



# MIAMI-DADE TRANSIT Equal Employment Opportunity Plan

PREPARED BY: OFFICE OF CIVIL RIGHTS AND LABOR RELATIONS

MIAMI-DADE  
COUNTY







U.S. Department  
Of Transportation  
**Federal Transit  
Administration**

Region IV

230 Peachtree Street, NW  
Suite 800  
Atlanta, GA 30303

April 24, 2014

Maria V. (Giny) Fajardo  
Equal Employment Opportunity  
Miami-Dade Transit-Civil Rights Office  
701 N.W. 1st Court, 17th Floor  
Miami, FL 33136

Re: Concurrence of EEO Program, MDT (TEAM ID 1089)

Dear Ms. Fajardo:

This letter is to inform you that we received the Miami Dade Transit's (MDT) Equal Employment Opportunity (EEO) Program information on April 1, 2014. This submission is required pursuant to Title VII of the Civil Rights Act of 1964; Title 49, Chapter 53, Section 5332 of the United States Code; and the Federal Transit Administration's (FTA) Circular 4704.1, "Equal Employment Opportunity Program Guidelines for Grant Recipients," dated July 26, 1988.

We have reviewed the EEO Program information and determined that it meets the requirements set out in the FTA's EEO Circular 4704.1. Your EEO Program is valid until May 4, 2017. Please submit an updated EEO program 60 days in advance of the expiration date or by March 4, 2017. Please delete any versions of the EEO Program in TEAM that this submission is replacing. If you encounter problems with FTA's TEAM-Web system, please contact the TEAM Helpdesk at 888-443-5305 or [Team.Helpdesk@dot.gov](mailto:Team.Helpdesk@dot.gov).

Thank you for MDT's ongoing cooperation to meet FTA civil rights program requirements. A copy of this letter has been attached to your Recipient Profile in TEAM for your reference. If you have any questions, please contact me at [Carlos.Gonzalez3@dot.gov](mailto:Carlos.Gonzalez3@dot.gov) or (404) 865-5471.

Sincerely,

Carlos A. Gonzalez  
Region IV Civil Rights Officer

cc: Cathy Lewis, Chief, Office of Civil Rights, MDT (Electronic)  
Dr. Yvette G. Taylor, FTA Regional Administrator, Region IV (Electronic)  
Monica McCallum, Regional Operations Division Chief (Electronic)  
Anita Heard, FTA Program Analyst (Electronic)



miamidade.gov

April 1, 2014

Carlos Gonzalez, Civil Rights Officer  
Federal Transit Administration- Region IV  
230 Peachtree Street, N.W.  
Atlanta, GA 30303

Dear Mr. Gonzalez:

Pursuant to FTA Circular 4704.1 "Equal Employment Opportunity Program Guidelines for Grant Recipients", enclosed please find the Miami-Dade Transit Equal Employment Opportunity Program for Fiscal Years 2012-2013, submitted for approval.

Should you require further information or have any questions, please feel free to contact me directly at (786) 469-5487.

Sincerely,

A handwritten signature in blue ink, appearing to be "Cathy Lewis", with a long horizontal stroke extending to the right.

Cathy Lewis, Chief  
Office of Civil Rights and Labor Relations

c: Ysela Llort, Director  
Miami-Dade Transit

**MIAMI-DADE TRANSIT  
OFFICE OF CIVIL RIGHTS & LABOR RELATIONS  
EQUAL EMPLOYMENT OPPORTUNITY PLAN  
October 1, 2010 through September 30, 2013**

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**MIAMI-DADE TRANSIT (MDT)**  
**OFFICE OF CIVIL RIGHTS & LABOR RELATIONS**  
**EQUAL EMPLOYMENT OPPORTUNITY PLAN**  
**October 1, 2010 through September 31, 2013**

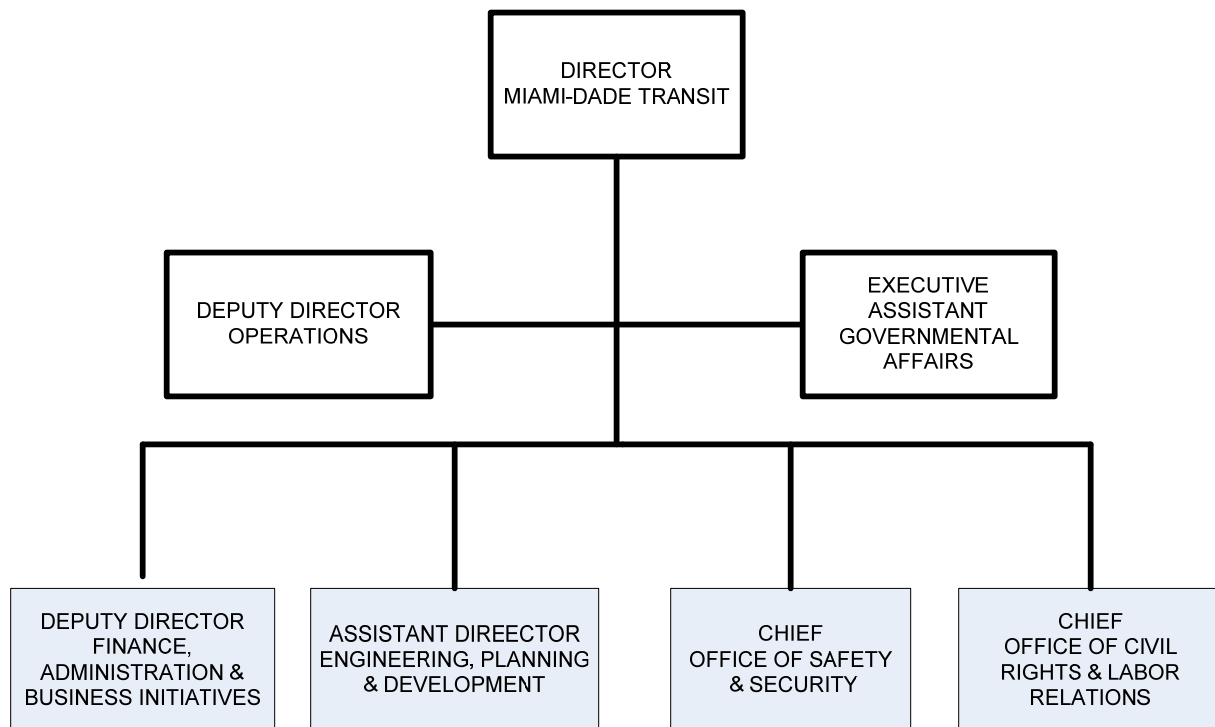
**INTRODUCTION**

Miami-Dade Transit (MDT) is the 17<sup>th</sup> largest public transit system in the nation and the largest in Florida. It is the second largest department within Miami-Dade County. MDT was created by county ordinance in 1960 and has since existed in various forms. The main product or service MDT provides is the delivery of public transit services via four transportation modes: Metrobus, Metrorail, Metromover, and Paratransit.

- **Metrobus** provides bus service throughout Miami-Dade County and some parts of Monroe and Broward Counties, on over 90 routes. MDT's total bus fleet is comprised of over 800 buses.
- **Metrorail** is a 25.1-mile elevated double-track heavy rail system with 136 vehicles and a total of 23 stations. Twenty-two run from the Dadeland South station to the Palmetto station (known as the Green Line). On July 28, 2012, a new chapter in the history of South Florida transportation began with the Grand Opening of the 23rd Metrorail station at Miami International Airport known as the Metrorail Orange Line. With the expansion and in conjunction with the MIA Metrorail Station, Miami-Dade County proudly joins the ranks of major metropolitan areas around the world with rapid transit connections to the airports.
- **Metromover** is a fully automated people mover system consisting of 4.4 miles of elevated dual-lane track and guideway with 21 stations. It offers convenient access to a variety of government, businesses, entertainment and cultural centers in the Central Downtown, Omni and Brickell areas. The Metromover fleet consists of 29 vehicles.
- **Paratransit** was established in 1976 to meet and provide service throughout most of urbanized Miami-Dade County, some parts of southern Broward County and Monroe County. STS provides door-to door transportation to eligible people who cannot use general public transportation all or some of the time, because of a physical, cognitive or mental disability. The STS service can be used for work, school, shopping, recreation, medical appointments, etc. It is operated in compliance with the Americans with Disabilities Act (ADA). Lift equipped vans are used to serve persons with disabilities, including those who use wheelchairs and scooters. STS operates 365 days a year from 6:00 a.m. to 1:00 a.m. throughout Miami-Dade County and parts of Broward and Monroe Counties. Four (4) privately contracted transportation companies provide an average of 5,500 trips per week and 1,700 per weekend.

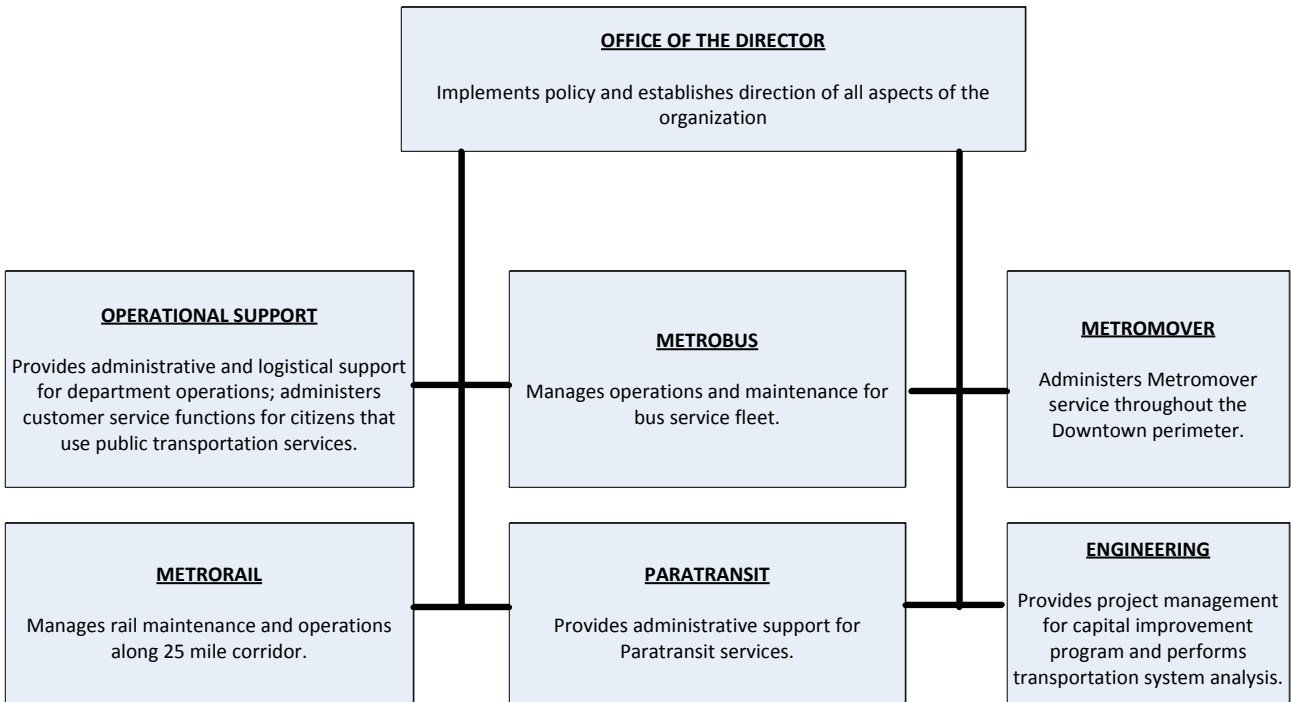
Annual ridership on all modes reached 107,283,163 million as of September 30, 2012, an increase of 2,664,251 (2.55%) additional Transit riders on all modes.

Miami-Dade Transit's organizational structure is comprised of a Director, two Deputy Directors (Deputy Director of Operations and Deputy Director of Finance, Administration and Business Initiatives), and four additional direct report administrators responsible for distinct functional areas. There are a total of 3,584 (3,235 full-time and 349 part-time) budgeted positions in the Department for fiscal year 2013-2014.



The attached table of organization establishes leadership through a department Director. Responsibilities continue to be aligned along MDT's mission and its traditional service modes. In an effort to streamline the workforce, access to the Director comes through two Deputy Directors and four direct reports. The Deputy Directors are responsible for Operations (which includes Operations and Maintenance of Bus and Rail) and Finance, Administration & Business Initiatives. The four direct reports consist of Engineering Planning and Development, Governmental Affairs, Office of Civil Rights and Labor Relations, and Office of Safety and Security.

## MIAMI-DADE TRANSIT TABLE OF ORGANIZATION



The Director enforces Miami-Dade Transit's Purpose and Mission, which include:

Purpose: "Provides public transportation services"

Vision: "To be the #1 Transportation Choice in Miami-Dade County."

Mission: "To meet the needs of the public for highest quality transit service: Safe, Reliable, Efficient and Courteous."

Values:

- Customer Focus
- Honesty and Integrity
- Diversity
- Respect, Trust and Fairness
- Empowerment
- Employee Well-Being
- Winning Attitude





## MDT Equal Employment Opportunity Policy Statement

MDT management and staff pledge their continued support to the Federal Transit Administration's (FTA) program on equal employment opportunity affecting employment practices, to include recruitment, selection, promotions, terminations, transfers, layoffs, compensation, training, benefits, and other terms and conditions as set forth under the requirements of Circular 4704.1; approved on July 26, 1988.

MDT is firmly committed to a policy of equal employment opportunity and will administer its personnel policies and conduct its employment practices in a manner that results in treatment based on merit, experience and other work related criteria, without regard to race, color, creed, religion, sex, national origin, age, disability or any other protected characteristic under relevant state and federal laws.

MDT is further committed to undertake an affirmative action program, including recommended goals and timetables, to effectively advance program objectives.

Employee conduct, whether intentional or not, that discriminates against another employee due to race, color, creed, religion, sex, national origin, age, disability or any other protected characteristic under relevant state and federal laws will not be tolerated. Such conduct is cause for disciplinary action up to and including dismissal.

Cathy Lewis, the Chief of MDT's Office of Civil Rights and Labor Relations, has been delegated responsibility for developing and monitoring equal employment opportunity programs. However, management personnel at every level shares in the responsibility for promoting equal employment opportunity and ensuring requisite compliance. Officials, managers and supervisors will be evaluated on the efforts they expend to insure the success of the EEO program the same as their performance on other organizational goals.

The Office of Civil Rights and Labor Relations is located on the 17th floor of the Overtown Transit Village, 701 N.W. 1<sup>st</sup> Court, and their telephone number is (786) 469-5470. Any employee or applicant for employment who wishes to file a discrimination complaint is encouraged to do so.

Successful achievement of EEO goals will provide benefits to recipients, sub-recipients, and contractors through fuller utilization and development of previously underutilized human resources.

A handwritten signature in blue ink, appearing to read 'Ysela Llort', is written over a horizontal line.

Ysela Llort  
Director

Miami-Dade Transit

Date

April 23, 2014

Supersedes Statement Signed March 13, 2012

# Memorandum



**Date:** April 4, 2014

**To:** All Employees  
Miami-Dade Transit

**From:** Cathy Lewis, Chief   
MDT Office of Civil Rights & Labor Relations

**Subject:** Office of Civil Rights & Labor Relations  
We Are Here For You

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The Office of Civil Rights and Labor Relations is tasked with ensuring that our employees are afforded the opportunity to work in an environment free of unlawful harassment and discrimination. It is also important that all employment actions are conducted in a manner consistent with MDT's Equal Employment Opportunity Plan. However, we recognize that our success is dependent on the collective support we receive from our managers, and fellow employees.

Our common goal is to promote and maintain a positive work environment that values diversity and fosters respect for a myriad of cultural differences which are the cornerstones of creating a fair, unbiased workplace free of unlawful harassment, discrimination, and any other Civil Rights violation. Additionally, our goal is to ensure that all employment practices are carried out without regard to race, sex, color, national origin, religion, age, disability, ancestry, marital or familial status, pregnancy, sexual orientation, and the exercise of constitutional or statutory rights

In that regard, my staff and I stand ready to assist you in addressing your employment issues, including the provisions of the Americans with Disabilities Act of 1990 (ADA), Labor Relations, Disadvantaged Business Enterprises (DBE), Title VI and Equal Employment Opportunity (EEO). We solicit your cooperation and full support as we work collectively towards the achievement of MDT's mission of "Meeting the needs of the public for the highest quality transit service, safe, reliable, efficient and courteous".

Should you have a need to contact the Office of Civil Rights and Labor Relations, Monday thru Friday, from 8:00 a.m. to 5:00 p.m., our telephone number is (786) 469-5486; after hours, you can leave a confidential message at (305) 375-1952 or (786) 469-5470. Our office is located on the 17th floor, Overtown Transit Village, 701 N.W. 1<sup>st</sup> Court, Miami, Florida 33136.

## **POLICY IMPLEMENTATION**

MDT's EEO policy statement, approved by the FTA, includes the seven statements required by FTA Circular 4704.1. Specifically, it addresses the Agency's commitment to an environment where there is equal employment opportunity for all persons without regard to race, color, creed, religion, sex, national origin, age, disability, pregnancy, veteran status or sexual orientation. The policy statement mentions proactive employment efforts to achieve diversity in the workforce and identifies an individual, by name, who has responsibility for implementing the EEO program. Management personnel are reminded that their performance in the achievement of good faith efforts in practicing equal employment will be included in their performance evaluations. Applicants and employees are told of their right to file discrimination complaints. How a successful EEO program is beneficial to the agency is also addressed.

- MDT's EEO policy statement includes the name and current phone number for the responsible official.
- MDT commits to having each official, manager, and supervisor assume commensurate accountability for the implementation of the EEO program, as spelled out in the EEOP and will be held responsible for compliance therewith.
- MDT's Office of Civil Rights and Labor Relations will identify barriers to the accomplishment of its EEOP, initiate effective employment activities to achieve a diverse workforce reflective of the community and monitor the effectiveness.
- MDT Senior Staff will continue to hold regular meetings with its respective managers, supervisors and employees to assure policies, procedures and program goals are properly established and are being followed.
- Department's scorecard containing information specific to EEO is updated on a monthly basis and provided to senior management staff.
- The department director holds staff meetings with her Steering Council as needed to discuss policies and procedures which include EEO. The EEO Officer is also a part of the Steering Council.
- EEO at a Glance on the internal TRANSITNET website is updated quarterly to include data and observations from the EEO Quarterly Report.
- The OCR/LR through the MDT Human Resources division informs potential recruiting sources, including trade schools, colleges and employment agencies, organizations for women, minorities and disabled individuals, civil rights and training organizations, verbally and in writing, of the Department's policy.



- MDT Office of Civil Rights and Labor Relations will in accordance with the FTA guidelines of Circular 4704.1:
  1. Investigate what internal barriers exist that impact management's ability to hire and promote qualified minorities and women.
  2. Continue to provide quarterly and annual EEO progress reports to the Department Director for evaluation.
  3. Evaluate managers' performance relative to the success of its EEO program.
  4. Enhance its recruitment efforts in conjunction with Human Resources Staff. Analyze the applicant flow data. The evaluation should determine whether minorities and women are applying for positions and are being hired, as well as who is not applying for positions and, therefore, are not being considered for appointment.
  5. Ensure that employees are confident that complaints of employee discrimination will be fairly and promptly handled. The Director of MDT has issued a statement which stresses the provision of MDT's EEO policy which states that, "employees have the right to file complaints alleging discrimination with the appropriate official" and give assurances those complaints will be handled in a fair and equitable manner.
  6. An assessment of the EEOP identified the need to focus on the White and Hispanic females in all job categories and the Black males and females in the Engineering field. Positive strides have been made in these areas and are detailed later in the EEOP. Special focus will continue to address the specific causes for the underutilization of female groups and to develop and implement specific proactive measures to address our goals. In addition, a Focus Group on Women has been created to address the issues behind the high level of discipline and termination of the Black female. Details are provided in the EEO Job Category analysis and Assessment of Employment Practices.
  7. Compile and evaluate its EEO activities as recommended by FTA circular 4704.1; maintain a record of EEO outreach activity; and evaluate MDT's outreach efforts in terms of results.
  
- MDT Human Resources Division Responsibilities Regarding EEO
  1. To ensure that all positions accurately reflect the functions and duties of the job, position descriptions are reviewed tri-annually and Essential Job Functions Forms are reviewed bi-annually.
  2. In order to provide promotional opportunities for MDT employees, when funding avails, the Office of Civil Rights and Labor Relations sponsors a Management Internship Program.
  3. Career ladders and logical lines of progression within and between job classifications have been identified to facilitate the training and promotion of women, minorities, older workers, veterans and the disabled. Records are kept indicating the movement of minorities and women within the department.

## **MDT EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT FILING PROCEDURE**

### **Scope**

Any employee or applicant for employment may use these procedures to file an Equal Employment Opportunity (EEO) complaint alleging violations in the workplace or in the course of seeking employment at MDT. A person filing a complaint with the MDT Office of Civil Rights and Labor Relations under this procedure should do so as soon as possible after the incident that led to the complaint.

