	52	8	21	13.3%	35.0%	19.2%	31.0%	No	Yes	
25 Professionals: Bargaining Unit	19	16	3	3	15.8%	15.8%	52.4%	19.4%	No	No	
30 Technicians	7	7	0	1	0.0%	14.3%	26.9%	24.5%	No	No	
50 Admin Support: Non-Bargaining	56	9	47	21	83.9%	37.5%	80.5%	18.0%	Yes	Yes	
51 Admin Support: Bargaining Unit	370	260	110	114	29.7%	30.8%	55.2%	20.1%	No	Yes	
60A Craft Workers: Apprentices	61	58	3	26	4.9%	42.6%	4.5%	20.1%	Yes	Yes	
60B Craft Workers: Skilled	389	374	15	104	3.9%	26.7%	5.3%	21.8%	No	Yes	
70A Operatives: Mini-Run Operators	215	139	76	55	35.3%	25.6%	28.1%	26.7%	Yes	No	
70B Operatives: Bus Operators	1056	789	267	362	25.3%	34.3%	28.1%	26.7%	No	Yes	
70C Operatives: Light Rail Operators	191	147	44	75	23.0%	39.3%	6.0%	20.5%	Yes	Yes	
70D Operatives: Street Car Operators	55	49	6	16	10.9%	29.1%	6.0%	20.5%	Yes	Yes	
75 Operatives: Non-Transit Operators	5	3	2	0	40.0%	0.0%	48.6%	16.9%	No	No	
80 Service Workers	207	153	54	69	26.1%	33.3%	14.8%	30.5%	Yes	Yes	
90 Service-Maint Workers	8	6	2	3	25.0%	37.5%	14.8%	30.5%	Yes	Yes	
<b>Total:</b>	<b>3,162</b>	<b>2,365</b>	<b>797</b>	<b>978</b>							

Note: This table uses the Eighty Percent Method.

<sup>1</sup> Placement Goals are a technical targeting tool used by Affirmative Action Program planners to apply good-faith efforts to increase the percentage of women and minorities in a workforce as required by US federal contracting regulations. The establishment of goals represents neither a finding of discrimination nor lack of prior good-faith efforts.

<sup>2</sup> Placements into the Job Group are nearly always from existing employee requests for consideration and where employment selections are administered according to collective bargaining agreement recognized seniority.

**Action-Oriented Plans For Job Groups with Goals [41 CFR 60-2.17(c)]**

The Action-Oriented Plan for Job Groups was developed with the recognition that the Agency has a long-service workforce. A significant portion of the long-service workforce was originally hired at a time when the labor market available to TriMet was less diverse than it is today. Additionally, approximately 80% of TriMet’s employees are represented by the Amalgamated Transit Union (ATU) and where collective bargaining agreements are used to help make employment and workplace decisions. Five of the six Job Groups with placement goals involve positions governed by the ATU bargaining agreement. Historically, two job groups serve as significant external hiring entry points for bargaining unit positions, Job Groups 70A Operatives - Mini-Run Operators and to a lesser extent, Job Group 80 Services Workers. Summarized in the table below are the Agency’s approaches for Job Groups where placement goals have been established.

<b>Job Group</b>	<b>Action Plan to Attain Goal</b>
25 Professionals: Bargaining Unit 60B Craft Workers: Skilled 70C Operatives: Light Rail 70D Operatives: Street Car	Nearly all hiring into these Job Groups occurs from internal movement of ATU bargaining unit employees. When openings occur, interested bargaining group employees apply for consideration using a selection process based on recognized seniority. Movement of ATU employees based on seniority may occur among and between office, craft, operator, and service-maintenance positions. The strategy for achieving placement goals includes: 1. Building awareness among bargaining unit employees of job opportunities; 2. Ensuring that recruiting outreach includes sources of qualified women, minorities, protected veterans and IWDs when external hiring occurs in Job Groups 70A Operatives – Mini-Run Operators and 80 Service Workers. Through these approaches, office and service maintenance employees with no contact with skilled craft positions will have an opportunity to learn about alternative career paths and external hiring will reflect the diversity of the communities TriMet serves. Placement goals in work areas governed by seniority are long-term goals. Over time, employees with low seniority are expected to successfully compete for positions where placement goals have been established, resulting in greater diversity.