### **Confidentiality**

While investigations are confidential, to the extent possible, individuals other than the immediate parties may be contacted during the fact-finding process. Everyone contacted is required to cooperate fully and to refrain from discussing the case outside the formal process.

### **Complaint Filing and Resolution**

#### **Reporting Responsibility**

All employees, supervisors or managers shall immediately report to the Chief, Office of Civil Rights and Labor Relations, or his/her designee, any evidence of EEO violations received directly or witnessed by the reporting party. Failure to do so may result in disciplinary action up to and including dismissal.

Complaints can be filed with the Office of Civil Rights and Labor Relations staff:

Cathy Lewis	(786) 469-5486
Allison Aristide	(786) 469-5473
Maria Fajardo	(786) 469-5470

***Since personnel in the Office of Civil Rights and Labor Relations are only available during regular business hours, a dedicated telephone line has been installed for those who need to call the office during off hours or weekends. That telephone number is (305) 375-1952.***

EEO complaints may also be filed with the Miami-Dade County Office of Human Rights and Fair Employment Practices by calling (305) 375-2784 or at Web Site <http://www.miamidade.gov/humanrights/home.asp>

Additionally, if an employee or applicant for employment believes he or she has been subjected to EEO violations, a complaint can be filed with either or all of the agencies listed below. Using the internal complaint process is encouraged; however, it is not required and does not prevent an employee from filing a complaint with one of the following agencies.  
Equal Employment Opportunity Commission (EEOC)



Miami Tower  
100 S.E. 2<sup>nd</sup> Street, Suite 1500  
Miami, FL 33131  
Phone: 1-800-669-4000  
Fax: (305) 808-1855  
TTY: 1-800-669-6820  
Web Site: <http://eeoc.gov/>

Florida Commission on Human Relations  
2009 Apalachee Parkway, Suite 100  
Tallahassee, FL 32301  
Phone: 1-850-488-7082  
Toll-Free: 1-800-342-8170  
Fax: 1-850-488-5291  
TDD ASCII 1-800-955-1339  
TDD Baudot 1-800-955-8771  
Web Site: <http://fchr.state.fl.us>  
E-Mail: [fchrinfo@fchr.myflorida.com](mailto:fchrinfo@fchr.myflorida.com)

Civil Rights Officer, Region IV  
Federal Transit Administration  
230 Peachtree, N.W., Suite 800  
Atlanta, GA 30303  
Phone: (404) 865-5600  
Fax: (404) 465-5605  
Web Site: <http://www.fta.dot.gov/about/region4.html>

### **MDT Investigation Process**

When a complaint is received, the allegations will be investigated promptly in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent possible under the circumstances. The investigation may include review of documents, interviews, assessment of evidence and other actions relevant to the circumstances of each case.

In determining whether alleged conduct constitutes an EEO violation, consideration shall be given to facts and circumstances, including the context in which the alleged incident occurred.

If it is determined that a violation has occurred, action to eliminate the offending conduct will be taken promptly. When appropriate, disciplinary action will be taken against the employee up to and including dismissal.

- **Filing a Formal Complaint**

- Complaint filing instructions and form can be found in the MDT internal website (TRANSITNET), as well as in the Miami-Dade County website which is available for access outside the department.
- Complaints may also be filed in person, by telephone or on a statement form.
- Anonymous letters will also be investigated to the extent possible.
- When contacted, complainants should be able to provide corroborating information to support the allegation. For example, names of witnesses, letters, memos, dates and times the incident took place.
- Complainants will be given information on external enforcement agencies (i.e., the EEOC, the Florida Commission on Human Relations, or the Miami-Dade County Office of Human Rights and Fair Employment Practices).

- **For allegations that are not covered under the EEO discrimination and/or unlawful harassment laws, the process will be handled as follows:**

- Clarify the issues
- Identify options
- Refer the issues to the appropriate administrative authority for resolution.

- **Timeliness**

A complainant is to report the incident as soon as possible.

The FTA, EEOC and Florida Commission on Human Relations may have their own deadlines to file complaints. Employees and applicants for employment may contact either or all offices for additional information regarding their requirements.

- **Disciplinary Action**

If it is determined that an MDT employee engaged in any activity involving a violation to a departmental policy or inappropriate conduct, disciplinary action will be taken as appropriate, up to and including dismissal.

Employees will not be disciplined or otherwise retaliated against for reporting in good faith what he or she believes to be a possible violation of MDT's EEO policies, even if he or she is not sure a violation has occurred. However, any employee who is in receipt of a complaint or has knowledge of a potential violation and fails to take action by reporting the matter may be subject to disciplinary action up to and including dismissal.

- **Posting**

All policies relevant to Equal Employment Opportunity are to be reproduced and posted on bulletin boards, in the Human Resources Division and in areas where employees normally congregate.

## DEFINITIONS – FTA EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

The definitions of terms associated with the Federal Transit Administration (FTA) Equal Employment Opportunity Program are:

- a. ARRA refers to the American Recovery and Reinvestment Act signed by President Barack Obama in February 2009. Through the act the FTA has awarded 1,072 grants for over \$8.78 billion.
- b. Agency refers to an applicant, recipient, sub recipient or contractor.
- c. Applicant means an eligible public entity or organization that submits an application for financial assistance under any FTA program.
- d. Compliance refers to a condition in which the FTA has found that the applicant, recipient or sub recipient has met the requirements in circular UMTA C 4704.1, and there is no indication or evidence of discrimination on the basis of race, color, creed, national origin, sex, age or disability.
- e. Concentration means a higher representation of a particular group (e.g., Blacks, Hispanics, women, etc.) in a job category or department as compared to their representation in the relevant labor market.
- f. Contractor means any entity or organization which has entered into a contract with an FTA applicant, recipient or sub recipient.
- g. Discrimination refers to any act, or failure to act, which has the purpose or effect of limiting, excluding or denying a person employment opportunity because of race, color, creed, national origin, sex, age or disability.
- h. Equal Employment Opportunity Program (EEO) Plan means a written, detailed, results oriented set of procedures designed to achieve prompt and full utilization of minorities and women at all levels and in all parts of the recipient's work force.
- i. Good faith efforts refer to those actions taken to achieve the objectives of the EEO program. These actions may include, but are not limited to, the establishment and conduct of processes to implement specific provisions of circular FTA C 4704.
- j. Individual with a Disability refers to an individual with a disability under the ADA who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Major life activities are activities that an average person can perform with little or no difficulty such as walking, breathing, seeing, hearing, speaking, learning, and working.
- k. Minority or minority group persons includes the following: Black (not of Hispanic origin) - all persons having origins in any of the Black racial groups of Africa; Hispanic - all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin regardless of race; Asian or Pacific Islander - all persons having origins in any of the original people of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands (e.g., China, Japan, Korea, the Philippine Islands, Samoa); American Indian or Alaskan Native - all persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
- l. National origin means the particular nation where a person was born or where the person's parents or ancestors were born.

- m. Noncompliance means a failure to meet the requirements of circular FTA C 4704.1 and guidance issued pursuant to the circular or failure to implement an approved EEO program.
- n. Primary recipient means any recipient that is authorized or required to request Federal assistance on behalf of sub recipients and distributes such financial assistance to sub recipients for the purpose of carrying out a program.
- o. Probable noncompliance refers to a condition in which the FTA has found that the applicant, recipient or sub recipient does not fully satisfy these requirements, and has requested the applicant, recipient or sub recipient to take remedial or corrective actions to achieve compliance, or has initiated an enforcement action against the applicant, recipient or sub recipient.
- p. Qualified Individual with a Disability refers to a qualified employee or applicant with a disability who is someone who satisfies skill, experience, education, and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.
- q. Reasonable Accommodation may include, but is not limited to, making existing facilities used by employees readily accessible to and usable by persons with disabilities; job restructuring; modification of work schedules; providing additional unpaid leave; reassignment to a vacant position; acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials, or policies; and providing qualified readers or interpreters. An employer is not required to lower production standards to make an accommodation.
- r. Recipient means any State, political subdivision, instrumentality, or any public or private agency, institution, department or other organization unit to whom financial assistance is directly extended by FTA.
- s. Secretary means the Secretary of the U.S. Department of Transportation.
- t. Subcontractor means any entity or organization which has entered into a subcontract relating to the transit service delivery with a contractor to provide a service in connection with a program or activity initiated by an applicant, recipient or sub recipient.
- u. Transit related employee is an employee of an FTA applicant, recipient or sub recipient who is involved in any aspect of an agency's mass transit operation funded by FTA.
- v. Underutilization refers to a condition where there are fewer minorities and/or women in a particular job category or department comparative to their presence in the relevant labor force.



## DISSEMINATION ISSUES

### Internal Dissemination

MDT recognizes the importance of communicating its EEO policies and procedures to employees and prospective employees. To ensure effective dissemination of these policies, MDT has taken the following actions.

- All job positions that become available are advertised as follows: Miami-Dade County is an Equal Opportunity Employer". Employment announcements are posted on the internet and can be accessed at [www.miamidade.gov/jobs/](http://www.miamidade.gov/jobs/).
- The OCR/LR Chief, serving as the EEO Officer for the department and reporting directly to the MDT Director, participates in the Director's Steering Council Meetings. Department information, as well as EEO efforts, is disseminated on a regular basis with the respective managers of each area.
- In TRANSITNET, under "EEO at a Glance" [http://intra/transitnet/civil\\_equal\\_facts.asp](http://intra/transitnet/civil_equal_facts.asp), the OCR/LR posts:
  - Quarterly updates of the department's workforce utilization statistics.
  - Quarterly activity reports regarding the departments EEO efforts.
  - An audio/visual PowerPoint presentation of EEO policies and procedures is available on TRANSINET, Office of Civil Rights and Labor Relations.
  - Copies of current and past EEO's.
- The Equal Employment Opportunity Program (EEOP) is posted on MDT's website as an Employee Resource on the Office of Civil Rights and Labor Relations' divisional website.
- The Human Resources division requires hiring managers to review their areas of underutilization prior to interviews and, if possible, utilize the information for selection of a qualified applicant.
- The department conducts orientation for all newly hired employees. In addition to incorporating the EEO program policies and procedures as part of the Orientation manual, staff from the EEO unit participates in the program delivery and discuss the department's discrimination and/or unlawful harassment policies.
- Portions of the EEO Plan to include all policies and procedures are incorporated into the New Hire Employee Manual. (Note: this manual is voluminous and available upon request)
- Miami-Dade County is also involved in a Think Green initiative and encourages staff to find ways to consider other means to disseminate information rather than printing a hard copy. With this in mind, MDT has replaced its customary practice of providing an abridged copy of this EEOP to each employee. The plan will be made available in a CD format upon request. Employees are directed to contact their supervisors or call the Office of Civil Rights and Labor Relations if they wish to see or obtain a CD of the entire plan. The complete EEOP is posted on the TRANSITNET, MDT's employee website which is available to all employees. In addition, all new employees receive a copy at their new hire orientation.
- A copy of the Department's EEO policy statement is posted on bulletin boards, in employee lounges and throughout all work locations in areas where employees congregate, and in the Human Resources Division.

- Equal Employment Opportunity policies are distributed throughout MDT.
  - Administrative Order 7-28 on Sexual Harassment
  - Administrative Order 7-36 on Violence in the Workplace
  - Administrative Order 7-37 on Unlawful Harassment
  - Administrative Order 7-43 on Domestic Violence
- Equal Employment Opportunity brochures from the Miami-Dade County Human Rights and Fair Employment Practices Department are distributed to area managers through all MDT facilities:
  - Diversity Matters
  - Unlawful Harassment
  - Sexual Harassment
  - How to file a complaint
  - What is discrimination
- Equal Employment Opportunity posters are posted on bulletin boards throughout all MDT facilities.
  - MDT Equal Employment Opportunity Policy Statement
  - Sexual Harassment Policy
  - Unlawful Harassment Policy
  - Violence in the Workplace Policy
  - Domestic Violence Policy
  - Diversity Matters
- A copy of the Department's EEO policy statement is posted on bulletin boards, in employee lounges and throughout all work locations in areas where employees congregate, and in the Human Resources Division.
- A copy of the Department's EEO policy statement is incorporated into the new employee orientation manual, posted on the internal website in the "Meet the Director" section, under the MDT mission statement.
- On a quarterly basis the workforce statistics are posted in TRANSITNET website under *EEO at a Glance*.
- On a quarterly basis complaints and employment practices are reported to the MDT Director and posted on the TRANSITNET website under EEO at a Glance.
- Bulletin boards bear the appropriate federal EEO posters.
- An EEO Task Force whose role is to suggest improvements in the program has been established and meets quarterly. Notes are kept and distributed to officials, and managers, upon request.
- Status reports on the EEOP are submitted quarterly to the Director and yearly to the Miami-Dade County Manager through the Office of Human Rights and Fair Employment Practices Office.
- EEO policies and procedures are discussed during new employee orientation sessions.
- The EEOP is distributed to members of the Steering Council and other chiefs for distribution within their areas of responsibility.
- Non-discrimination clauses are included in all collective bargaining agreements.

- Included in all training opportunity announcements, career path notices, internal job postings and other such notices is a statement that MDT is an equal opportunity employer.
- The Chief of Human Resources will ensure that advance notices for career planning published by their division include the statement that MDT is an “equal opportunity employer”.

### **External Dissemination**

- The Chief, Office of Civil Rights and Labor Relations, is responsible for disseminating information regarding the EEO to persons and/or organizations within and outside the department.
- Inform potential recruiting sources, including trade schools, colleges and employment agencies; organizations for women, minorities and disabled individuals; civil rights and training organizations; verbally and in writing, of the Department’s policy.
- Advertise employment opportunities in local newspapers such as the *Miami Herald*, the *Miami Times*, *El Nuevo Herald*, the *Sun Sentinel* and the *Diario de las Americas*, and in community newspapers, as needed.
- Include in all employment advertisements a statement that Miami Dade County is an equal opportunity employer.
- Appropriate equal employment opportunity references and clauses are incorporated in contracts, purchase orders and leases.
- Whenever employment opportunities are advertised in local newspapers such as *The Miami Herald*, *The Miami Times*, *El Nuevo Herald*, the *Sun Sentinel* and the *Diario de las Americas*, and in community newspapers, as needed, all employment advertisements include a statement that Miami Dade County is an equal opportunity employer.
- A statement indicating that Miami Dade County is an equal opportunity employer is displayed on the “County Jobs” website at [www.miamidade.gov](http://www.miamidade.gov).
- A statement regarding equal opportunity employer is displayed on the South Florida Workforce One-Stop Career Center’s website, which is utilized as MDT’s primary source of community outreach for such employment opportunities as Bus Operator recruitments.
- Whenever MDT prepares any specialized career opportunity literature, a statement indicating that Miami Dade County is an equal opportunity employer is included.
- Appropriate equal employment opportunity references and clauses are incorporated in County contracts.

## **DESIGNATION OF PERSONNEL**

### **EEO Officer**

The Chief of the MDT Office of Civil Rights and Labor Relations serves in the capacity of the Department's EEO Officer reporting directly to the Department Director. Their responsibilities include, but are not limited to:

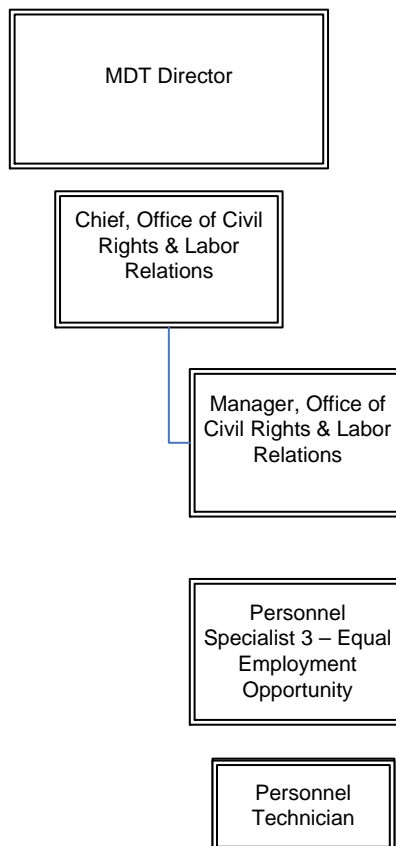
- Developing and recommending policy statements, EEO program and both internal and external communication programs.
- Ensuring the consistency and completeness of MDT's EEOP with federal, state and local agencies' rules and regulations.
- Reporting periodically to the MDT Director on the progress of each division in relation to the Department's goals.
- Assisting officials and managers in collecting and analyzing employment data, identifying problem areas, and developing the programs to achieve diversity.
- Providing feedback to officials and managers on their EEO progress.
- 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 required.
- Serving as a liaison between the Department, government regulatory agencies, minority and women's organizations and other community groups serving women and minorities.
- Ensuring that current legal information affecting Affirmative Action is disseminated to appropriate personnel.
- Concurring in all hires and promotions.
- Processing employment discrimination complaints.
- Assists in recruiting minority, disabled and women applicants and establishes outreach sources for use by hiring officials.

### **EEO Management Staff**

- Conducts the review and/or investigation of complaints alleging discrimination
- Assist EEO Officer with attainment of their responsibilities.
- Assist EEO Officer with investigations, internal audits and monitoring systems.
- Assist EEO Officer in identifying problem areas and establishing agency and unit goals and objectives.
- Actively involved with local minority organizations, women's and disability groups, community action organizations and community service programs designed to promote EEO.
- Participating actively in periodic audits of all aspects of employment to identify and to remove barriers obstructing the achievement of specified goals and objectives.
- Holds regular discussions with other managers, supervisors and employees to assure the agency's policies and procedures are being followed.

- Reviewing the qualifications of all employees to assure that minorities, people with disabilities, and women are given full opportunities for transfers, promotions, training, salary increases and other forms of compensation.
- Conducts and supports career counseling for all employees.
- Participates in periodic audits to ensure that each agency unit is in compliance (i.e. ensuring that all EEO posters are properly displayed on all employee bulletin boards).

### **EEO Table of Organization**



### **Senior Staff**

- Ensuring that hiring, training, promotion, and development opportunities at all levels of his or her area of responsibility are made without regard to race, creed, color, religion, national origin, sex, age or disability.
- Assisting in identifying problem areas.
- Reviewing qualifications of employees in areas of responsibility to ensure minorities and women are given full opportunity for transfers and promotions.



- Taking action to prevent discriminatory behavior in their areas of responsibility, including, but not limited to, sexual harassment.
- Ensuring that posters and notices are properly displayed in areas of responsibility.
- Ensuring that minority and female employees in areas of responsibility are encouraged to participate in MDT or County-sponsored educational and training activities.
- Ensuring that management and supervisory personnel in their areas of responsibility comply with the spirit and policies of the EEO.
- Reporting any claim of discrimination to the Chief, Office of Civil Rights and Labor Relations.
- Cooperating with compliance reviews, government funding agencies, government investigation agencies, and/or the Office of Civil Rights and Labor Relations relative to the discharge of their duties.

## **MDT EQUAL EMPLOYMENT OPPORTUNITY TASK FORCE (EEO TASK FORCE)**

In MDT's continuing effort to promote a positive work environment that values diversity, the department has established an EEO Task Force. The EEO Task Force is comprised of race and gender balanced mid-management staff from specific areas throughout the department that include operation, maintenance and administrative functions. The EEO Task Force's mission is to increase employee involvement in implementing MDT'S EEO Policies and Procedures and serve in an advisory capacity to Miami-Dade Transit's Office of Civil Rights and Labor Relations on issues related to:

1. The development of viable solutions to MDT'S equal employment opportunity goals and objectives. In this capacity the Committee will review, on a continual basis, the department's workforce composition to ensure that MDT's workforce is reflective of the Community it serves throughout all organizational levels.
2. Ensuring that hiring, training, promotion and professional development opportunities are accessible to all employees without regard to race, creed, color, religion, national origin, sex, age, sexual orientation or disability.
3. Developing communication links and relations among diverse groups, including women, minorities, and the disability community.
4. Establishing an objective process by which issues related to racial diversity in Miami-Dade Transit may be proactively addressed.

During this reporting period, the EEO Task Force met in individual groups and as a whole to explore options that would increase the number of applicants for entry level classifications in the department. The efforts extended by the EEO Task Force were as follows:

- Through advertising and promoting increased the number of White and Hispanic applicants to the Bus Operator recruitment conducted during this period.
- Developed a MDT EEO recruitment video available on DVD for recruitment efforts, as well as on MDT's internal web page (TRANSITNET) and the Miami-Dade County webpage at <http://www.miamidade.gov/transit/equal-employment-opportunity.asp>. The video was prepared focusing on the diversity of the department's workforce taking employees from the Bus, Rail, Mover, Construction/Engineering and Safety areas.
- Working on developing online advertisement focusing on recruiting military personnel for our Bus and Rail Maintenance areas.
- Identified training targeting specific issues that result in a high level of absenteeism in the Bus Operations area.