Job Group	Action Plan to Attain Goal
11B Mgrs. & Officials: Senior	Hiring into these Job Groups usually occurs from a combination of external recruiting, internal promotion and employees applying for consideration. The strategy for achieving these goals includes: 1. Monitoring to ensure that women and minorities have equal access to training and development opportunities necessary for advancement; 2. Ensuring that recruiting outreach to sources of qualified women, minorities, protected veterans and IWDs occurs when there are openings; and 3. Building awareness across the Agency of career paths leading into these Job Groups.

In support of these strategies, when openings occur in a Job Group with a placement goal, the existence of the goal will be identified on the employment requisition to ensure that affirmative recruiting occurs at the beginning of the employment process. TriMet has also identified and adopted specific actions to create an environment supportive of placement goal attainment and the Agency’s affirmative action efforts. These actions are summarized in Other Action-Oriented Plans.

**Other Action-Oriented Plans**

In upcoming fiscal years, TriMet will review its workforce and diversity efforts on a quarterly basis for all job groups. From this review, a series of Recommended Commitments were identified and formally adopted by TriMet. Nine of these commitments have direct applicability to TriMet’s efforts for greater workforce diversity. Outlined are examples of these Action-Oriented approaches.

1. TriMet will continue a focus on increasing the utilization of women by increasing the number of women in the applicant pool and by ensuring all qualified women are referred to hiring managers for interview consideration.
2. During the fiscal year budgeting process, once the adopted budget is complete and a list of proposed new positions is developed, the list will be circulated to sources closely connected to communities of color and women’s organizations as a “preview of coming opportunities.” TriMet will conduct career fairs to promote the projected openings.
3. Human Resources will continue to monitor hiring panels to ensure that they are diverse and panelists complete employment process and unintentional bias training.

**Internal Activities**

1. The Agency will communicate the commitments and accomplishments of the Affirmative Action Program to managers and ask for their assistance and support.
2. The Agency’s employee development efforts will continue to encourage and assist employees wishing to enhance their vocational skills and experiences.
3. Job openings will be posted to ensure that all interested employees have equal opportunities to apply for consideration.
4. The Human Resources Department will remain available to employees wishing to discuss advancement within the Agency.

5. Human Resources staff will hold an Internal Career Fair focusing on promotional opportunities with TriMet's Transportation and Maintenance Operations.

### **Outreach Activities**

1. Employees will be encouraged to become involved in organizations that may be a direct or indirect source of qualified women and minority candidates. Agency Employee Resource Groups will be leveraged to recruit participants in outreach events.
2. Notices of openings will be sent to organizations that may be of assistance with the recruitment and referral of qualified women and minorities.
3. When working with outreach resources, the Agency will continue to focus on Job Groups where goals exist in an overall effort to reduce and eventually eliminate underutilization.
4. Job openings will be listed with the state employment services office.
5. The Agency will communicate its EEO and Affirmative Action values in print and online.
6. The Agency will inform educational institutions of its desire to receive applications from qualified women and minorities.
7. The Agency will encourage women and minority employees to participate in programs such as career days, youth programs and related activities when possible and appropriate.

## **Plan Management and Compliance Policies**

### **Internal Audit and Reporting [41 CFR 60-2.17(d)]**

The Agency will audit and review the effectiveness of the Affirmative Action Program during and at the end of the plan year. It is the responsibility of Angela Burns-Brown, Director, Talent Management and Associate EEO Officer, to monitor and audit program progress. The internal audit includes reviewing:

- personnel activity, including referrals, placements, transfers, promotions, separations, and compensation, to ensure that these processes and the actions taken pursuant to them are consistent with the AAP;
- AAP Goals and Action Plans to ensure that progress is occurring; and
- AAP recordkeeping to ensure that it is functioning correctly.

The internal audit results will be reviewed periodically with senior management and with those that have Affirmative Action Program implementation responsibilities. Periodically, Affirmative Action Program progress will be reviewed with all managers. If responsive action is appropriate, an Action Plan will be developed to address issues identified by the audit.

### **Year End and New Plan Reviews**

Kimberly Sewell, Executive Director, Labor Relations and Human Resources and EEO Officer, is responsible for ensuring that a year-end progress report is made to Sam Desue, Jr., General Manager.



The accomplishments and issues identified in the report will be used in the preparation of the following year's AAP.

**TRI-COUNTY METROPOLITAN TRANSPORTATION  
DISTRICT OF OREGON**

**AFFIRMATIVE ACTION PLAN  
FOR  
PROTECTED VETERANS AND  
INDIVIDUALS WITH DISABILITIES**

**Program Year July 1, 2022 to June 30, 2023**

# Affirmative Action Plan Protected Veterans and Individuals with Disabilities

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## **Introduction and Policy Statement** [41 CFR 60-300.44(a)(e) and 60-741.44(a)(e)]

Tri-County Metropolitan Transportation District of Oregon's Affirmative Action Plan (AAP) for protected veterans and individuals with disabilities is developed according to Section 503 of the Rehabilitation Act of 1973, as amended, and Title 41, Code of Federal Regulations, Part 60-741, and The Vietnam Era Veterans' Readjustment Assistance Act of 1974 (VEVRAA), as amended, and Title 41 Code of Federal Regulations, Part 60-300.

This AAP has been approved and implemented according to the Program Adoption and Program and Plan Introduction that precede these pages. This plan should not be read or interpreted without this section, which is considered a part of the AAP.

Contained in the Program and Plan Introduction is the Agency's Equal Employment Opportunity Statement. The statement communicates the Agency's commitment to equal employment opportunity and affirmative action for protected veterans and individuals with disabilities and identifies a process for applicants and employees to make requests and reports.

The term "protected veteran" is used by the plan to mean Disabled Veteran, Active Wartime or Campaign Badge Veteran, Recently Separated Veteran and/or Armed Forces Service Medal Veteran as defined by VEVRAA and 41 CFR 60-300. The terms "disabled", "disabilities", and "individuals with disabilities" or the abbreviation "IWD" are used as defined by Section 503 of the Rehabilitation Act of 1973 and 41 CFR 60-741.

## **Responsibility for Implementation** [41 CFR 60-300.44(i) and 60-741.44(i)]

Each officer, director and manager is responsible for helping to maintain and promote the Affirmative Action Program within his or her area of responsibility.

### **Policy and Responsibility for the AAP**

Sam Desue, Jr., General Manager, has overall responsibility for implementing the Affirmative Action Program and for leading efforts designed to ensure its success.

### **Program Development and Monitoring the AAP**

Kimberly Sewell, Executive Director, Labor Relations and Human Resources and EEO Officer, is responsible for developing and monitoring the Affirmative Action Program in accordance with applicable regulations. These responsibilities include:

- monitoring employment and personnel decisions to ensure that the actions defined in the Affirmative Action Program are implemented;
- developing and maintaining policies, guidelines, and programs that ensure equal employment opportunity;
- communicating the Agency's policies, programs, and commitment to the Affirmative Action Program to managers and employees;
- keeping senior management informed about EEO and affirmative action issues, objectives, problems, and accomplishments;
- training and coaching managers and employees with the goal of ensuring that the work environment is free from discrimination and harassment;

- providing guidance and support for those responsible for the day-to-day implementation of the Affirmative Action Program;
- confirming that periodic audits are undertaken to monitor equal employment opportunity for protected veterans and individuals with disabilities;
- ensuring that applicants and new employees are appropriately informed of the Affirmative Action Program; and
- ensuring that the Affirmative Action Program is periodically reviewed, that the Affirmative Action Plan is updated annually, and that the Vets 4212 report is filed when required.