As stated in the EEO Plan FY' 09-10, the MDT workforce statistics reflected three areas of concern for the Females in specific EEO job categories; the Professional, Technician and Skilled Craft EEO job categories. The *"addition rate"* is the percentage of the total increase needed to eliminate underutilization of the group by the end of a specific period. Areas of concentration, or areas that already meet the requirements, have been given a 0.0% projected goal. On October 1, 2010, MDT established the following goals:

[illegible]

**GOAL ACCOMPLISHMENTS DURING THIS REPORTING PERIOD**  
(October 1, 2010 through September 30, 2013)

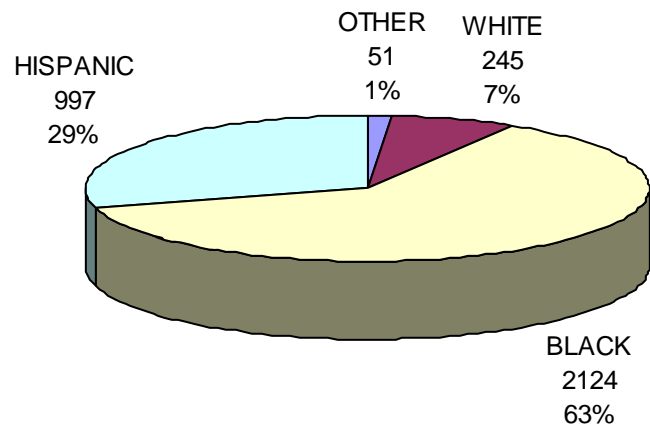
<b>EEO Job Category</b>	<b>Starting Numbers</b>		<b>2 yr Goal (increase of 1.4%) As of 9-30-12</b>			<b>3 yr Goal (increase of another 1.4%) As of 9-30-13</b>		
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Accomplishment</b>	<b>Number</b>	<b>Percent</b>	<b>Accomplishment</b>
<b>Professionals</b>	140	31.0%	149	34.5%	positive 3.5%	158	34.3%	Increased in numbers, but no overall percentage increase from 2 yr goal
<b>Technicians</b>	13	7.4%	12	7.5%	positive 0.1%	18	10.7%	positive 3.3%
<b>Skilled Craft</b>	2	1.5%	5	1.3%	reduction of 0.2%	5	1.3%	no overall increase from 2 yr goal

Although there have been some improvements in the workforce statistics concerning females in the Professional, Technician and Skilled Craft EEO job categories, a review of the current MDT workforce statistics identifies the same three areas of concern. The “*addition rate*” is the percentage of the total increase needed to eliminate underutilization of the group by the end of a specific period. Areas of concentration, or areas that already meet the requirements, have been given a 0.0% projected goal. MDT had established the following goals for FY’ 2013-2014:

[illegible]



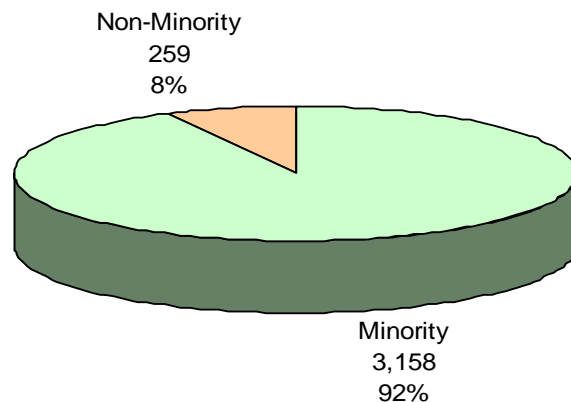
**Miami-Dade Transit Workforce Statistics by Race  
as of September 30, 2013**



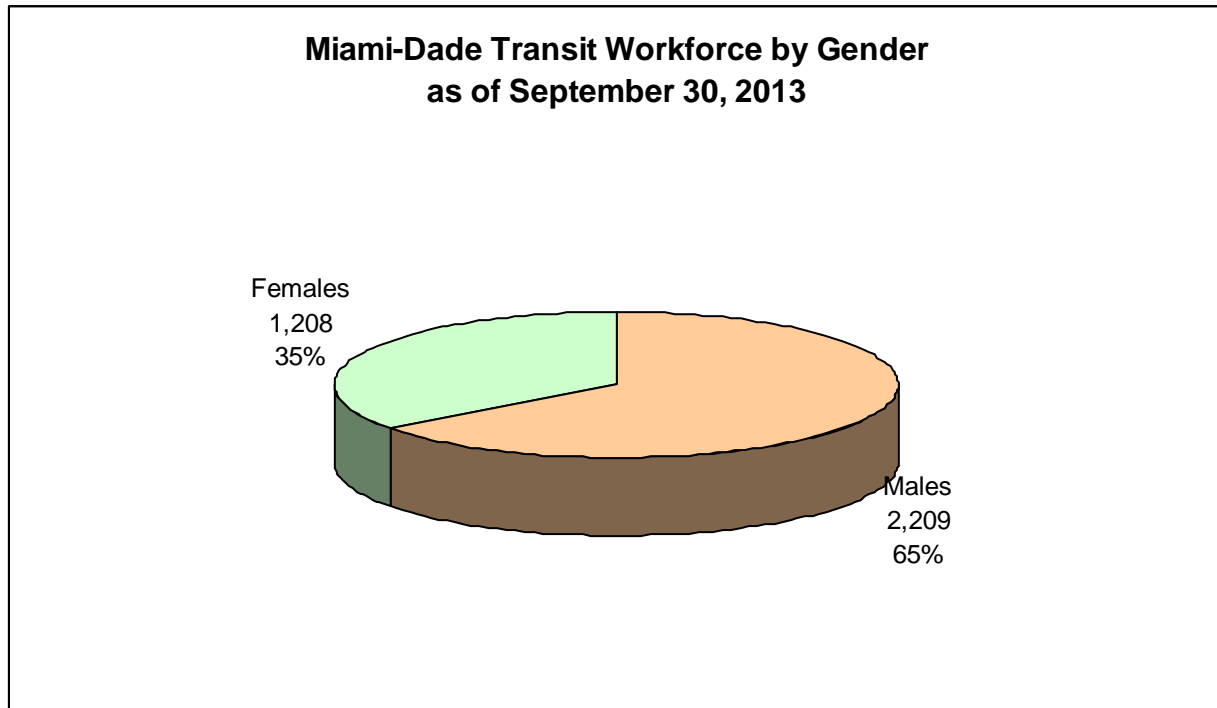
During the three fiscal years captured in the plan, the White, Hispanic and Other racial groups decreased and the Black racial group increased.

- White decreased from total of 258 to total of 245
- Black increased from total of 2,067 to total of 2,124
- Hispanic decreased from 1,034 to total of 997
- Other decreased from total of 59 to total of 51

**Miami-Dade Transit Workforce Minorities  
as of September 30, 2013**



During the three fiscal years captured in this plan, minority numbers increased from 3,139 to 3,158. The increase was due to the hiring of Black females in the Bus Operator classification which belongs in the Service Maintenance EEO job category.



During the three fiscal years captured in this plan, the number of Females increased from 1,147 to 1,208. The increase was mainly due to the hiring of the Black female in the Bus Operator classification which belongs in the Service Maintenance EEO job category.

Overall, the County experienced a considerable reduction of its labor force during this period. MDT's hiring authority was limited to operationally critical positions, required to maintain agency goals and objectives in accordance with the County's strategic plan. This also impacted the labor force and restricted MDT's hiring authority.

In regard to Human Capital, the department makes an effort to attract new talent while retaining experienced employees. In this process, MDT has encountered various challenges. For example,

1. The demand for certain skills outpaces supply.
2. A large portion of the operational staff will be retiring in the next few years (specific details will be provided later in this plan).
3. The present economic conditions have required staff reductions.
4. The aging rail fleet and modernized bus technology requires constant training of existing staff.
5. Union 13C agreement severely restricts the recruitment of qualified candidates for certain critical technical positions, and in turn requires extended training periods for selected staff.

## OFFICIALS AND ADMINISTRATORS JOB CATEGORY (A)

**DEFINITION:** Occupations in which employees set broad policies, exercise overall responsibilities for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. This category Includes department heads, bureau chiefs, division chiefs, directors, deputy directors, controllers, examiners, wardens, superintendents, sheriffs, police and fire chiefs and inspectors, examiners, assessors, tax appraisers, coroners, and kindred workers.

Specific MDT classifications in the EEO job category include Director, Deputy Director, Assistant Director, Division Chief, Department Controller, Special Project Administrator 2, Accountant 4, System Support Manager, General Superintendents of Bus and Rail, and some manager positions.

According to the 2010 Census Workforce, 76.6% of the Miami Dade County Area Workforce in the Officials & Administrators EEO Job Category is Minority and 31.6% is female.

	Minority	Female
<b>2010 Census</b>	76.6%	31.6%
<b>MDT</b>	68.8%	29.2%
<b>Utilization</b>	-7.9%	-2.4%

Consequently, during this reporting period the minorities at Miami-Dade Transit comprised of the following:

- FY' 2010/2011 - 66.0%
- FY' 2011/2012 - 65.3%
- FY' 2012/2013 - 68.8%

The females in this job category consisted of:

- FY' 2010/2011 - 28.0%
- FY' 2011/2012 - 28.6%
- FY' 2012/2013 - 29.2%

Officials/ Adminis- trators	TOTALS	MALES				FEMALES				SUMMARY			
		White	Black	Hisp.	Other	White	Black	Hisp.	Other	White	Black	Hisp.	Other
Census Available Workforce	139,191	30,355	4,660	58,029	2,214	15,605	4,764	22,219	1,345	45,960	9,424	80,248	3,559
%		21.8%	3.3%	41.7%	1.6%	11.2%	3.4%	16.0%	1.0%	33.0%	6.7%	64.2%	2.6%
Sep-13	48	13	7	12	2	2	7	5	0	15	14	17	2
		27.1%	14.6%	25.0%	4.2%	4.2%	14.6%	10.4%	0.0%	31.3%	29.2%	35.4%	4.2%
<b>Utilization</b>		5.3%	11.3%	-16.7%	2.6%	-7.0%	11.2%	-5.6%	-1.0%	-1.8%	22.5%	-28.8%	1.6%

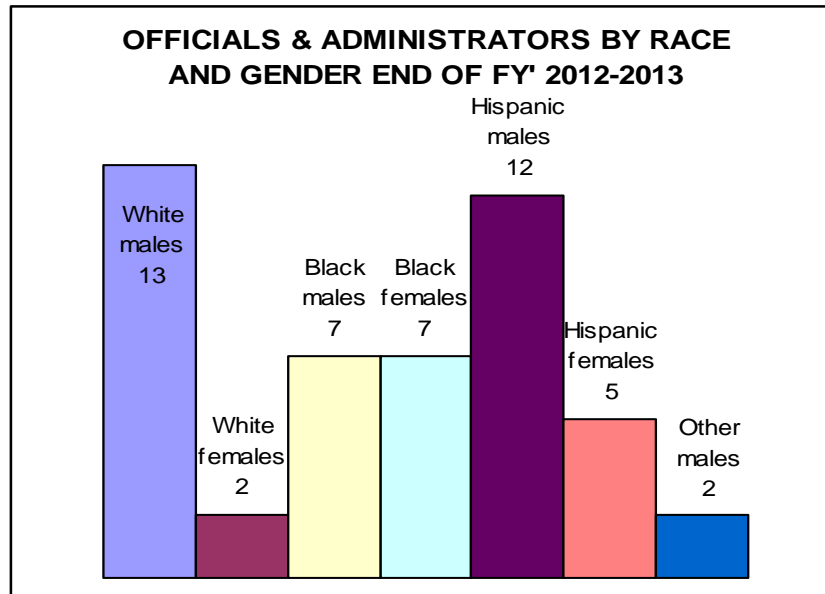
When comparing MDT's workforce statistics to the 2010 Census data, the following underutilization is identified:

- Minority group by -7.9%
- Female group by -2.4%
- White females by -7.0%
- Hispanic males by -16.7%
- Hispanic females by -5.6%

Another concern in this EEO job category is attrition. Succession planning is very important in this EEO job category since within the next five years, (2019) MDT is projected to lose 23 employees due to retirement. Of that group 15 will be minority, six (6) of which are female. MDT's long range goal to address the projected retirement of minority and female employees includes participation in the Miami-Dade County Succession Planning Program [www.miamidade.gov/jobs/](http://www.miamidade.gov/jobs/). MDT staff is working in conjunction with County personnel to identify key positions and continues to encourage employees to participate in the program. In addition, the Miami-Dade Transit Management Internship Program has been revised to provide opportunity for promotions leading to positions in this EEO job category. Vacancies in the senior management levels as well as specialized classifications were advertised in paid publications, such as; Transit Talent, American Institute of Certified Public Accountants (AICPA), Florida Institute of Certified Public Accountants (FICPA), American Public Transportation Association (ATPA), and Progressive Railroading.

During this reporting period, the department experimented with an internal succession planning in this EEO job category. A retirement vacancy was expected in the Accountant 4 classification. The department requested a temporary overage position and conducted the formal recruitment process. Once selection of a qualified applicant was made, the incumbent was allowed to work closely with the Accountant 4. When the retirement took place, the incumbent filled the budgeted position. At this time, the department is in the process of identifying other positions to request temporary overage positions to use in succession planning.

The following chart shows the race and gender of the department's workforce in the Officials and Administrators EEO Job Category:



## PROFESSIONALS JOB CATEGORY (B)

**DEFINITION:** Occupations that require specialized and theoretical knowledge usually acquired through college training or work experience and other training that provides comparable knowledge. This category includes personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dietitians, lawyers, systems analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, management analysts, airplane pilots and navigators and kindred workers.

Specific MDT classifications included in this EEO job category include Administrative Officer 1, 2 and 3; Personnel Specialists 1, 2, and 3; Special Project Administrator 1, Accountants 1, 2, and 3; Quality Assurance Engineers; Managers; Engineers; Transit Operations Supervisors; Rail and Bus Traffic Controllers, Assistant Controller, Bus Superintendents; Chief Supervisors; Principal Planner, Rail Yard Masters, and a myriad of other classifications. This EEO job category contains the greatest variety of classifications and the majority belongs to the Government Supervisory Association of Florida (GSAF) collective bargaining union.

According to the 2010 Census Workforce, 75.5% of the Miami Dade County Workforce in the Professionals EEO Job Category is Minority and 52.0% is female.

	Minority	Female
<b>2010 Census</b>	75.5%	52.0%
<b>MDT</b>	85.2%	34.2%
<b>Utilization</b>	9.7%	-17.8%

Consequently, during this reporting period the minorities at Miami-Dade Transit comprised of the following:

- FY' 2010/2011 - 83.9%
- FY' 2011/2012 - 91.7%
- FY' 2012/2013 - 85.2%

The females in this job category consisted of:

- FY' 2010/2011 - 32.6%
- FY' 2011/2012 - 34.5%
- FY' 2012/2013 - 34.21%

Professionals	TOTALS	MALES				FEMALES				SUMMARY			
		White	Black	Hisp.	Other	White	Black	Hisp.	Other	White	Black	Hisp.	Other
Census Available Workforce	163,449	36,235	7.244	31,175	3,825	30,425	15,325	34.99	4.23	66,660	22,569	66,165	8,055
%		22.2%	4.4%	19.1%	2.3%	18.6%	9.4%	21.4%	2.6%	40.8%	13.8%	40.5%	4.9%
Sep-13	462	57	104	131	12	10	98	45	5	67	202	176	17
		12.3%	22.6%	28.4%	2.6%	2.2%	21.2%	9.7%	1.1%	14.5%	43.7%	38.1%	3.7%
<b>Utilization</b>		-9.9%	18.2%	9.3%	0.3%	-16.4%	11.8%	-11.7%	-1.5%	-26.3%	29.9%	-2.4%	-1.2%

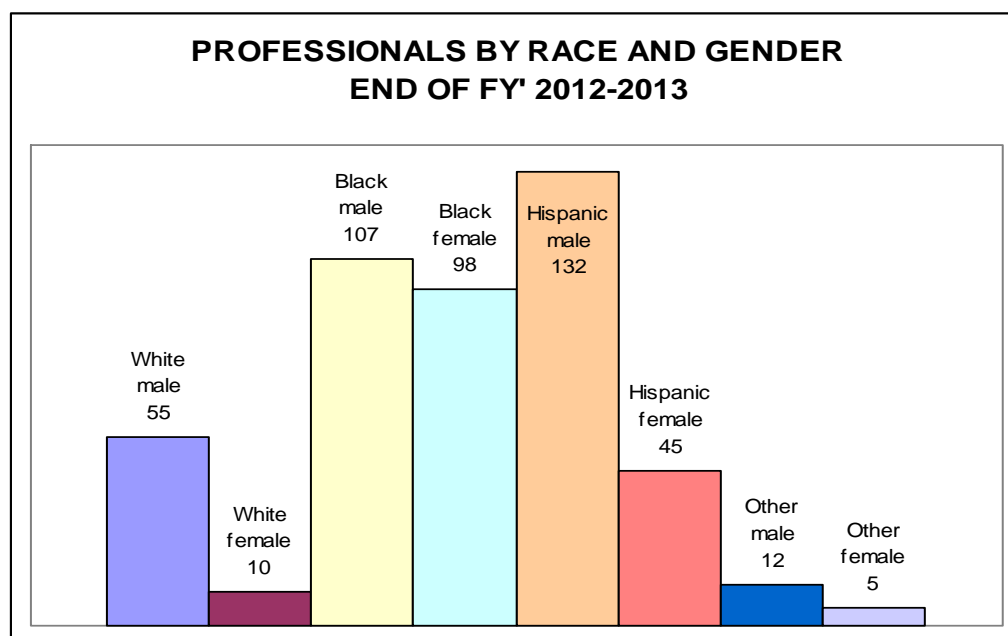
When comparing MDT's workforce statistics to the 2010 Census data, the underutilization is identified as follows:

- Female group by -17.8%
- White males by -9.9%
- White females by -16.4%
- Hispanic females by -11.7%

Within the next five years, (2019) MDT is projected to lose 201 employees in this job category due to retirement. 153 will be minority, which includes 57 females. Outreach efforts coordinated by MDC Human Resource Department for specialized positions, (MDT Engineering) include targeted advertisements in trade specific websites to appropriately increase the applicant pool.

Records indicate that Black males are promoted at a higher rate than Black females at MDT, and it is expected that within the next few years, the rate of promotions will equalize due to expected promotional opportunities within this job category. For example, a large percentage of MDT's Professional positions are 'Supervisory', a rank that is filled by Service Maintenance employees which employ a large number of Black females i.e., Bus Traffic Controllers, Rail Traffic Controllers, Transit Operations Supervisors, Transit Supervisors, Transit Mechanic Shop Supervisors. These positions are generally promotional opportunities seldom filled with transfers from other Miami-Dade County departments or new hires. MDT has also collaborated with the Miami-Dade County Human Resource Department to provide ongoing training opportunities that will equip successful participants with the skills necessary to compete for promotional opportunities.

The following chart shows the race and gender of the department's workforce in the Professional EEO Job Category:



## TECHNICIANS JOB CATEGORY (C)

**DEFINITION:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Specific MDT classifications in this EEO job category include Cadastral Technician, Graphic Technician, Information Technology Specialist, Metromover Technician, Transit Electronic Technician, Transit Schedule Maker, Senior Transit Telecommunications Technician, Computer Technician and Transit Facilities Maintenance personnel.

According to the 2010 Census Workforce, 84.2% of the Miami Dade County Workforce in the Technicians EEO Job Category is Minority and 53.4% is female.