### **Day-To-Day Implementation for the AAP**

Angela Burns-Brown, Director, Talent Management and Associate EEO Officer, is responsible for the day-to-day implementation of the Affirmative Action Program. Specifically, this includes:

- providing plan implementation direction and interpretation to managers and employees;
- assisting in maintaining work environments that are free of discrimination and harassment;
- maintaining audit and reporting systems to measure the effectiveness of the Affirmative Action Program, including:
  - measuring the progress towards goals and benchmarks,
  - data collection, analysis and retention as required by regulations, and
  - identifying circumstances in which responsive action is needed;
- reporting Affirmative Action Program results to senior management during the year as needed, and at the end of each plan year;
- assisting with the review and update of the AAP at the end of each plan year;
- assisting in the review and revision of policies and procedures to ensure compliance with federal laws and regulations;
- assisting managers and employees with issues and concerns related to the Affirmative Action Program;
- serving as a liaison between the Agency and regulatory and enforcement agencies as appropriate;
- helping the Agency stay current on developments related to Affirmative Action Program compliance;
- ensuring that workplace postings are maintained as required;
- ensuring that appropriate job listing and advertising occurs as required; and
- serving as a liaison between the Agency and organizations concerned with employment opportunities for veterans and individuals with disabilities, when appropriate and feasible.

Managers are also responsible for matters important to the day-to-day implementation of the Affirmative Action Program within their areas of responsibility. These responsibilities include:

- working to maintain work environments that are free of discrimination and harassment;
- helping to identify issues related to the Affirmative Action Program and recommending potential responsive actions; and
- carrying out specific affirmative steps as assigned.

## **Internal Policy Dissemination and Actions** [41 CFR 60-300.44(g) and 60-741.44(g)]

The Agency has developed internal processes and procedures to communicate its commitment to equal employment opportunity and to take affirmative action to advance in employment protected veterans and individuals with disabilities. These activities include, but are not limited to:

- ongoing communication of the Agency's equal employment and affirmative action policies, statements and programs to new hires during orientation and to incumbent employees periodically;
- communicating the objectives, commitments and accomplishments of the Agency's Affirmative Action Program to managers annually;
- providing training to employees engaged in key personnel activities when needed;
- informing new hires of the Affirmative Action Program and inviting new hires to self-identify as protected veterans and/or individuals with disabilities for the purpose of benefiting from the program;
- periodically inviting incumbent employees to self-identify as protected veterans and/or as individuals with disabilities for the purpose of benefiting from the Affirmative Action Program;
- ensuring that workplace policies, notices and postings are maintained and accessible to employees and managers;
- when appropriate, publicizing the known accomplishments of employees who are protected veterans and/or individuals with disabilities in internal publications or external communications; and
- ensuring that employees who are protected veterans and/or individuals with disabilities are included when employees are featured in promotional materials, articles and publications.

## **External Policy Dissemination and Actions** [41 CFR 60-300.44(f) and 60-741.44(f)]

The Agency reviews its outreach, recruitment, and policy dissemination activities with respect to protected veterans and individuals with disabilities annually. These activities include, but are not limited to:

- reviewing outreach and recruitment efforts taken over the previous twelve months to evaluate the program's effectiveness in identifying and recruiting qualified protected veterans and individuals with disabilities;
- sending written notification of the Agency's equal employment opportunity and affirmative action policy to subcontractors, vendors and suppliers, requesting appropriate action on their parts;
- contacting the local State Employment Services office to indicate that the Agency is a federal contractor wishing to request priority referral of protected veterans and providing the name of the hiring official at each location;
- conducting briefing sessions with representatives from recruiting sources that include, when appropriate: a facility tour; concise examples of current and future job openings; position descriptions and job qualifications; and recruiting literature and a description of the Agency's selection processes;
- conducting recruiting efforts at educational institutions that participate in training of protected veterans and individuals with disabilities;
- participating in work-study programs with rehabilitation facilities and educational institutions training protected veterans and individuals with disabilities;
- listing all full-time, part-time and temporary job openings with the state employment services office, except executive and senior management positions and positions lasting three days or less;
- including employees who are protected veterans and individuals with disabilities when employees are pictured in promotional and job recruiting materials and online postings; and
- undertaking external outreach and positive recruitment activities to recruit qualified protected veterans and individuals with disabilities. During the plan year, outreach to the following organizations is being considered to help recruit qualified candidates based on the Agency's size, adequacy of existing employment practices, and the number and nature of forecasted employment openings.

### **Considered Sources for Outreach to Protected Veterans:**

- the Veterans' Employment Representative in the local employment service office,
- the local Department of Veterans Affairs Regional Office,
- the veterans' counselors and coordinators ("Vet-Reps") on local college campuses,
- the local veteran service centers and national veterans' groups,
- the Department of Defense Transition Assistance Program (TAP), and
- organizations listed in the Employer Resources section of the National Resource Directory;

### **Considered Sources for Outreach to Individuals with Disabilities:**

- the local State Vocational Rehabilitation Service Agency (SVRA),
  - the Employment One-Stop Career Center and/or local American Job Center,
  - the local Department of Veterans Affairs Regional Office,
  - local entities funded by the Department of Labor to provide recruitment or training services for individuals with disabilities, such as the services provided through the Employer Assistance and Resource Network (EARN),
  - local Employment Network (EN) organizations listed in the Social Security Administration's Ticket to Work Employment Network Directory,
  - local disability groups, organizations, or Centers for Independent Living,
  - placement or career offices of educational institutions that specialize in the placement of individuals with disabilities, and
  - private recruitment sources that specialize in the placement of individuals with disabilities;
- On an annual basis, the Agency reviews and assesses the outreach and recruitment efforts it has taken over the previous twelve months to evaluate their effectiveness in identifying and recruiting qualified protected veterans and individuals with disabilities. The Agency will document each evaluation, including at a minimum the criteria it used to evaluate the effectiveness of each effort and the Agency's conclusion as to whether each effort was effective. Among these criteria is the data described in the Data Collection Analysis section for the current year and the two most recent previous years. If the Agency concludes the totality of its efforts were not effective in identifying and recruiting qualified protected veterans and individuals with disabilities, it will identify and implement alternative efforts. The Agency will retain these documents for three years.

### **Review of Personnel Processes** [41 CFR 60-300.44(b) and 60-741.44(b)]

The Agency reviews its personnel policies and employment processes annually to ensure that they provide for careful, thorough, and systematic consideration of the job qualifications of known protected veterans and individuals with disabilities when decisions such as hiring or promotion are made or when training opportunities are offered or available. The review confirms that:

- when protected veterans are considered for employment, only those portions of the individual's military record relevant to the requirements of the job are evaluated;
- when protected veterans and individuals with disabilities are considered, they are not stereotyped in a manner that limits access to jobs for which they are qualified;
- applicants and employees with disabilities have equal access to personnel processes by design, utilizing reasonable accommodations as appropriate:
  - alternative application processes to the Agency's online application systems have been established to ensure that expressions of interest can be received from all job candidates, and
  - the Agency has processes in place to receive requests and make reasonable accommodations for applicants throughout the employment selection process;



- applicant and employee records are being maintained so that for each known protected veteran and individual with a disability the Agency is able to identify:
  - those protected veterans and individuals with disabilities who have self-identified for coverage under the Affirmative Action Program,
  - the open positions, promotions and training opportunities for which protected veterans and individuals with disabilities have applied or were a training participant,
  - the reason(s) for decisions involving protected veterans and individuals with disabilities who have sought employment, promotion or training opportunities, and
  - any accommodations requested, considered and/or made during the plan year;
- when applicants or employees are selected for hire, promotion, or training that involves an accommodation that makes placement possible, the Agency makes a confidential record of the accommodation. Any information about a medical condition or history is maintained as a separate and confidential medical record.

## **Review of Physical and Mental Job Qualifications** [41 CFR 60-300.44(c) and 60-741.44(c)]

The Agency periodically reviews all active physical and mental job qualification standards to ensure that, to the extent job qualification standards tend to screen out qualified protected disabled veterans and/or individuals with disabilities, they are job-related for the position and consistent with business necessity, including the safe performance of the job. Job qualifications are reviewed before use in a selection process if they have not been re-evaluated within the last twelve months, or if significant changes have been made to either the content of the position or the environment in which the job is performed. Physical and mental job qualifications are maintained and evaluated in the following ways:

- Physical and mental job qualification requirements are reviewed with line management and supervisors using the schedule above to insure that they are current, job-related and consistent with business necessity, including the safe performance of the job.
- Subject-matter experts may be used to evaluate ways to improve a position's job design and/or job qualifications for the purpose of increasing accessibility.
- If medical inquiries are made and/or examinations are used, they are only performed at the appropriate times and for appropriate purposes. Information about a position's job description, working conditions and hazards and job qualifications are made available to an examining physician. When available, physician feedback may be used to help improve and maintain job qualifications.
- A random number of applicant and employee recruitment, selection, promotional, and training decisions involving protected disabled veterans and individuals with disabilities will be evaluated to determine the effectiveness of physical and mental job qualifications and areas of possible improvement.