	Minority	Female
<b>2010 Census</b>	84.2%	53.4%
<b>MDT</b>	84.6%	10.7%
<b>Utilization</b>	0.4%	-42.7%

Consequently, during this reporting period the minorities at Miami-Dade Transit comprised of the following:

- FY' 2010/2011 – 83.0%
- FY' 2011/2012 – 83.2%
- FY' 2012/2013 – 84.6%

The females in this job category consisted of:

- FY' 2010/2011 – 7.36%
- FY' 2011/2012 – 7.5%
- FY' 2012/2013 – 10.7%

Technicians	TOTALS	MALES				FEMALES				SUMMARY			
		White	Black	Hisp.	Other	White	Black	Hisp.	Other	White	Black	Hisp.	Other
Census Available Workforce	802	2,520	1,260	4,494	435	2,300	2,834	4,229	595	258	21.9	467	55
%		13.5%	6.7%	24.1%	2.3%	12.3%	15.2%	22.7%	3.2%	25.8%	21.9%	46.7%	5.5%
MDT	169	20	56	69	6	3	14	1	0	23	70	70	6
		11.8%	33.1%	40.8%	3.6%	1.8%	8.3%	0.6%	0.0%	13.6%	41.4%	41.4%	3.6%
<b>Utilization</b>		-1.7%	26.4%	16.7%	1.3%	-10.5%	-6.9%	-22.1%	-3.2%	-12.2%	19.5%	-5.3%	-1.9%

When comparing MDT's workforce statistics to the 2010 Census data, the underutilization is identified as follows:

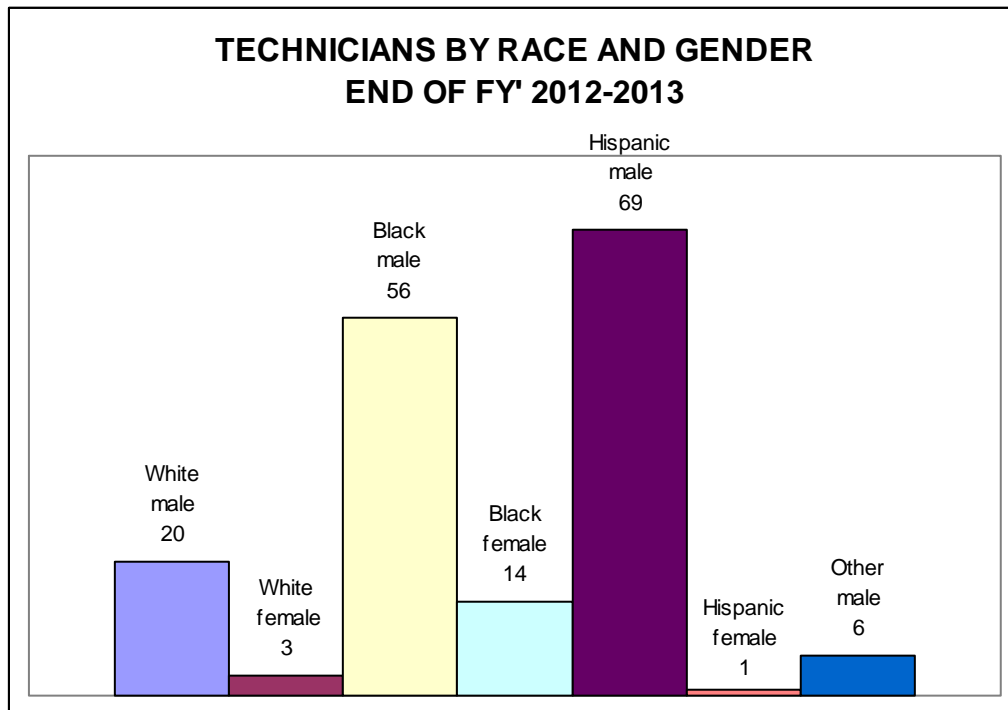
- White females by -10.5%
- Black females by -6.9%
- Hispanic females by -22.1%



This deviation can be attributed to the types of positions categorized as Technicians (Rail Maintenance and Communications). Records indicate that females historically do not apply for these types of positions, thus making the applicant pool almost exclusively male. MDT is aware of this ongoing issue, and has made a commitment to work diligently with outside sources to increase the applicant pool, as well as conduct targeted advertising with national trade websites for specific recruitments.

Within the next five years, (2019) MDT is projected to lose 177 employees in this job category due to retirement. 63 will be minorities of which three (3) are females.

The following chart shows the race and gender of the department's workforce in the Technician EEO Job Category:



## OFFICE/CLERICAL JOB CATEGORY (F)

**DEFINITION:** Occupations in which workers are responsible for internal and external communication, recording and retrieving of data and/or information and other paperwork required in an office. Specific MDT classifications include Senior Executive Secretary, Administrative Secretary, Account Clerk, Personnel Technician, Clerk 2, 3 and 4, Bus Stock Clerk, Rail Stock Clerk, and Rail Maintenance Control Clerk.

According to the 2010 Census Workforce, 88.0% of the Miami Dade County Workforce in the Office/Clericals EEO Job Category is Minority and 62.9% is female.

	Minority	Female
2010 Census	88.0%	62.9%
MDT	96.5%	71.6%
Utilization	8.5%	10.1%

Consequently, during this reporting period the minorities at Miami-Dade Transit comprised of the following:

- FY' 2010/2011 – 96.4%
- FY' 2011/2012 – 97.3%
- FY' 2012/2013 – 96.5%

The females in this job category consisted of:

- FY' 2010/2011 – 73.3%
- FY' 2011/2012 – 72.9%
- FY' 2012/2013 – 71.6%

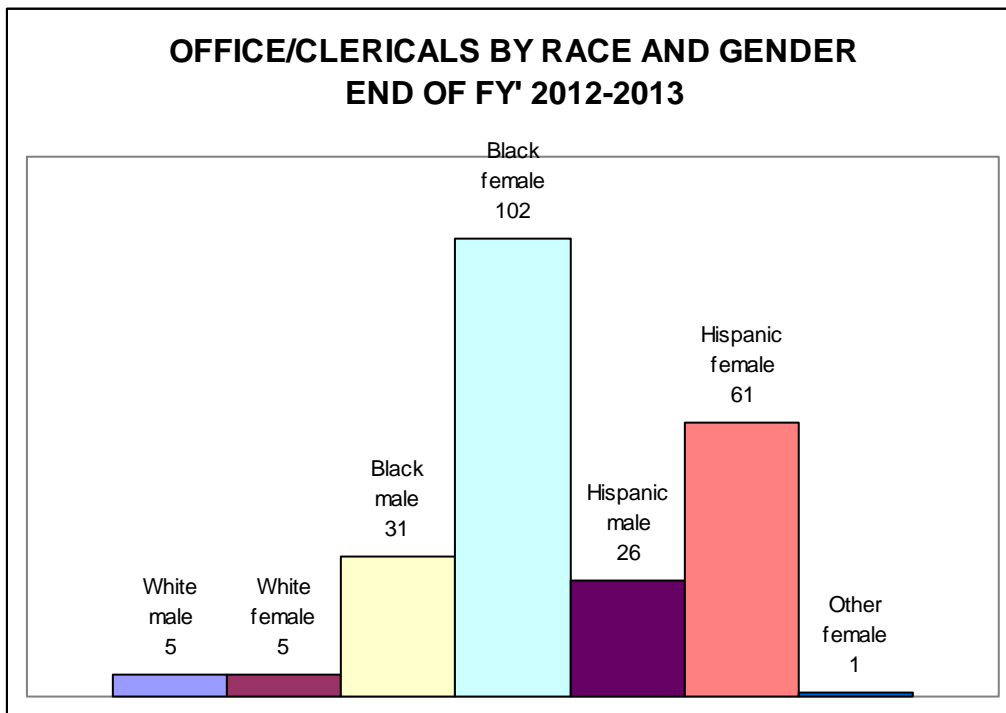
Office/ Clerical	TOTALS	MALES				FEMALES				SUMMARY			
		White	Black	Hisp.	Other	White	Black	Hisp.	Other	White	Black	Hisp.	Other
Census Available Workforce	301,327	31,930	12,628	67,167	4,231	44,354	29,625	106,907	4,845	76,284	41,893	174,074	9,076
%		10.6%	4.2%	22.3%	1.4%	14.7%	9.7%	35.5%	1.6%	25.3%	13.9%	57.8%	3.0%
MDT	229	5	31	26	0	5	100	58	1	10	131	84	1
		2.2%	13.5%	11.4%	0.0%	2.2%	43.7%	25.3%	0.4%	4.4%	57.2%	38.0%	0.4%
Utilization		-8.4%	9.3%	-10.9%	-1.4%	-12.5%	34.0%	-10.2%	-1.2%	-20.9%	43.3%	-19.8%	-2.6%

When comparing MDT's workforce statistics to the 2010 Census data, the underutilization is identified as follows:

- White males by -8.4%
- White females by -12.5%
- Hispanic males by -10.9%
- Hispanic females by -10.2%

Within the next five years, (2019) MDT is projected to lose 55 employees in this job category due to retirement. 52 will be minorities of which 43 are females.

The following chart shows the race and gender of the department's workforce in the Office/Clerical EEO Job Category:



## SKILLED CRAFT WORKERS (G)

**DEFINITION:** Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Specific MDT classifications Include Track Equipment Operator, Bus Body Technician, Transit Painter, Rail Structure Inspector Specialist, MDT Electrical Supervisor, Transit Mechanic Shop Supervisor, Transit Facilities Supervisor, Transit Facilities Superintendent, Rail Structure Inspector Supervisor, and Rail Structure/Track Supervisor.

According to the 2010 Census Workforce, 76.0% of the Miami Dade County Workforce in the Skilled Craft EEO Job Category is Minority and 5.1% is female.

	Minority	Female
<b>2010 Census</b>	76.0%	5.1%
<b>MDT</b>	84.2%	1.4%
<b>Utilization</b>	8.2%	-3.7%

Consequently, during this reporting period the minorities at Miami-Dade Transit comprised of the following:

- FY' 2010/2011 – 78.1%
- FY' 2011/2012 – 83.2%
- FY' 2012/2013 – 84.2%

The females in this job category consisted of:

- FY' 2010/2011 – 2.9%
- FY' 2011/2012 – 1.3%
- FY' 2012/2013 – 1.48%

Skilled Craft	TOTALS	MALES				FEMALES				SUMMARY			
		White	Black	Hisp.	Other	White	Black	Hisp.	Other	White	Black	Hisp.	Other
Census Available Workforce	81,990	17,580	9,195	48,978	1,988	850	690	2,609	100	18,430	9,885	51,587	2,088
%		21.4%	11.2%	59.7%	2.4%	1.0%	0.8%	3.2%	0.1%	22.5%	12.1%	62.9%	2.5%
MDT	367	49	141	163	9	0	4	1	0	49	145	164	9
		13.4%	38.4%	44.4%	2.5%	0.0%	1.1%	0.3%	0.0%	13.4%	39.5%	44.7%	2.5%
<b>Utilization</b>		-8.0%	27.2%	-15.3%	0.1%	-1.0%	0.3%	-2.9%	-0.1%	-9.1%	27.4%	-18.2%	0.0%

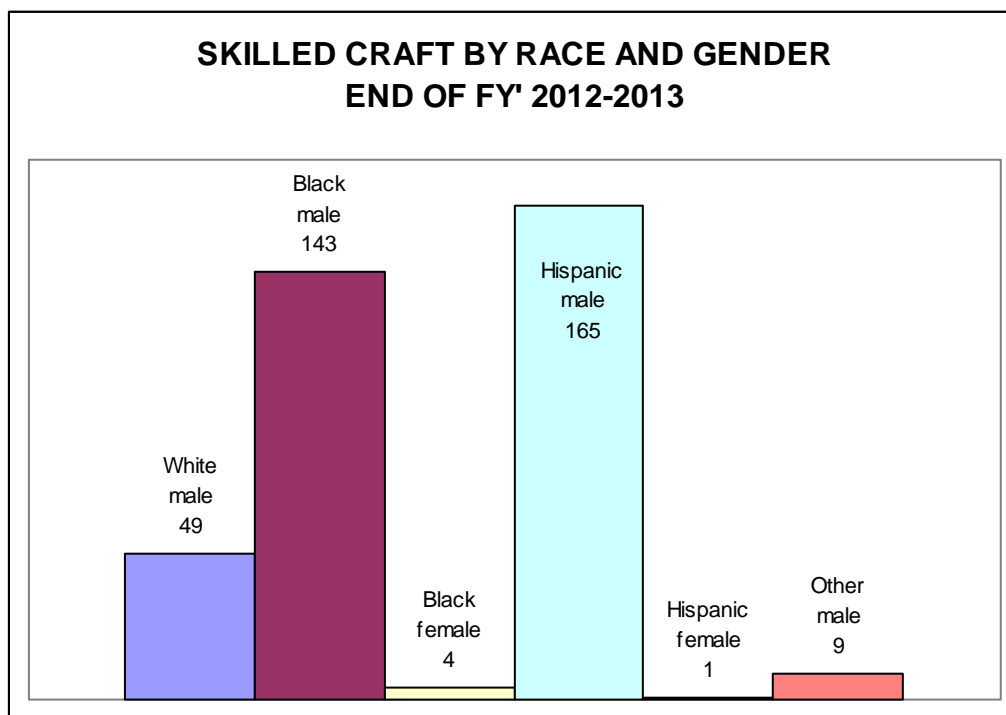
When comparing MDT's workforce statistics to the 2010 Census data, the underutilization is identified as follows:

- Hispanic males by -15.3%
- Total females by -3.7%

In the next five years, (2019) MDT is projected to lose 126 employees due to retirement. Of which 101 will be minority and two (2) are female.

To date, recruitment efforts have not yielded a female applicant pool for this job category. MDT will continue their efforts with the Miami-Dade County Human Resources Department to tap all available labor agencies which target female employees.

The following chart shows the race and gender of the department's workforce in the Skilled Craft EEO Job Category:



## SERVICE MAINTENANCE (H)

**DEFINITION:** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Specific MDT classifications include Bus Operator, Train Operator, Bus Maintenance Technicians, Bus Hostler, Bus General Helper, Track Repairer, Rail Vehicle Mechanic, Laborer, Transit Revenue Collector and Driver Messenger.

Note that the Bus Operator classification, which in Miami-Dade Transit is the feeder classification to other positions in the department, belongs to this job category. In addition, the bulk of the employees of MDT fall in this job category with 1,700 full-time bus operator employees and 312 part-time bus operator employees.

According to the 2010 Census Workforce, 87.6% of the Miami Dade County Workforce in the Service Maintenance EEO Job Category is Minority and 11.8% is female.

	Minority	Female
<b>2010 Census</b>	87.6%	11.8%
<b>MDT</b>	95.9%	43.0%
<b>Utilization</b>	8.3%	31.2%

Consequently, during this reporting period the minorities at Miami-Dade Transit comprised of the following:

- FY' 2010/2011 – 94.9%
- FY' 2011/2012 – 95.2%
- FY' 2012/2013 – 95.9%

The females in this job category consisted of:

- FY' 2010/2011 – 33.8%
- FY' 2011/2012 – 38.7%
- FY' 2012/2013 – 39.5%

Service Maintenance	TOTALS	MALES				FEMALES				SUMMARY			
		White	Black	Hisp.	Other	White	Black	Hisp.	Other	White	Black	Hisp.	Other
Census Available Workforce	76,079	3,950	7,000	22,174	820	480	770	3,223	65	4,430	7,770	25,397	38,482
%		10.3%	18.2%	57.6%	2.1%	1.2%	2.0%	8.4%	0.2%	11.5%	20.2%	66.0%	2.3%
MDT	2128	74	773	426	14	10	777	52	2	84	1550	478	16
		3.5%	36.3%	20.0%	0.7%	0.5%	36.5%	2.4%	0.1%	3.9%	72.8%	22.5%	0.8%
Utilization		-6.8%	18.1%	-37.6%	-1.4%	-0.7%	34.5%	-6.0%	-0.1%	-7.6%	52.6%	-43.5%	-1.5%

When comparing MDT's workforce statistics to the 2010 Census data, the underutilization is identified as follows:

- White males by -6.8%
- White females by -0.7%
- Hispanic males by -37.6%
- Hispanic females by -6.0%

Within the next five years, (2018) MDT is projected to lose 392 employees in this job category due to retirement. 355 will be minorities of which 41 are females.

The bus operator classification is the largest group in the Service Maintenance EEO job category, as well as the feeder classification to other EEO job categories since the majority of the promotional opportunities at MDT come from this group. In addition, it is the major opportunity to hire candidates from the outside; therefore, aggressive methods were used in advertizing the position to ensure that the community was informed it was open for hire. During the three year period of this plan, two separate bus operator recruitments took place: November of 2010 and January of 2012. In conjunction, MDT's OCR/LR, Human Resources and Marketing divisions worked together to address the race and gender underutilized groups. As a result, efforts were made to encourage the Hispanic community to participate in the January 2012 recruitment. For example:

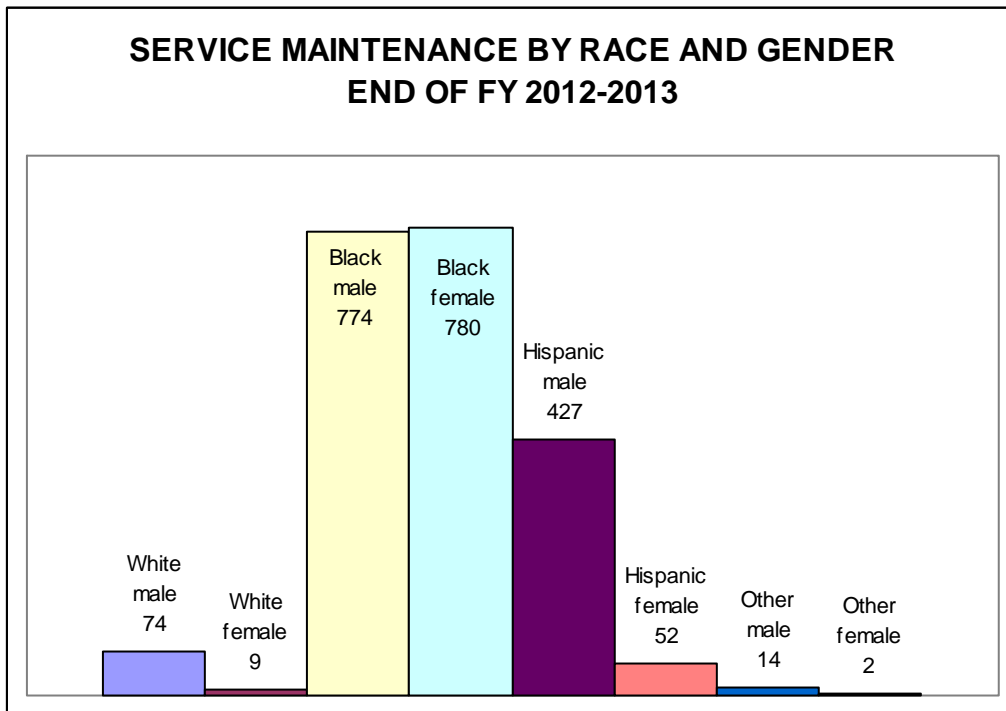
- Press releases were given to the Miami-Dade County Office of the Mayor in English, Spanish and Creole for distribution to all media sources, including television, radio, newspapers and media websites.
- Brochures were printed in English, Spanish and Creole for distribution to the outreach centers as follows:
  - South Florida Workforce One Stop Career Center Headquarters to distribute to all locations.
  - Job Fairs (North Miami Beach and Miami Beach)
  - Libraries (Downtown Miami Main Branch & North Miami Branch)
- Advertisement ran at the Miami-Dade County Job Information Hotline.
- Advertisements were placed in free publications such as *El Especialito*,
- Information was exhibited at all Metrorail Stations through monitors called ESIS
- Information was exhibited in the external transit website prior and during advertisement of the position at <http://www.miamidade.gov/transit/>

The Bus Operator advertisement which took place during this reporting period produced the following applicants.

	White	Black	Hispanic	Other	Unknown	Minorities	Females
Males	6	176	200	1	1	537	162
Females	1	148	12	0	1		
Unknown	2	25	14	0	1		

The massive advertisement effort made by Marketing, in conjunction with the OCR/LR and Human Resources divisions increased the number of Hispanics applying for the Bus Operator position by 753.0%. In comparison to the 2010 Bus Operator advertisement which yielded 30 Hispanic applicants (28 males and 2 females), the 2012 advertisement yielded 226 Hispanics (200 males, 12 females and 14 of unknown gender).

The following chart shows the race and gender of the department's workforce in the Service Maintenance EEO Job Category:





## **ASSESSMENT OF EMPLOYMENT PRACTICES**

MDT Human Resources Division provides programs, initiatives and services to the total employee population. Advice, counseling and consultation services are also offered to management to support their operation and management of their human resources. The Human Resources Division is principally focused on the following areas:

- Recruitment
- Employee discipline
- Compensation
- Payroll and benefits
- Employee medical fitness for duty (drug and alcohol, mandated by FTA)
- Employee support services

## **NEW HIRES**

As it is illustrated, MDT's recruitment efforts garnered a higher percentage of Black females compared to other minority and female groups. However, a review of new hires indicated that 75% of new hires were employed in the Service Maintenance EEO job category; specifically, the Bus Operator position. Bus Operators are hired from an eligibility list, in ranking order, based on tests scores. It should be noted that during Bus Operator recruitments, MDT partners with South Florida Workforce to promote and ensure equal employment opportunity throughout all minority and economic sectors of Miami Dade County. During this period new hires represented:

## **OFFICIALS & ADMINISTRATORS**

### **October 1, 2010 through September 30, 2011**

- No activity during the period.

### **October 1, 2011 through September 30, 2012**

- One (1) Hispanic male Chief, Structural Inspection & Analysis

### **October 1, 2012 through September 30, 2013**

- One (1) White male MDT Section Chief
- One (1) Black male MDT Controller

## **PROFESSIONALS**

### **October 1, 2010 through September 30, 2011**

- One (1) Black male Chief Supervisor, Rail Traffic Control
- One (1) Hispanic male Rail Traffic Controller
- One (1) Hispanic male Graphics Designer
- One (1) Black male Chief Supervisor, Rail Transportation

**October 1, 2011 through September 30, 2012**

- No activity during the period.

**October 1, 2012 through September 30, 2013**

- One (1) White male MDT Security Program Supervisor
- One (1) White male Principal Planner
- One (1) White male Metromover Maintenance Supervisor
- One (1) White male Transit Planning Section Supervisor
- Two (2) Hispanic male Systems Analyst/Programmer 2's
- One (1) Hispanic male Transit Passenger Amenities
- One (1) Hispanic male Transit Safety Specialist
- One (1) Hispanic female Chief Supervisor Train Control
- One (1) Hispanic female Assistant Controller

**TECHNICIANS**

**October 1, 2010 through September 30, 2011**

- One (1) Hispanic male Elevator Contracts Specialist

**October 1, 2011 through September 30, 2012**

- No activity during the period.

**October 1, 2012 through September 30, 2013**

- One (1) Hispanic male Elevator Contracts Specialist

**OFFICE/CLERICALS**

**October 1, 2010 through September 30, 2011**

- No activity during the period.

**October 1, 2011 through September 30, 2012**

- No activity during the period.

**October 1, 2012 through September 30, 2013**

- MDT Currency Processors Part/Time
  - o One (1) White female
  - o One (1) Black male
  - o Two (2) Black females
  - o One (2) Hispanic female

**SKILLED CRAFT**

**October 1, 2010 through September 30, 2011**

- One (1) Hispanic male Transit Facilities Mechanic

**October 1, 2011 through September 30, 2012**

- No activity during the period.

**October 1, 2012 through September 30, 2013**

- No activity during the period.

**SERVICE MAINTENANCE****October 1, 2010 through September 30, 2011**

- Bus Operator
  - o One (1) White female
  - o 23 Black males
  - o 28 Black females
- Bus Hostler (6)
  - o Three (3) Black males
  - o Three (3) Hispanic males

**October 1, 2011 through September 30, 2012**

- Bus Hostlers
  - o One (1) Black male
  - o Four (4) Hispanic males
- Bus Operators
  - o Three (3) White males
  - o One (1) White female
  - o 43 Black males
  - o 55 Black females
  - o 22 Hispanic males
  - o Two (2) Hispanic females

**October 1, 2012 through September 30, 2013**

- Bus Operators
  - o 16 White males
  - o One (1) White female
  - o 49 Black males
  - o 45 Black females
  - o 32 Hispanic males
  - o Eight (8) Hispanic females
  - o One (1) Other male

**New Hires (EEO job categories combined) from October 1, 2010 through September 30, 2013**

MALES				FEMALES				TOTAL MIN	TOTAL FEM
W	B	H	O	W	B	H	O		
24	122	84	1	4	130	13	0	353	147

## **PROMOTIONS**

### **OFFICIALS & ADMINISTRATORS**

#### **October 1, 2010 through September 30, 2011**

- One (1) White male MDT Section Chief

#### **October 1, 2011 through September 30, 2012**

- One (1) Hispanic male Chief, MDT Office of Budget and Grants

#### **October 1, 2012 through September 30, 2013**

- One (1) White male Assistant Director, MDT Rail Services
- One (1) White male MDT General Superintendent, Rail Transportation
- One (1) Hispanic male Chief, MDT Construction
- One (1) Hispanic male Manager, MDT Electronic Systems
- One (1) Hispanic male Accountant 4

### **PROFESSIONALS**

#### **October 1, 2010 through September 30, 2011**

- One (1) Hispanic female Training Specialist 3
- One (1) Hispanic female Principal Planner
- One (1) Hispanic male Rail Traffic Controller
- One (1) Hispanic female Chief Supervisor Rail Traffic Control
- Rail Supervisor
  - o One (1) Black male
  - o One (1) Black female
- One (1) White male MDT System Safety
- Pratransit Support Specialist 2
  - o One (1) Black male
  - o One (1) Hispanic male
- One (1) Black female Transit Service Center Specialist

#### **October 1, 2011 through September 30, 2012**

- One (1) White male MDT ADA Officer
- One (1) Hispanic male MDT Field Test Engineer
- Two (2) Black females Rail Supervisor
- One (1) Black female Senior Transit Operations Scheduler
- Two (2) Black female Transit Service Specialists

**October 1, 2012 through September 30, 2013**

- Transit Operations Supervisor
  - o One (1) White male
  - o Four (4) Black males
  - o Three (3) Hispanic males
- MDT Field Test Engineering
  - o One (1) Hispanic Male
  - o Two (2) Black males
  - o One (1) Other male
- One (1) Black male Accountant 2
- One (1) Black male Traction Power Supervisor
- One (1) Black male Train Control Supervisor
- One (1) Black male Rail Vehicle Cleaner Supervisor
- Four (4) Black females Rail Traffic Controller
- One (1) Black female Manager MDT Civil Rights & Labor Relations
- One (1) Black female Human Resources Manager
- One (1) Black female Personnel Specialist 2
- One (1) Hispanic male Warehouse & Stores Superintendent
- One (1) Hispanic male Graphics Designer
- Two (2) Hispanic males Rail Vehicle Maintenance Supervisor
- One (1) Hispanic male MDT Operations/Maintenance Instructor
- One (1) Black female Rail Supervisor
- One (1) Hispanic female Administrative Officer 2

**TECHNICIANS****October 1, 2010 through September 30, 2011**

- No activity during the period.

**October 1, 2011 through September 30, 2012**

- Transit Electronic Technician
  - o One (1) Hispanic male
  - o One (1) Other male
- Transit Electronic Technician/Lab
  - o One (1) Black male
  - o Two (2) Black females
  - o Two (2) Hispanic males

**October 1, 2012 through September 30, 2013**

- Transit Facilities Mechanic
  - o Two (2) White males
  - o One (1) Black male
  - o Six (6) Black females
  - o Eight (8) Hispanic males

- Metromover Technician
  - o Two (2) White males
  - o Two (2) Black males
  - o Three (3) Hispanic males
- Transit Electronic Technician
  - o Three (3) Black males
  - o Two (2) Hispanic males
- Five (5) Hispanic male Transit Electronic Technician/Radios
- Guideway Inspections Specialist
  - o Two (2) Black male
  - o One (1) Hispanic male

## **OFFICE/CLERICALS**

### **October 1, 2010 through September 30, 2011**

- No activity during the period.

### **October 1, 2011 through September 30, 2012**

- One (1) Hispanic female Transit Service Specialist

### **October 1, 2012 through September 30, 2013**

- No activity during the period.

## **SKILLED CRAFT**

### **October 1, 2010 through September 30, 2011**

- Transit Facilities Mechanic
  - o One (1) Black male
  - o One (1) Hispanic male
- One (1) Black male Rail Structure/Track Repairer

### **October 1, 2011 through September 30, 2012**

- Track Equipment Operator
  - o One (1) Black male
  - o One (1) Hispanic male
- One (1) Black male Rail Structure/Track Repairer

### **October 1, 2012 through September 30, 2013**

- No activity during the period.

## **SERVICE MAINTENANCE**

### **October 1, 2010 through September 30, 2011**

- Two (2) Black males Rail Vehicle Machinist
- One (1) Black male Track Repairer
- One (1) Black female Rail Structural Repairer
- One (1) Hispanic male Train Operator

### **October 1, 2011 through September 30, 2012**

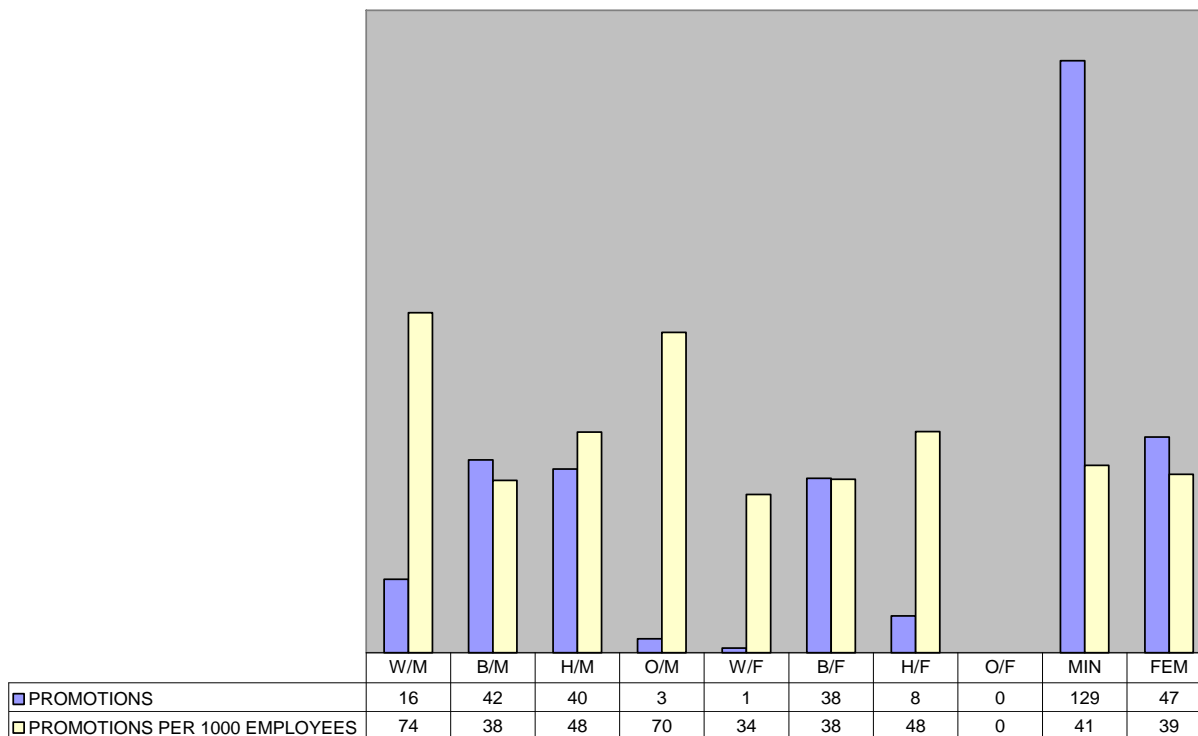
- Bus Operator (7)
  - o Three (3) Black males
  - o Two (2) Black females
  - o Two (2) Hispanic males
- One (1) Black female Rail Technician/Train Control
- Rail Technician/Traction Power
  - o One (1) White male
  - o One (1) Hispanic male
- One (1) Hispanic male Rail Vehicle Electronic Technician
- One (1) Hispanic male Rail Vehicle Mechanic
- Train Operator (4)
  - o One (1) Black male
  - o Three (3) Black females
- Two (2) Black females Track Repairer

### **October 1, 2012 through September 30, 2013**

- No activity during the period.

In the following table you will note that White males, Hispanic males, Hispanic females and Other males were promoted at a higher rate during this reporting period. In addition, the highest numbers of promotions were not in the minority and female groups.

**PROMOTIONS October 1, 2010 through September 30, 2013**



In an effort to assist employees in acquiring the skills necessary for promotional opportunities within the department, in 1994 MDT created the Management Internship Program. The program allows employees an opportunity to participate in management level functions throughout the department under the careful supervision of division heads. The program is a career enhancement track for MDT employees seeking management experience in operational and administrative areas. Applicants who meet the established criteria for participation in the program will compete for the position through an interview process and submittal of a written position paper, on a subject relevant to MDT. Underutilization in the management ranks may also be taken into consideration when making the selection of the successful candidate. Final decision will be made by the department director. In the latter part of 2014, the department will reconvene the MIP Committee which consists of successful MIP candidates to enhance the current program further and advertisement for the opportunity will immediately follow.



## **DEMOTIONS**

Demotions during this period were the result of one of the following:

- Internal and external (outside the department) employees who exercised their bumping rights in lieu of termination as the result of a layoff action.
- Internal employees who failed probation as the result of a 13C promotional training opportunity.
- Reasonable Accommodation Requests under the Americans with Disabilities Act for employees who can no longer do their classification functions. The Bus Operator is usually the one requesting this accommodation in the department.

## **OFFICIALS & ADMINISTRATORS**

- No activity during the three year period.

## **PROFESSIONALS**

### **October 1, 2010 through September 30, 2011**

- One (1) Hispanic female Rail Traffic Controller

### **October 1, 2011 through September 30, 2012**

- One (1) Hispanic female Rail Traffic Controller

### **October 1, 2012 through September 30, 2013**

- One (1) Black female Personnel Specialist 2
- One (1) Hispanic male Transit Maintenance Production Coordinator
- One (1) Hispanic female Transit Planner 2

## **TECHNICIANS**

### **October 1, 2010 through September 30, 2011**

- No activity during the period.

### **October 1, 2011 through September 30, 2012**

- One (1) Hispanic male Computer Technician

### **October 1, 2012 through September 30, 2013**

- No activity during the period.

## **OFFICE/CLERICALS**

### **October 1, 2010 through September 30, 2011**

- One (1) Black male Bus Maintenance Control Clerk

**October 1, 2011 through September 30, 2012**

- One (1) Black male Paratransit Service Clerk
- One (1) Black female Clerk 3
- One (1) Hispanic female Clerk 3

**October 1, 2012 through September 30, 2013**

- One (1) White female Bus Stock Clerk
- One (1) Black female Eligibility Interviewer
- Two (2) Black females Account Clerk
- Two (2) Black females Paratransit Service Clerks
- One (1) Hispanic female Paratransit Service Clerk
- One (1) Black female Administrative Secretary
- One (1) Hispanic male MDT Currency Processor
- One (1) Hispanic female Clerk 2

**SKILLED CRAFT****October 1, 2010 through September 30, 2011**

- One (1) Black male Track Repairer
- One (1) Black male Track Equipment Operator

**October 1, 2011 through September 30, 2012**

- No activity during the period.

**October 1, 2012 through September 30, 2013**

- No activity during the period.

**SERVICE MAINTENANCE****October 1, 2010 through September 30, 2011**

- One (1) Hispanic male Bus Hostler
- One (1) Black male Transit Revenue Collector

**October 1, 2011 through September 30, 2012**

- Two (2) Black males Bus Hostlers
- Two (2) Hispanic males Bus Hostlers
- One (1) Hispanic male Bus Operator
- One (1) Black male Rail Vehicle Cleaner
- One (1) Black female Rail Vehicle Cleaner
- One (1) Black male Track Repairer

**October 1, 2012 through September 30, 2013**

- Two (2) Black females Bus General Helpers
- One (1) Hispanic male Bus Hostler

- Two (2) White male Bus Operators
- Four (4) Black male Bus Operators
- Four (4) Black female Bus Operators
- One (1) Hispanic male Bus Operator
- One (1) Black male Track Repairer
- Five (5) Black female Track Repairers
- One (1) Black male Rail Vehicle Cleaner
- Four (4) Black female Rail Vehicle Cleaners
- One (1) White male Rail Structural Inspector

## **TRANSFERS**

Transfer actions as the result of lay-offs are administered by the County's Human Resources Department, in accordance with the County's Layoff Procedures for Classified Services. The lay-off procedures provide a consistent, fair and nondiscriminatory process for implementing layoffs, Countywide, based on seniority order and performance evaluations.

**TRANSFER-LATERAL** – during the three year period multiple lateral transfers took place throughout the department. The transfer consisted of a locator change with no effect on classification name and/or incumbent.

**TRANSFERS-IN** - During this period, Miami-Dade County experienced three lay-off processes. Positions were eliminated and individuals who had classified rights to lower classifications began to bump the employees in their own department or in other departments. Miami-Dade Transit experienced a high number of bumps into the department as a result of Miami-Dade County employees exercising their classified rights to lower classifications stemming from budget cuts, organizational restructuring and overall county downsizing.

## **OFFICIALS & ADMINISTRATORS**

### **October 1, 2010 through September 30, 2011**

- One (1) White male Chief Human Resources

### **October 1, 2011 through September 30, 2012**

- One (1) Hispanic female Accountant 4

### **October 1, 2012 through September 30, 2013**

- no activity

## **PROFESSIONALS**

### **October 1, 2010 through September 30, 2011**

- One (1) White female Systems Analyst/Programmer 2
- One (1) Black female Accountant 2
- One (1) Black female Manager, MDT Training & Development
- One (1) Hispanic male Transit Planner 2
- One (1) Hispanic male Systems Analyst/Programmer 2
- One (1) Hispanic male Chief Supervisor, Metromover Maintenance
- One (1) Hispanic male Special Projects Administrator 1
- One (1) Hispanic male Manager, MDT Budget & Management

### **October 1, 2011 through September 30, 2012**

- no activity

**October 1, 2012 through September 30, 2013**

- One (1) Hispanic male Network Manager 1
- One (1) Black male Special Projects Administrator 1
- One (1) Hispanic female Accountant 1

**TECHNICIANS**

- No activity during the three year period.

**OFFICE/CLERICALS**

**October 1, 2010 through September 30, 2011**

- One (1) Black female Transit Support Center Specialist
- One (1) Hispanic female Account Clerk
- One (1) Hispanic female Secretary
- One (1) Hispanic female Administrative Secretary

**October 1, 2011 through September 30, 2012**

- One (1) Black female Bus Maintenance Control Clerk
- One (1) Hispanic female Account Clerk
- One (1) Hispanic female Secretary

**October 1, 2012 through September 30, 2013**

- One (1) Other female Account Clerk

**SKILLED CRAFT**

- No activity during the three year period.

**SERVICE MAINTENANCE**

- No activity during the three year period.

**TRANSFERS-OUT** - The employees who were bumped out of their positions transferred to other internal department positions or to external department positions where they had classified rights. This resulted in the following Transfers-Out from specific EEO job categories.

**OFFICIALS & ADMINISTRATORS**

**October 1, 2010 through September 30, 2011**

- One (1) Hispanic female Systems Support Manager

**October 1, 2011 through September 30, 2012**

- no activity

**October 1, 2012 through September 30, 2013**

- no activity

## **PROFESSIONALS**

### **October 1, 2010 through September 30, 2011**

- One (1) Hispanic male Systems Analyst/Programmer 1

### **October 1, 2011 through September 30, 2012**

- One (1) Hispanic female Administrative Officer 2
- One (1) Hispanic male Computer Services Manager
- One (1) Hispanic male Transit Maintenance Production Coordinator

### **October 1, 2012 through September 30, 2013**

- no activity

## **TECHNICIANS**

- No activity during the three year period.

## **OFFICE/CLERICALS**

### **October 1, 2010 through September 30, 2011**

- One (1) Hispanic female Office Support Specialist
- Two (2) Black female Bus Maintenance Control Clerks
- One (1) Hispanic female Administrative Secretary

### **October 1, 2011 through September 30, 2012**

- One (1) Black female Personnel Technician

### **October 1, 2012 through September 30, 2013**

- One (1) Hispanic female Administrative Secretary

## **SKILLED CRAFT**

- No activity during the three year period.