## Measurement of Prior Plan Year Benchmark and Utilization Goal Outcomes [41 CFR 60-300.45(d) and 60-741.45(d)]

The Agency measures its Veteran Hiring Benchmark and Individuals with Disabilities Utilization Goal results at the end of each plan year. The Benchmark is not a quota but a quantifiable measure that helps the Agency evaluate its progress toward achieving equal employment opportunity for protected veterans. Similarly, the Utilization Goal is neither a quota nor a ceiling limiting or restricting the employment of individuals, but is instead a quantifiable measure that helps the Agency evaluate its progress toward achieving equal employment opportunity for individuals with disabilities. For the prior plan year, the outcomes for both measures are summarized below.

### Measurement of Prior Plan Year Benchmark for Hiring Protected Veterans:

For the Prior Plan Year, the Benchmark for hiring protected veterans was 5.9%. The Agency's protected veteran placement rate was 9.3% for the plan year.

### Measurement of Prior Plan Year Utilization Goal for Individuals With Disabilities:

For the Prior Plan Year, the Utilization Goal for IWDs was 7.0% for each Job Group. At the end of the plan year, IWDs made up 1.9% of the Agency's workforce. Measurement of the Utilization Goal by Job Group is summarized in the table below.

Job Group Code	Job Group Name	IWD %	IWD Utilization Goal Achieved?
11A	Mgrs. & Officials: Executive	0.0%	No
11B	Mgrs. & Officials: Senior-Level	0.0%	No
12	Mgrs. & Officials: First & Mid-Level	0.5%	No
20	Professionals: Administrative	0.0%	No
21	Professionals: Engineers & IT	0.0%	No
25	Professionals: Bargaining Unit	0.0%	No
30	Technicians	0.0%	No
50	Admin Support: Non-Bargaining	5.4%	No
51	Admin Support: Bargaining Unit	1.9%	No
60A	Craft Workers: Apprentices	0.0%	No
60B	Craft Workers: Skilled	1.8%	No
70A	Operatives: Mini-Run Operators	1.4%	No
70B	Operatives: Bus Operators	3.4%	No
70C	Operatives: Light Rail Operators	0.5%	No
70D	Operatives: Street Car Operators	0.0%	No
75	Operatives: Non-Transit Operators	0.0%	No
80	Service Workers	1.4%	No
90	Service-Maintenance Workers	0.0%	No
Job Group Average:			0.9%

<sup>1</sup> Placements into the Job Group are nearly always from existing employee requests for consideration and where employment selections are administered according to collective bargaining agreement recognized seniority.

## **Review of External Outreach and Recruitment Efforts** [41 CFR 60-300.44(f)(3) and 60-741.44(f)(3)]

### **Benchmark for Hiring Protected Veterans:**

The Agency is committed to providing equal employment opportunity and affirmative action for protected veterans. Over the course of the plan year the Agency's outreach efforts included: listing openings with the state's employment service office; posting openings on broad-based diversity websites; contact with veteran organizations that might be of assistance in reaching qualified veterans; and an invitation to veterans on the Agency's career website to self-identify as a protected veteran and participate in the affirmative action program for veterans. While the Agency is pleased with these results, additional efforts are being made to better understand the most effective ways to recruit protected veterans for the types of openings the organization may have in the future and to enhance channels of communication with qualified veterans.