## **SERVICE MAINTENANCE**

### **October 1, 2010 through September 30, 2011**

- Bus Operator
  - o Three (3) Black males
  - o One (1) Black female
  - o One Hispanic female

### **October 1, 2011 through September 30, 2012**

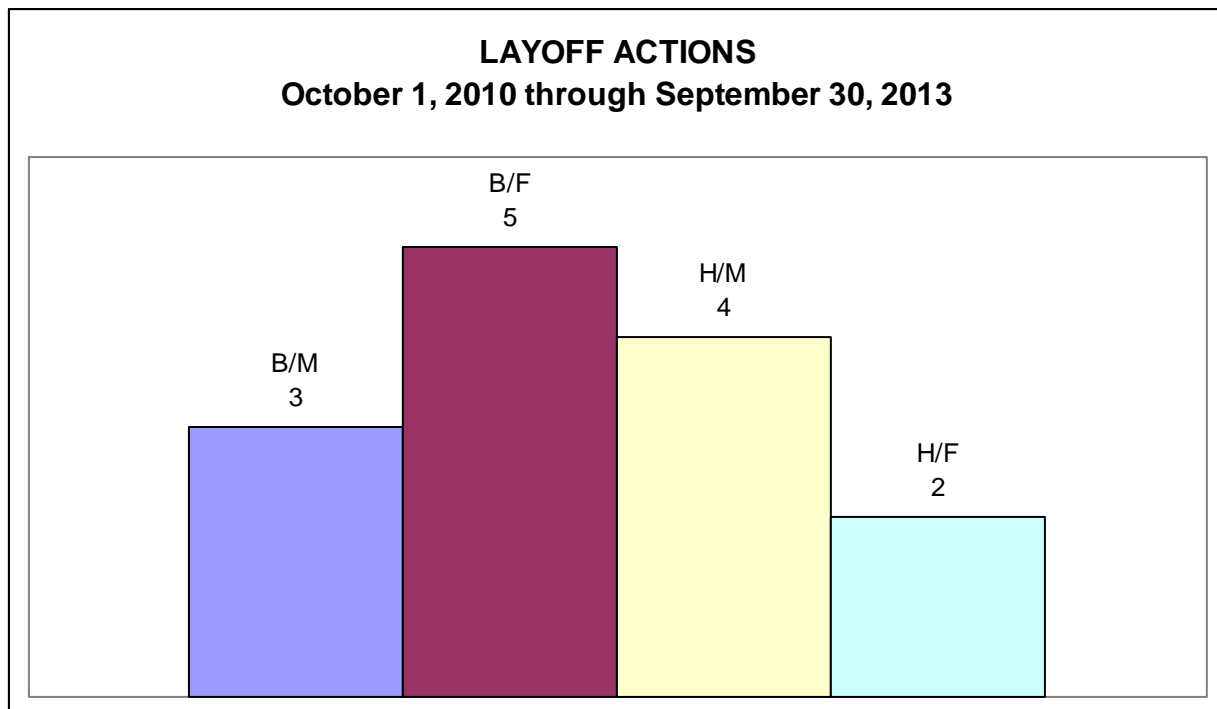
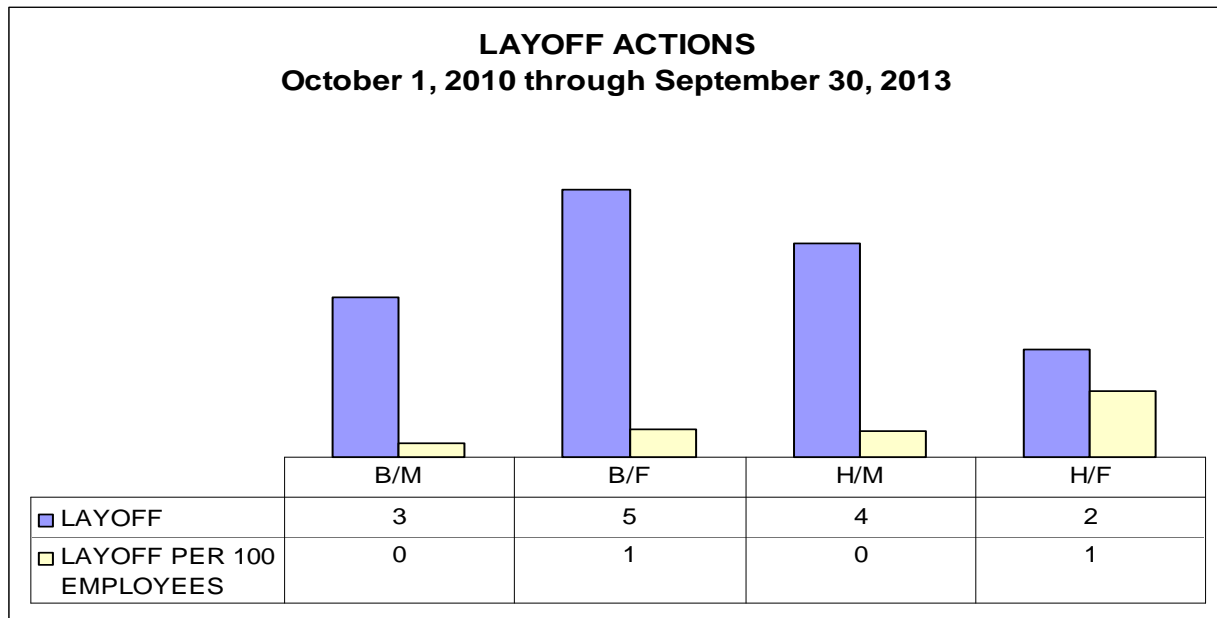
- Bus Operator
  - o Two (2) Black females
  - o One (1) Hispanic male

**October 1, 2012 through September 30, 2013**

- no activity

## LAYOFF

The following chart reflects that five (5) Black females were removed from County service during this period and although only two employees were removed from the department, compared to the existing workforce, the Hispanic female was removed (layoff) from County service at a higher rate than other race/gender groups. It should be noted that this was the result of retention scores, a non-discriminatory business practice.





## **TERMINATIONS – VOLUNTARY (RETIREMENT)**

A review of data regarding voluntary terminations reflects percentage levels relative to MDT's workforce as detailed below. The leading cause of voluntary terminations was employee retirements.

### **OFFICIALS & ADMINISTRATORS**

#### **October 1, 2010 through September 30, 2011**

- One (1) White male Assistant Director of Rail Services
- One (1) Other male Director Miami-Dade Transit

#### **October 1, 2011 through September 30, 2012**

- One (1) Black female Special Projects Administrator 2
- One (1) Hispanic male Chief, MDT Division
- One (1) Hispanic female Manager MDT Budget & Contracts
- One (1) Other male MDT General Superintendent Bus Maintenance
- One (1) Other male Chief, MDT Capital Programs

#### **October 1, 2012 through September 30, 2013**

- One (1) White male MDT Section Chief Planning & Scheduling
- One (1) Black male Chief Rail/Mover Vehicle Maintenance

### **PROFESSIONALS**

#### **October 1, 2010 through September 30, 2011**

- One (1) White male Rail Vehicle Maintenance Control Clerk
- One (1) White male Systems Analyst/Programmer 2
- One (1) Black male Accountant 2
- One (1) Black male Bus Traffic Controller
- One (1) Black male Executive Assistant to MDT Director
- One (1) Black male MDT Loss Prevention Specialist
- One (1) Black male Network Manager 2
- One (1) Black male Transit Operations Supervisor
- One (1) Black male MDT Quality Assurance Specialist
- One (1) Black female Train Control Supervisor
- One (1) Black female Special Events Services Coordinator
- One (1) Hispanic male MDT Property Manager
- One (1) Hispanic male MDT Superintendent
- One (1) Hispanic male Principal Planner
- One (1) Hispanic male Traction Power Supervisor
- One (1) Hispanic male Transit Supervisor
- One (1) Hispanic female Administrative Officer 2

- One (1) Hispanic female Personnel Specialist 3
- One (1) Other male Systems Analyst/Programmer 1

**October 1, 2011 through September 30, 2012**

- One (1) Human Resources Manager
- One (1) Black female Administrative Officer 1
- One (1) Hispanic male Professional Engineer
- One (1) White male MDT Operations/Maintenance Instructor
- One (1) Other male MDT Operations/Maintenance Instructor
- One (1) Hispanic female Transit Operations Supervisor
- One (1) White female Transit Maintenance Production Coordinator
- One (1) Black female Rail Yard Master
- One (1) Hispanic male MDT Quality Assurance Specialist
- One (1) White male MDT Field Test Engineer
- One (1) Hispanic female Administrative Officer 3

**October 1, 2012 through September 30, 2013**

- One (1) White male Transit Planner 2
- One (1) White male MDT Field Test Engineer
- One (1) White male Track Shop Supervisor
- One (1) White male Train Control Supervisor
- One (1) White male MDT Security Programs Supervisor
- One (1) Black male Administrative Officer 1
- Two (2) Black male MDT Operations/Maintenance Instructors
- One (1) Black male Administrative Officer 3
- One (1) Black male Chief Supervisor Train Control/Traction Power
- One (1) Black female Personnel Specialist 2
- One (1) Black female Special Projects Administrator 1
- One (1) Black female Transit Maintenance Production Coordinator
- One (1) Hispanic male MDT Superintendent
- One (1) Hispanic female Rail Yard Master

**TECHNICIANS**

**October 1, 2010 through September 30, 2011**

- One (1) Black male Metromover Technician
- One (1) White male Metromover Technician
- One (1) Black male Transit Electronic Technician
- One (1) White male Transit Electronic Technician
- Two (2) Black male Transit Facility Mechanics
- Two (2) Hispanic male Transit Facility Mechanics

**October 1, 2011 through September 30, 2012**

- One (1) Hispanic male Elevator Contracts

- One (1) Hispanic male Transit Facilities Mechanic
- One (1) Hispanic male Transit Electronic Technician
- Two (2) Black male Metromover Technicians
- Two (2) White male Transit Electronic Technicians

**October 1, 2012 through September 30, 2013**

- Two (2) White male Transit Electronic Technician
- One (1) Black male Metromover Technician
- One (1) Black male Transit Electronic Technician
- Two (2) Hispanic male Transit Electronic Technician
- One (1) Hispanic male Transit Facilities Mechanic
- One (1) Hispanic male Metromover Technician

**OFFICE/CLERICALS**

**October 1, 2010 through September 30, 2011**

- One (1) White male Bus Stock Clerk
- One (1) White male Purchasing Specialist
- One (1) White female Purchasing Specialist
- One (1) Black female Rail Maintenance Control Clerk
- One (1) Black female MDT Currency Processor P/T
- One (1) Black female Personnel Technician
- One (1) Black female Secretary
- Two (2) Black female Administrative Secretaries
- One (1) Hispanic male Rail Maintenance Control Clerk
- One (1) Hispanic female MDT Currency Processor P/T
- One (1) Hispanic female MDT Parking Enforcement Specialist
- One (1) Hispanic female Paratransit Service Clerk
- One (1) Other female Account Clerk

**October 1, 2011 through September 30, 2012**

- One (1) Black female Clerk 2
- One (1) Black female Office Support Specialist 2
- One (1) Hispanic female Secretary
- One (1) Black female Secretary
- One (1) White female Administrative Secretary
- One (1) White male Bus Stock Clerk
- One (1) Hispanic male Bus Stock Clerk

**October 1, 2012 through September 30, 2013**

- One (1) Black male Transit Field Technician
- One (1) Black male Capital Inventory Specialist
- One (1) Black female Paratransit Service Clerk

- One (1) Black female Clerk 2
- One (1) Black female Account Clerk
- One (1) Hispanic female MDT Currency Processor P/T
- One (1) Hispanic female Account Clerk

## **SKILLED CRAFT**

### **October 1, 2010 through September 30, 2011**

- One (1) Black male Transit Facilities Mechanic
- One (1) Hispanic male Transit Facilities Mechanic
- One (1) White male Transit Mechanic Shop Supervisor

### **October 1, 2011 through September 30, 2012**

- no activity

### **October 1, 2012 through September 30, 2013**

- Two (2) White male Transit Facilities Mechanics
- One (1) White male Transit Mechanic Shop Supervisor
- One (1) White male MDT Electronic Technician
- Two (2) Black male Bus Body Technicians
- One (1) Black male Bus Maintenance Technician
- Two (2) Hispanic male Bus Maintenance Technicians
- Two (2) Hispanic male Bus Body Technicians
- One (1) Hispanic male Track Equipment Operator
- One (1) Other male Bus Maintenance Technician

## **SERVICE MAINTENANCE**

### **October 1, 2010 through September 30, 2011**

- One (1) White male Rail Technician/ Train Control
- One (1) White male Bus Maintenance Technician
- One (1) Black male Bus Body Technician
- One (1) Black male Bus Hostler
- One (1) Black male Bus Maintenance Technician
- Seven (7) Black male Bus Operators
- One (1) Black male Train Operator
- One (1) Black male Rail Vehicle Mechanic
- One (1) Black male Rail Structural Repairer
- 13 Black female Bus Oper12 Hispanic male Bus Operators
- One (1) Hispanic male Bus Body Technician
- Three (3) Hispanic males Train Technician/Traction Power
- One Hispanic male Bus Maintenance Technician
- One (1) Hispanic male Rail Technician/Train Control

- One (1) Hispanic male Track Repairer
- One (1) Hispanic male Transit Operations Supervisor
- One (1) Hispanic female Bus Operator

**October 1, 2011 through September 30, 2012**

- One (1) Hispanic male Bus General Helper
- One (1) White male Bus Hostler
- Two (2) Black male Bus Hostlers
- Two (2) Hispanic male Bus Maintenance Technicians
- Four (4) White male Bus Operators
- 14 Black male Bus Operators
- 14 Black female Bus Operators
- 11 Hispanic male Bus Operators
- One (1) Hispanic female Bus Operator
- One (1) Black Male Rail Vehicle Technician
- One (1) Black male Rail Vehicle Cleaner
- One (1) Black female Rail Vehicle Cleaner
- One (1) Black male Train Operator

**October 1, 2012 through September 30, 2013**

- no activity

**TERMINATIONS – MEDICAL**

**OFFICIALS & ADMINISTRATORS**

**October 1, 2010 through September 30, 2011**

- no activity

**October 1, 2011 through September 30, 2012**

- no activity

**October 1, 2012 through September 30, 2013**

- One (1) Hispanic male Manager MDT Marketing & Advertising

**PROFESSIONALS**

**October 1, 2010 through September 30, 2011**

- no activity

**October 1, 2011 through September 30, 2012**

- One Black, male MDT Quality Assurance Specialist

**October 1, 2012 through September 30, 2013**

- One Black (1) female Personnel Specialist 3

**TECHNICIANS**

**October 1, 2010 through September 30, 2011**

- no activity

**October 1, 2011 through September 30, 2012**

- One Black male Metromover Technician

**October 1, 2012 through September 30, 2013**

- no activity

**OFFICE/CLERICALS**

**October 1, 2010 through September 30, 2011**

- no activity

**October 1, 2011 through September 30, 2012**

- One Other female Senior Executive Secretary

**October 1, 2012 through September 30, 2013**

- One Hispanic male Account Clerk

**SKILLED CRAFT**

- no activity

**SERVICE MAINTENANCE**

**October 1, 2010 through September 30, 2011**

- no activity

**October 1, 2011 through September 30, 2012**

- Four (4) Black male Bus Operators
- Six (6) Black female Bus Operators
- Three (3) Hispanic male Bus Operators
- One (1) Hispanic female Bus Operator
- One (1) Hispanic male Bus Maintenance Technician
- One (1) Hispanic male Track Repairer

**October 1, 2012 through September 30, 2013**

- no activity

**October 1, 2011 through September 30, 2012**

- Two (2) Black male Bus Operators
- One (1) Black male Rail Vehicle Electronic Technician
- Eight (8) Black female Bus Operators
- Three (3) Hispanic male Bus Operators
- One (1) Hispanic female Rail Vehicle Electronic Technician

**October 1, 2012 through September 30, 2013**

- One (1) Black male Train Operator
- Five (5) Black female Bus Operators
- One (1) Hispanic female Bus Operator
- One (1) Hispanic male Bus Hostler

**TERMINATIONS – DISCIPLINARY**

**OFFICIALS & ADMINISTRATORS**

- No activity during the three year period.

**PROFESSIONALS**

**October 1, 2010 through September 30, 2011**

- no activity

**October 1, 2011 through September 30, 2012**

- One (1) Black male Rail Vehicle Cleaner

**October 1, 2012 through September 30, 2013**

- no activity

**TECHNICIANS**

- No activity during the three year period.

**OFFICE/CLERICALS**

**October 1, 2010 through September 30, 2011**

- One (1) Black female Rail Maintenance Control Clerk

**October 1, 2011 through September 30, 2012**

- One (1) Black male Rail Stock Clerk

**October 1, 2012 through September 30, 2013**

- no activity

## **SKILLED CRAFT**

- No activity during the three year period.

## **SERVICE MAINTENANCE**

### **October 1, 2010 through September 30, 2011**

- Six (6) Black male Bus Operators
- Four (4) Black female Bus Operators
- Five (5) Hispanic male Bus Operators

### **October 1, 2011 through September 30, 2012**

- One (1) White male Bus Operator
- Six (6) Black male Bus Operators
- Seven (7) Black female Bus Operators
- One (1) Hispanic male Bus Operator

### **October 1, 2012 through September 30, 2013**

- One (1) Black female MDT Currency Processor P/T
- One (1) Hispanic male MDT Currency Processor P/T
- One (1) Other male Transit Facilities Mechanic
- One (1) Hispanic male Train Operator
- One (1) Black male Transit Support Center Specialist
- One (1) White male Rail Structure/Track Supervisor
- One (1) White male Bus Operator
- Six (6) Black male Bus Operators
- Seven (7) Black female Bus Operators
- Three (3) Hispanic male Bus Operators
- Three (3) Hispanic female Bus Operators



## **DISCIPLINARY ACTION REPORTS (DAR)**

The Human Resources Division Discipline Unit is responsible for implementing the review, approval, and general oversight of the MDT Discipline program to ensure fair and consistent application.

Disciplinary action is to be administered in a manner that preserves the employee's self-esteem and adheres to the concept of due process. This internal procedure does not replace Miami-Dade County Administrative Orders and Personnel Rules. Coordination with the MDT Human Resources Division is required prior to presentation of all DARs (Disciplinary Action Reports) and is encouraged any time guidance is needed.

Discipline should be administered in a progressive manner, with more stringent penalties following successive violations. This is particularly true when a relatively minor offense is repeated. However, serious offenses may call for appropriately severe penalties, without consideration to the concept of progression.

MDT believes that discipline should be administered in a manner that preserves the employee's self esteem and adheres to the concept of due process. Application of discipline should be cumulative and progressive taking into consideration the employees' work history during the last three (3) years, unless special circumstances, e.g. drugs, second positives. Additionally, in cases of recommendations for termination, the employees' entire work history shall be reviewed by the Director. The charts below portray the different levels of discipline according to race. Informal Counseling and Record of Counseling are not included as part of the discipline record.

**FY' 2010-2011 (October 1, 2010 through September 30, 2011)**

	Males				Females				Minority		Females	
	W	B	H	O	W	B	H	O	TOTAL	%	TOTAL	%
<b>Record of Counseling</b>		1	4						5	100.0%	0	0.0%
<b>Strong Letter</b>	2	2	2			2			6	66.7%	2	33.3%
<b>Written Reprimand</b>	21	121	58	2		231	14		424	94.9%	245	54.8%
<b>5-Day Suspension</b>	1	10	9			12			31	96.9%	12	37.5%
<b>5-Day w/Agreement</b>	1	13	12			6			31	96.9%	6	18.8%
<b>10-Day Suspension</b>		1	2			4			7	100.0%	4	57.1%
<b>10-Day w/Letter</b>		14							14	100.0%	0	0.0%
<b>10-Day w/Agreement</b>			7			13			20	100.0%	13	65.0%
<b>15-Day Suspension</b>	1	4				1	3		8	88.9%	4	44.4%
<b>15-Day w/Agreement</b>		6	4			2			12	100.0%	2	16.7%
<b>20-Day w/Agreement</b>	1	5				1			6	85.7%	1	14.3%
<b>30-Day w/Agreement</b>			1						1	100.0%	0	0.0%
<b>Resigned Lieu Term</b>	5	1	2						3	37.5%	0	0.0%
<b>Termination</b>	1	9	8			15			32	97.0%	15	45.5%

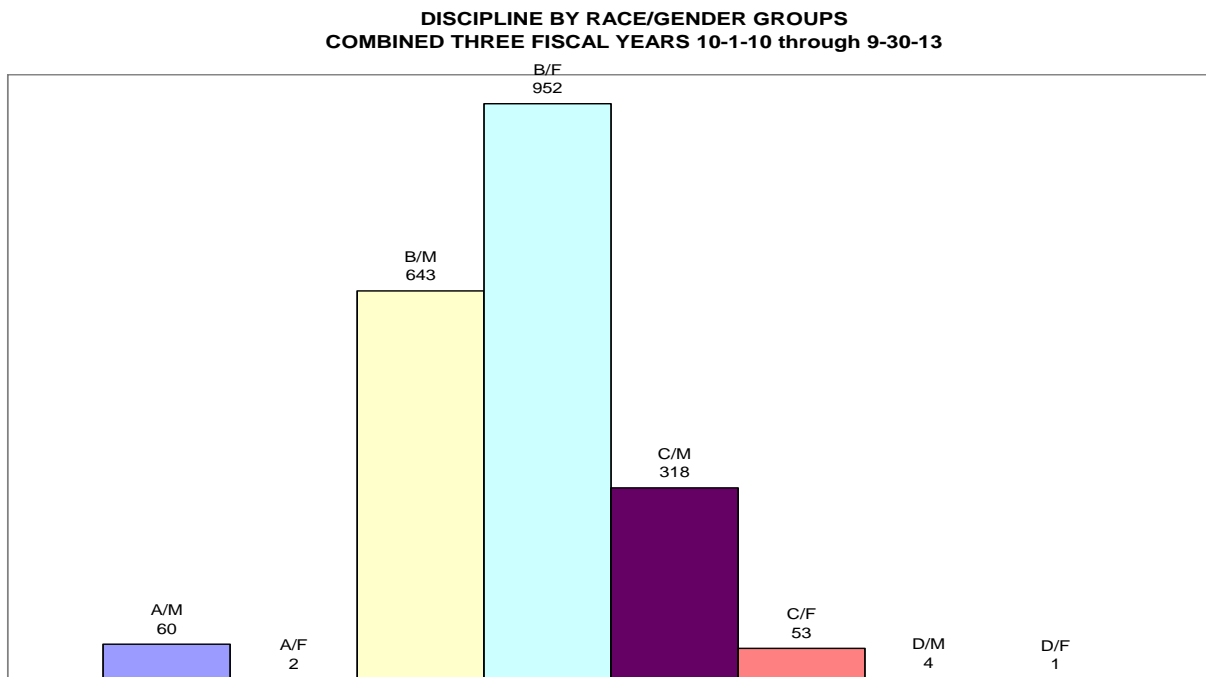
FY' 2011-2012 (October 1, 2011 through September 30, 2012)