### **Utilization Goal for Individuals With Disabilities:**

The Agency is committed to providing equal employment opportunity and affirmative action for individuals with disabilities. Over the course of the plan year the Agency's outreach efforts included: listing openings with the state's employment service office; posting openings on broad-based diversity websites; contact with organizations that might be of assistance in reaching qualified IWDs; and an invitation to IWDs on the Agency's career website to self-identify and participate in the affirmative action program. The Agency has made its desire and willingness to make reasonable accommodations for IWDs broadly known to applicants and employees. Within the Agency, employees were invited to self-identify as an individual with a disability and participate in the affirmative action program. The Agency expects employees with disabilities will continue to self-identify and over time the IWDs utilization rate will increase.

### **Plan Year Outreach to Protected Veterans and Individuals with Disabilities:**

During the plan year, TriMet continued its practice of communicating its EEO and affirmative values in print and online. Subcontractors, vendors and suppliers were notified of the Agency's Affirmative Action Program and were reminded to take actions appropriate to their contracting status. Further, the agency specifically targeted protected veterans and individuals with disabilities through ongoing relationship building with community based organizations. Using those relationships, the agency made specific invitations to protected veterans and individuals with disabilities to recruitment and hiring events.

## **Hiring Benchmark and Utilization Goal Action Plan**

### **Benchmark for Hiring Protected Veterans [41 CFR 60-300.45]**

The Agency has established a protected veteran hiring Benchmark using the OFCCP method that calls for adopting the average percentage of veterans in the civilian labor force as published on the agency's website. For the current plan year, the hiring Benchmark is 5.7%. The Benchmark is not a quota but a quantifiable measure by which the Agency can evaluate its progress toward achieving equal employment opportunity for protected veterans. At the end of the plan year, attainment of the Benchmark will be reviewed to determine if action-oriented programs are indicated.

### **Utilization Goal for Individuals with Disabilities [41 CFR 60-741.45(b)]**

The Agency has established a disability Utilization Goal of 7.0%. Because the Agency's workforce is greater than 100 employees, the goal is established for each Job Group defined and established by the AAP for Women and Minorities. The Utilization Goal is neither a quota nor a ceiling limiting or restricting the employment of individuals, but is instead a quantifiable measure by which the Agency can evaluate its progress toward achieving equal employment opportunity for individuals with disabilities. At the end of the plan year, attainment of the Utilization Goal will be reviewed to determine if action-oriented programs are indicated.

## **Audit and Reporting System [41 CFR 60-300.44(h) and 60-741.44(h)]**

The Agency has designed and implemented an audit and reporting system that:

- measures the effectiveness of the Affirmative Action Program;
- identifies areas where responsive action may be appropriate;
- determines the degree to which the Agency's objectives have been achieved;
- determines whether known protected veterans and individuals with disabilities have had the opportunity to participate in all Agency sponsored educational, training, recreational and social activities;
- measures the Agency's compliance with the Affirmative Action Program's specific obligations; and
- documents the actions taken to comply with the obligations of paragraphs (1) through (5) above, and retains those documents as employment records subject to the recordkeeping requirements of Section 503 of the Rehabilitation Act (60-300.80) and VEVRAA (60-741.80).

Where warranted by the results of the audit of the Affirmative Action Plan, the Agency will undertake appropriate good-faith efforts to achieve program compliance.

An audit of the Agency's Affirmative Action Plan indicates that it is effective and objectives of the program have been met.

## **Data Collection Analysis** [41 CFR 60-300.44(k) and 60-741.44(k)]

The Agency documents the following computations by AAP on an annual basis and maintains the data and analyses for a period of three years:

- the number of applicants who self-identified as protected veterans and/or individuals with disabilities, or who are otherwise known as protected veterans and/or individuals with disabilities;
- the total number of job openings and total number of jobs filled;
- the total number of applicants for all jobs;
- the number of protected veterans and/or individuals with disabilities applicants hired; and
- the total number of applicants hired.

## **Reasonable Accommodation to Physical and Mental Limitations Statement** [41 CFR 60-300.44(d) and 60-741.44(d)]

The Agency is receptive to receiving requests from employees, including those who are known to be protected disabled veterans and/or individuals with disabilities, for accommodations related to disability. The Agency is also receptive to receiving requests from applicants and potential applicants for disability-related accommodations in the application process. Where the Agency receives such requests from employees or applicants, it will engage in the interactive process with the individual who made such requests and, where accommodation is needed and reasonable, the Agency is committed to providing accommodation, unless providing accommodation would impose an undue hardship. The Agency routinely informs applicants and employees of its willingness to make reasonable accommodations and information on who to contact to request or discuss an accommodation.

A reasonable accommodation may be a change or alteration in marginal job functions or the manner in which essential functions are to be performed. Accommodations that impose an undue hardship on the conduct of business (as measured by statutorily relevant factors, such as business necessity and financial expenses) are not provided.

The Agency may also initiate discussion of the need for a possible accommodation. For example, if an employee's performance is below standard the Agency will counsel that employee on performance. If the employee attributes performance to disability, or if the employee is known to be disabled, the Agency may initiate the interactive process with the goal of determining whether reasonable accommodation may be needed and available.

## **Harassment Prevention Statement** [41 CFR 60-300.44(e) and 60-741.44(e)]

The Agency has developed and implemented procedures to ensure that the workplace is free from harassment based on an individual's status as a protected veteran and/or an individual with a disability (or any other status protected by law). This includes periodically communicating the Agency's equal employment opportunity policies and statements which prohibit discrimination, including all forms harassment. The Agency's Equal Employment Opportunity Statement provides examples of discriminatory and harassing behavior and makes assurances that no applicant or

employee will experience adverse consequences for making a good-faith complaint or assisting in the review of a complaint. The contact identified by the Agency to receive complaints is prepared to promptly initiate an investigation that will result in a timely and appropriate corrective action if discrimination is found to have occurred.

## **Self-Identification Invitation Statement** [41 CFR 60-300.42 and 60-741.42]

The Agency invites applicants, new hires and periodically all employees, to self-identify as protected veterans and/or individuals with disabilities. For a copy of the invitations, please see Affirmative Action Plan Exhibits.

## **Compensation Statement**

The compensation, healthcare insurance and retirement benefits, and all other employee programs and benefits that protected veterans and disabled employees receive from the Agency will not be reduced because of any military or disability income, pension or benefit.

## **Medical Information Confidentiality Statement**

No medical examination is required or performed before an offer of employment is extended. (However, the Section 503 Voluntary Self-Identification of Disability form is provided to individuals at the time of initial application.)

Any medical information the Agency receives regarding an applicant or an employee will be stored separately from other personnel information. Medical information will be treated as confidential, except as follows:

- supervisors and managers may be informed of required work restrictions and necessary accommodations;
- when appropriate, first aid and safety personnel may be informed if an identified condition might require emergency treatment;
- health care professionals may be informed if the Agency seeks reasonable accommodation advice;
- providers of insurance and worker's compensation benefits may be informed;
- government officials may be informed if engaged in enforcing (a) laws administered by OFCCP, (b) the Americans with Disabilities Act, and/or (c) other applicable civil rights laws; and
- disclosures will be made when required by law or court order.

## **Training Statement** [41 CFR 60-300.44(j) and 60-741.44(j)]

The Agency trains all personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes to ensure that the commitments in the Affirmative Action Program are implemented.

## **AAP Availability Statement**

The AAP for protected veterans and individuals with disabilities is available for review. The process for requesting to review the plan is published in the Equal Employment Opportunity Statement.

## **Affirmative Action Plan Exhibits**

1. Policy: Equal Employment Opportunity Policy
2. Policy: Harassment Policy
3. Posting: Equal Employment Opportunity Statement
4. Notification: Voluntary Invitation to Protected Veterans
5. Notification: Voluntary Invitation to Individuals with Disabilities
6. External Dissemination
7. Recruiting Outreach
8. Community Involvement



# TRIMET

# Memo

Date: May 29th, 2024

To: Executive Team

From: Kim Sewell 

Subject: Delegated Authority

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I will be out of office Friday, June 21st through Monday, July 1st. During my absence, Director of Talent Management, Angela Burns-Brown has authority to sign documents and coordinate Labor Relations and Human Resources activities on my behalf.

cc: LR/HR  
Cara Fitzpatrick  
Michael Dohn  
Roberta Altstadt