	Males				Females				Minority		Females	
	W	B	H	O	W	B	H	O	Total	%	Total	%
Record of Counseling		1	2			1			4	100.0%	1	25.0%
Strong Letter		10	2			4			16	100.0%	4	25.0%
Written Reprimand	11	171	84	1	1	302	13		571	97.9%	316	55.3%
5-Day Suspension	2	4	7			7	3		21	91.3%	10	47.6%
5-Day w/Agreement	2	11	3			14			28	93.3%	14	50.0%
10-Day Suspension	1	7	1			3			11	91.7%	3	27.3%
10-Day w/Letter									0	0.0%	0	0.0%
10-Day w/Agreement	2	10				14	1		25	92.6%	15	60.0%
15-Day Suspension	1	4				2			6	85.7%	2	33.3%
15-Day w/Agreement		9	3			5			17	100.0%	5	29.4%
20-Day w/Agreement		1	2						3	100.0%	0	0.0%
30-Day w/Agreement									0	0.0%	0	0.0%
Last Chance Agreement			1						1	100.0%	0	0.0%
Resigned Lieu Term		8	3			3			14	100.0%	3	0.3%
Termination		4	2			1			7	100.0%	1	1.9%

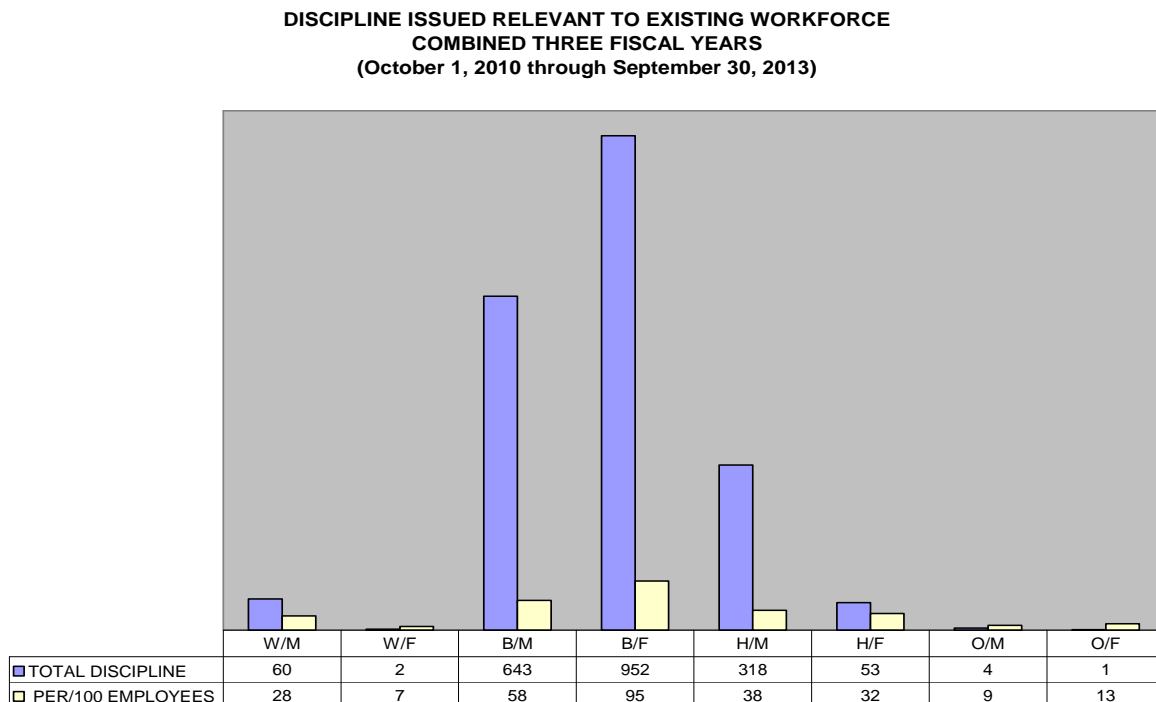
FY' 2012-2013 (October 1, 2012 through September 30, 2013)

	Males				Females				Minority		Females	
	W	B	H	O	W	B	H	O	TOTAL	%	TOTAL	%
10-day suspension		1	5			7			13	100.0%	7	53.8%
10-day suspension q/agreement		4	6			15	1		26	100.0%	16	61.5%
15-day suspension		2	1			1			4	100.0%	1	25.0%
15-day suspension w/agreement		5	2						7	100.0%	0	0.0%
20-day suspension w/agreement		2				2			4	100.0%	2	50.0%
30-day suspension w/agreement							1		1	100.0%	1	100.0%
3-day suspension w/agreement		1							1	100.0%	0	0.0%
5-day suspension		15	7			11	4		37	100.0%	15	40.5%
5-day suspension w/agreement	2	12	5			23			40	63.5%	23	54.8%
Disciplinary Termination	1	5	4			4	1		14	93.3%	5	33.3%
Resignation in lieu of termination	1	4				2			6	85.7%	2	26.6%
Strong Letter		2	2			3			7	100.0%	3	42.9%
Written Reprimand	9	152	66	2	1	2	7		228	95.4%	10	4.2%

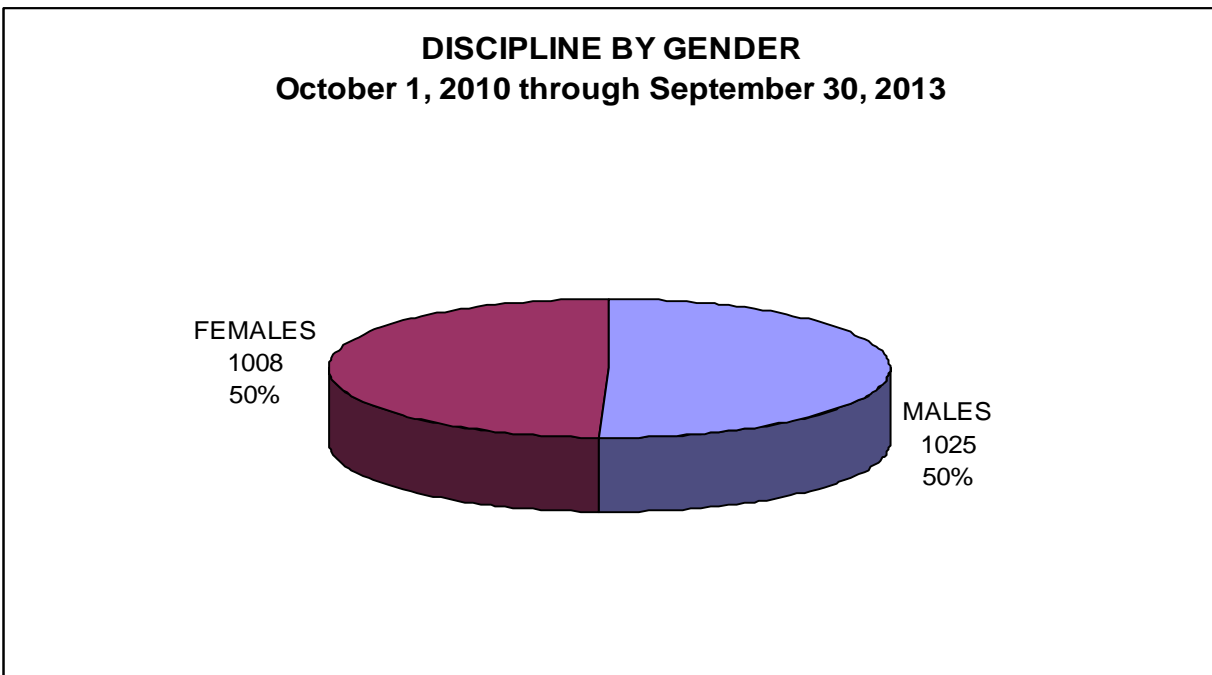
The following chart reflects that compared to the MDT workforce, the Black female received discipline at a higher rate than other race/gender groups.



The following chart reflects that compared to the MDT workforce, Black employees received discipline at a higher rate than other racial groups.

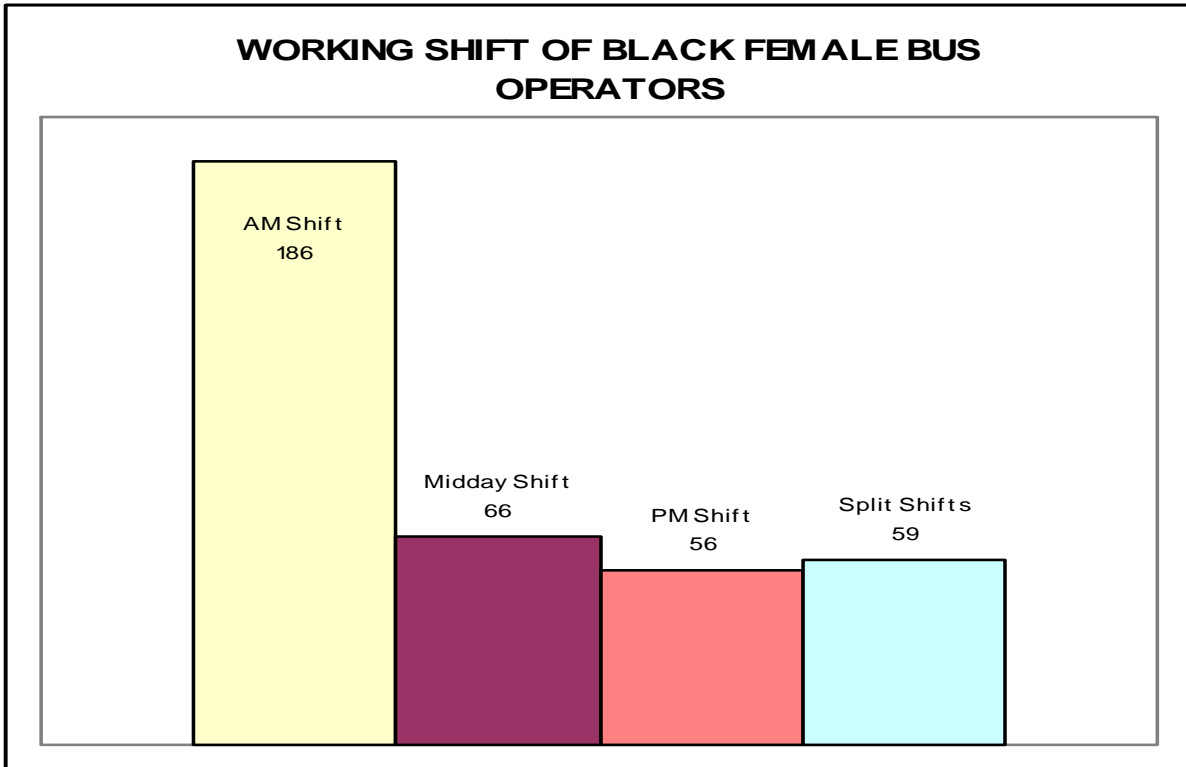


The following chart reflects that Males and Females received discipline at an equal rate.

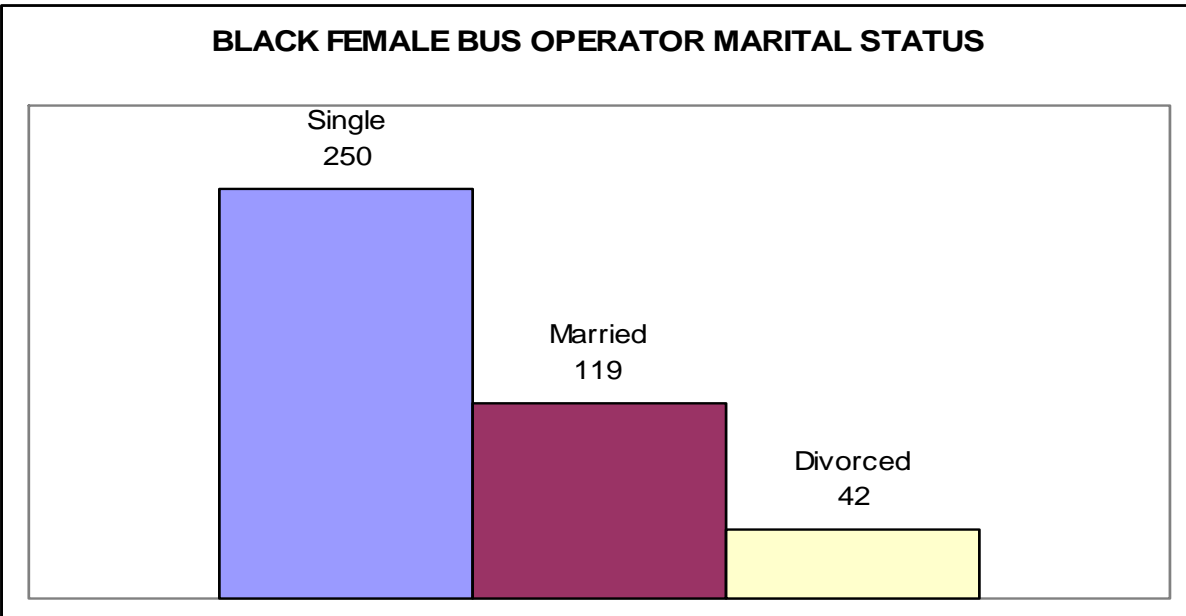


In analyzing the discipline data, you need to take into consideration the demographics of the department. For example, the Bus Operator classification consists of close to 50.0% of the workforce. Currently we have 999 males and 753 females. The data collected reflects that female bus operators receive discipline at a higher rate than males and that other race and gender groups in the department. During this reporting period the OCR/LR with the assistance of the Transport Workers Union, Local 291, created a Focus Group to survey female Bus Operators to identify barriers that attributed to the high percentage of Black females being disciplined. The following information was gathered through the survey:

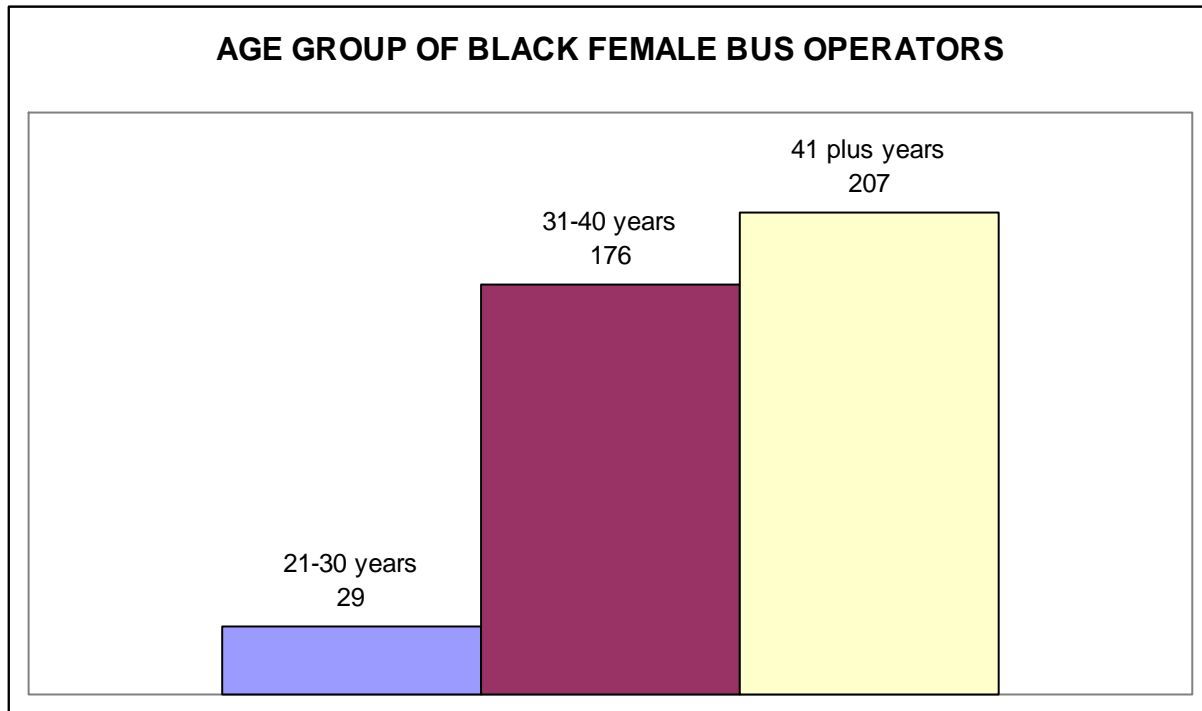
The majority (186) of Black female Bus Operators surveyed work the AM shift.



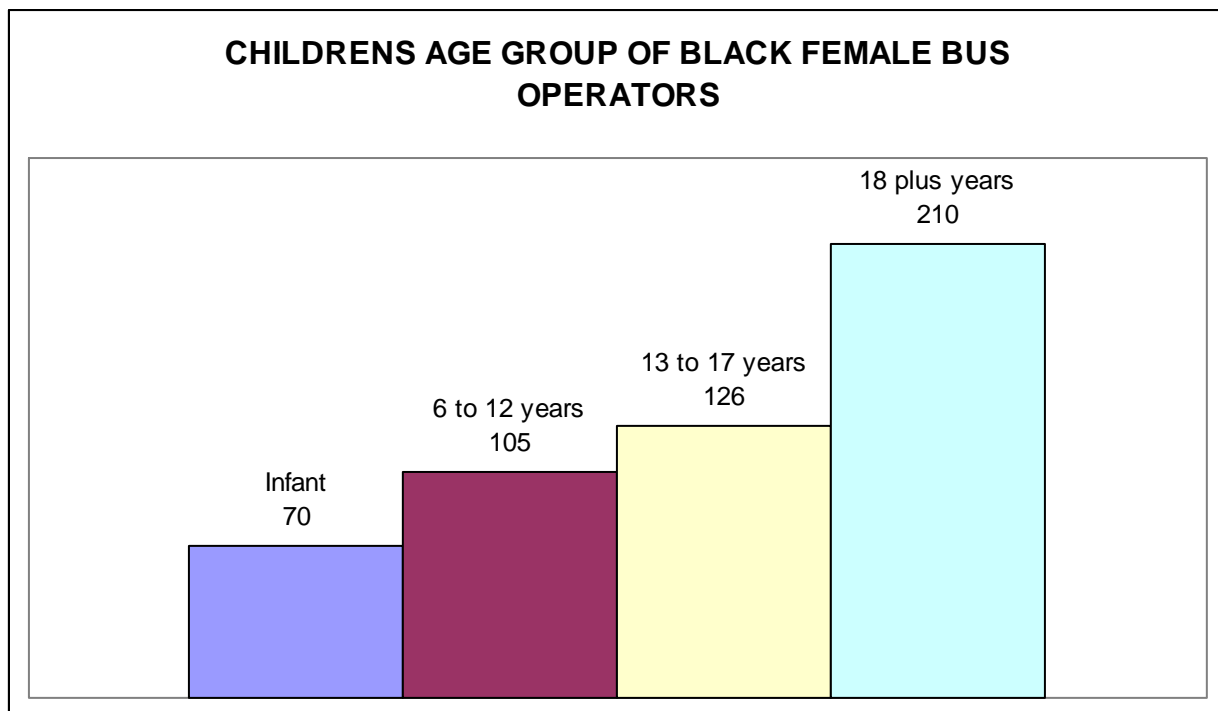
The majority (250) of the Black female Bus Operators surveyed are single.



The majority (207) of the Black female Bus Operators surveyed are 41 plus years of age.

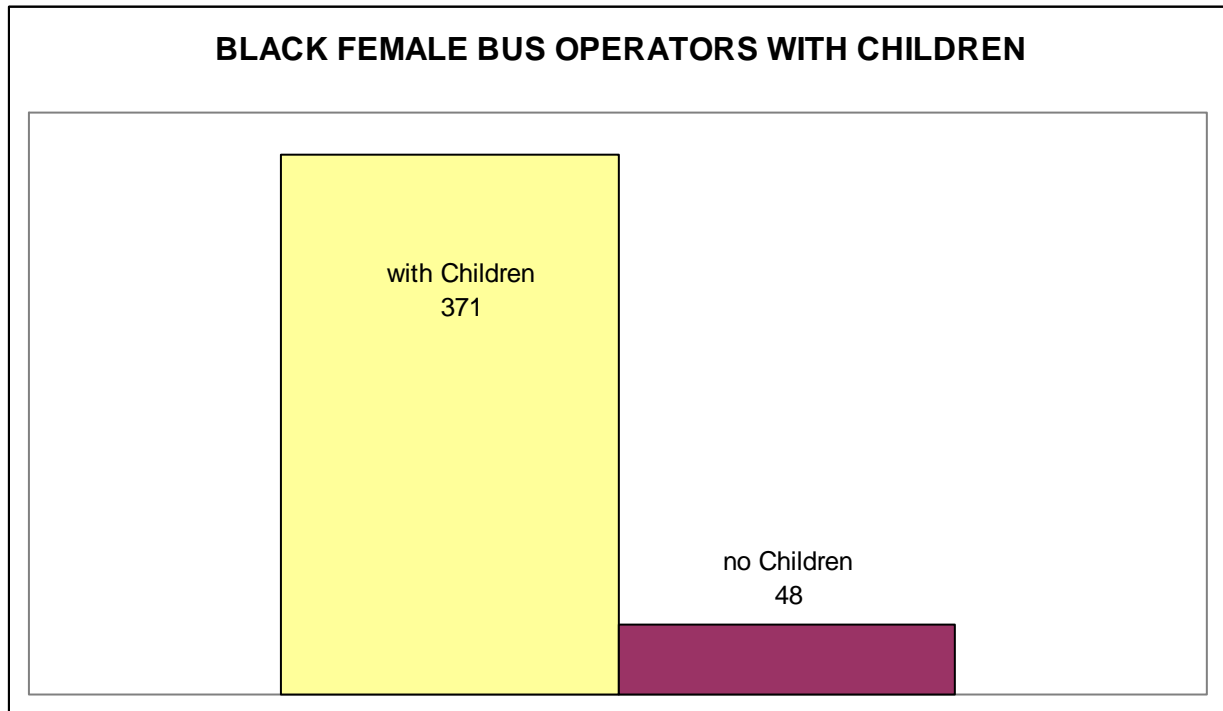


The majority (302) of the Black female Bus Operators surveyed have children less than 18 years of age.

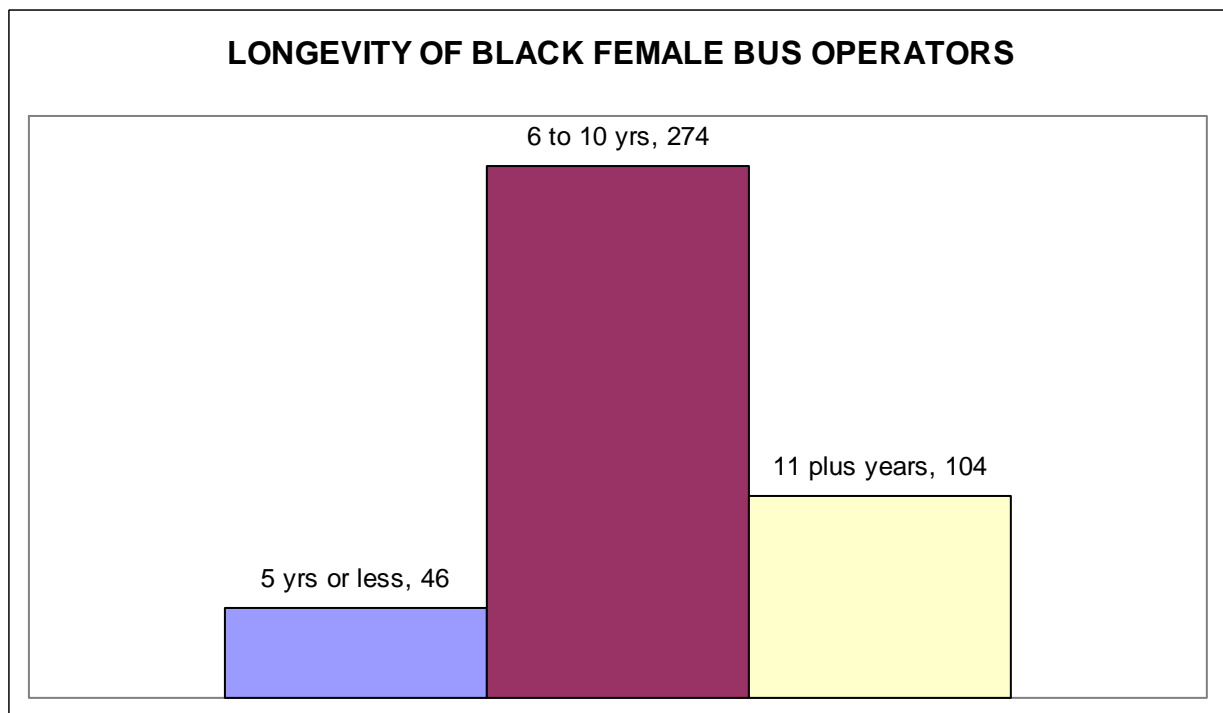




There is a greater amount (371) of Black female Bus Operators who have children.

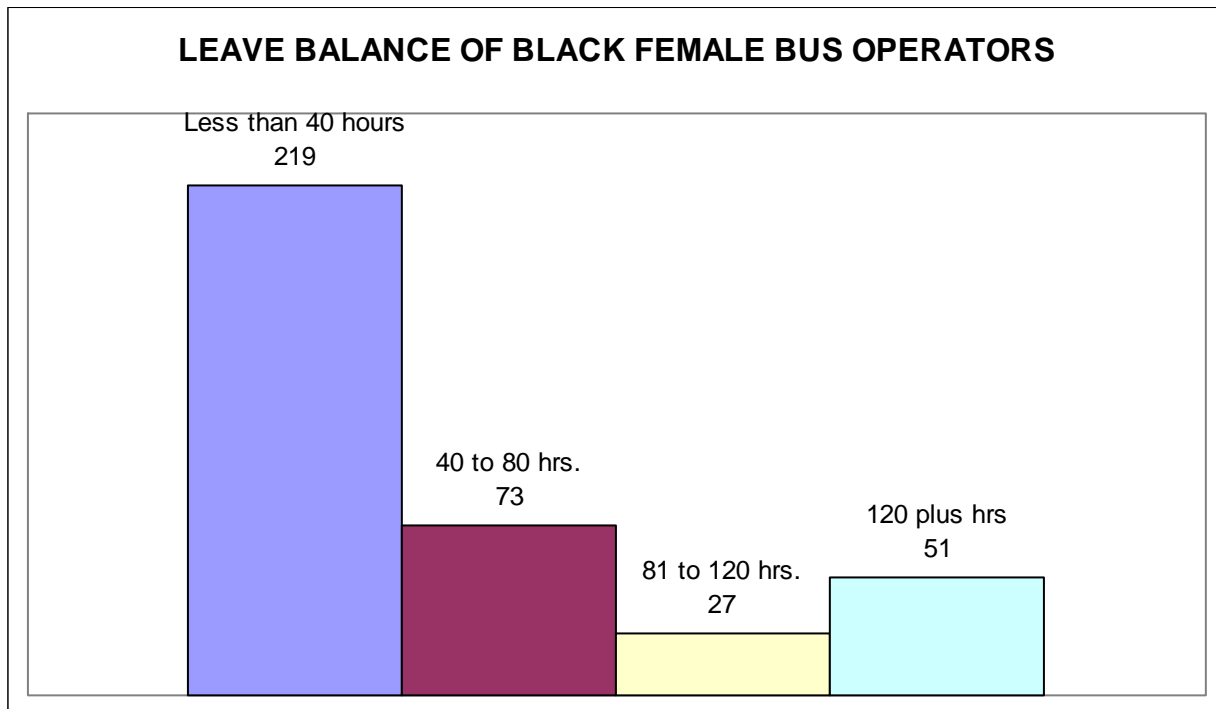


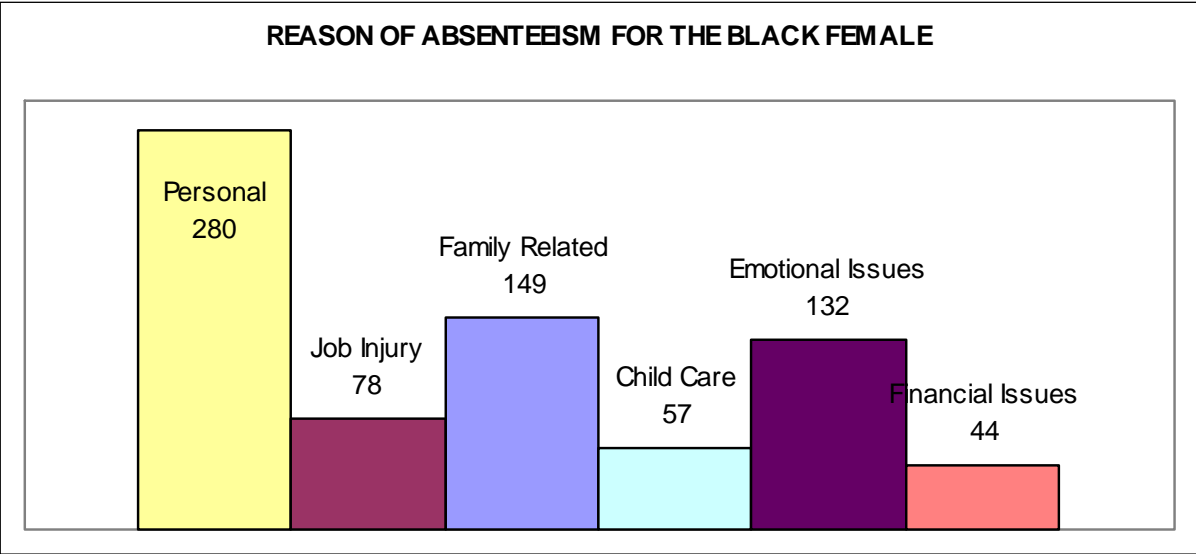
The majority (274) of the Black female Bus Operators have been in their position between six (6) to 10 years.



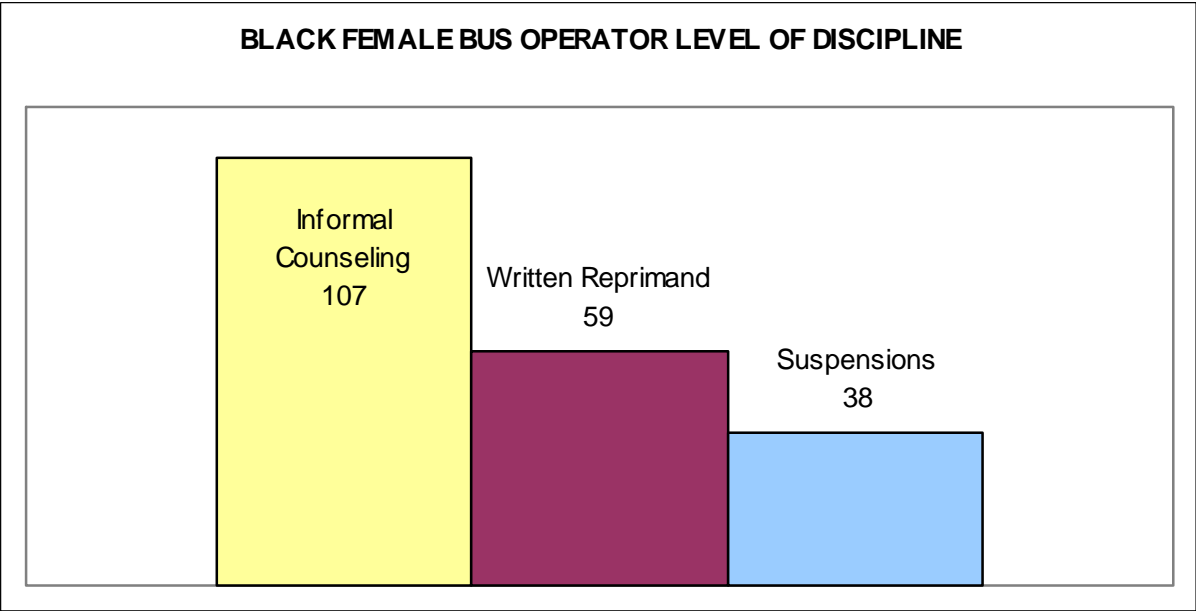
The following two charts reflect that absenteeism continues to be a concern since the majority (219) of the Black female Bus Operators have less than 40 hours of available leave. The majority of absences are attributed to personal or emotional reasons and family related reasons. During this reporting period the EEO Task Force identified areas where training and development could be beneficial to improve these statistics. Individual group accomplishments were as follows:

- MDT Training and Development has been requested to develop training program for the bus operators to include:
  - Stress and Anger Management;
  - Ergonomics Training;
  - How to Deal with Difficult People;
  - Time Management Skills;
  - Personal Financial Training.





Informal Counseling, which is not considered a level of discipline was the number one incident identified.



## **RECLASSIFICATION ACTIONS**

During this reporting period six (6) Track Equipment Operator vacancy positions were reclassified to the MDT Rail Vehicle Tech (Track & Guideway) per the terms and conditions of a labor agreement and one (1) Rail Vehicle Mechanic vacancy position was reclassified to a Rail Vehicle Body Mechanic/Painter. The new classifications, which in the Skilled Craft EEO job category, were created for the Rail division and, therefore, fall under the recruitment guidelines of 13C. No additional positions were added to the table of organization since the department used existing vacancies. In addition, five (5) vacant Bus Maintenance Technician positions in the Skilled Craft EEO job category were reclassified to Train Operator positions in the Service Maintenance EEO job category.

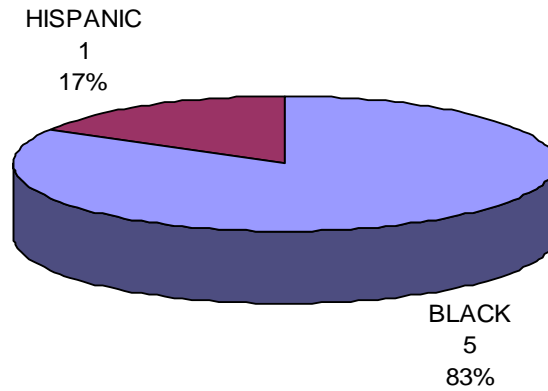
Reclassification Compensation Actions (RCA's) are also used to evaluate an employee's classification as it relates to their actual work duties. RCA's include: promotions, lead worker status, establishment of new positions and, in some instances, demotions and abolishment of positions. RCA's can be employee and/or management initiated. Additionally, the County's Human Resources Department may also initiate a classification review.

During this reporting period, six filled classifications were reviewed. The review resulted in one title change from Engineer 3 to Field Test Engineer (Electrical) and five (5) promotional opportunities, as follows:

- One (1) Transit Service Specialist 1 to Transit Service Specialist 2
- Two (2) Administrative Officer 2's to Paratransit Operations Officers
- One (1) MDT Division Coordinator to Paratransit Operations Administrator
- One (1) Information Officer to Media and Public Relations Officer

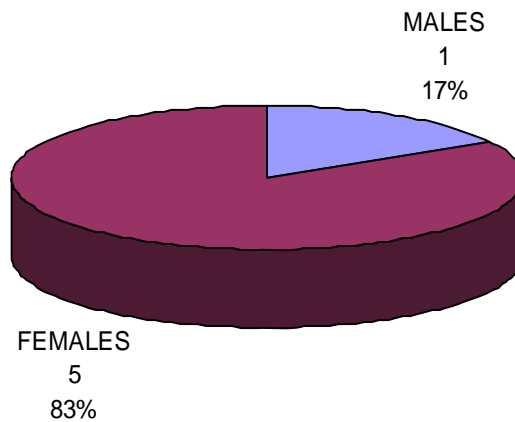
Black employees requested reclassification to other positions at a higher rate than other race groups.

**REQUESTS FOR RECLASSIFICATION BY RACE**  
**October 1, 2010 through September 30, 2013**



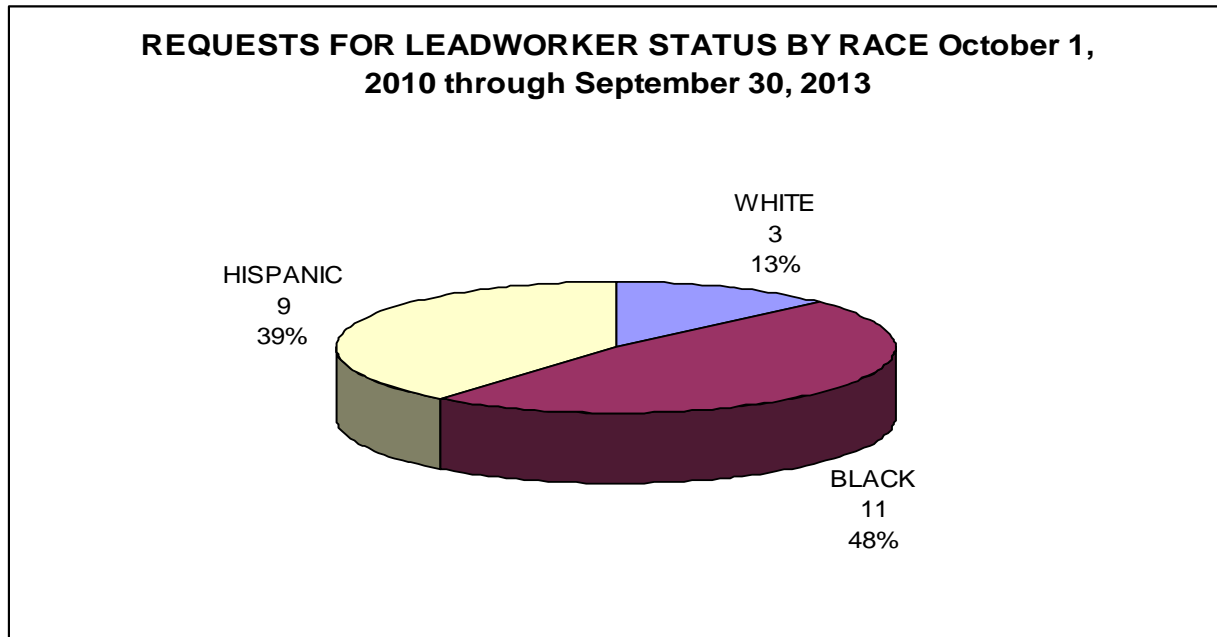
Since the majority of reclassification requests were for administrative positions, females requested at a higher rate than males.

**REQUESTS FOR RECLASSIFICATION BY GENDER**  
**October 1, 2010 through September 30, 2013**

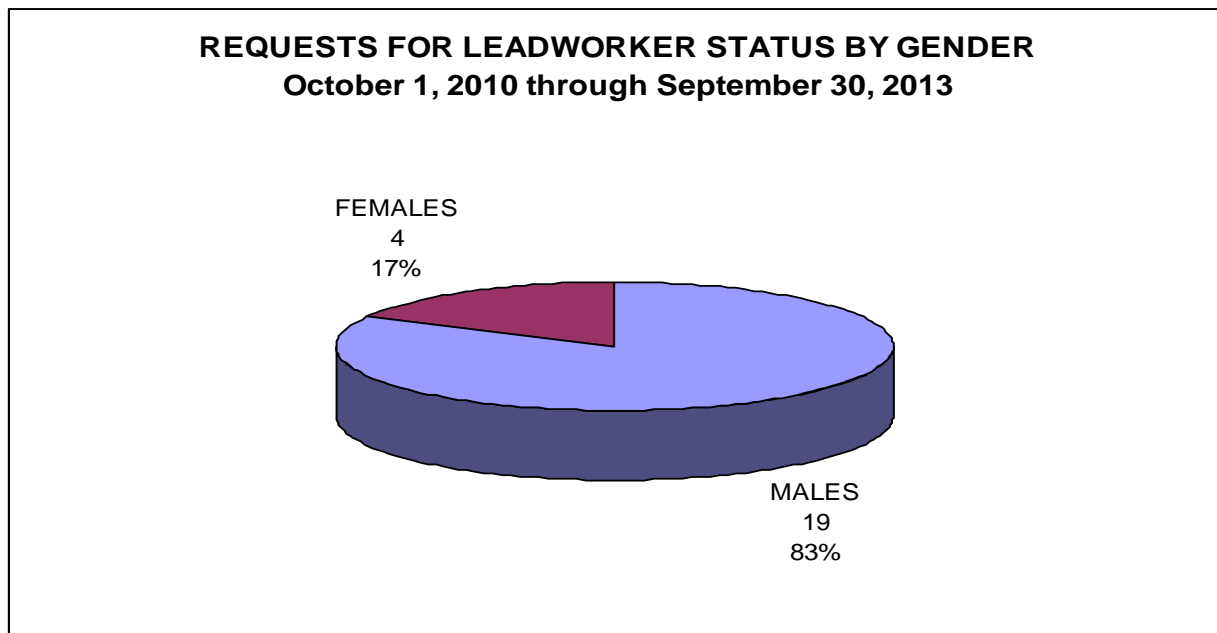


Classification changes were 100.0% minorities 83.3% females. Leadworker requests were 87.0% minorities and 17.4% females. Of special importance is that the leadworker requests were mostly for operational positions which are historically filled by male employees. The following charts reflect the classification changes and leadworker status requests based on race and gender. The following charts reflect that:

Black employees requested leadworker status at a higher rate.



Males requested leadworker status at a higher rate than females. Again, taking into consideration that leadworker status is mainly for operational positions filled by males.



## **TRAINING AND DEVELOPMENT**

As a result of the challenges MDT faces in trying to keep a diversified, knowledgeable and safety oriented workforce, training is at the forefront of employee development. To address the department's specific needs, MDT provides employees on-the-job training and encourages them to take full advantage of opportunities for continuing their education. Training is also provided to ensure that everyone is aware of changes in the department, as well as any new trends in Transportation.

The MDT Human Resources Training and Development (HR/T&D) Unit is responsible for the coordination, tracking, recordkeeping and reporting of all MDT training programs and initiatives. HR T&D also monitors and evaluates learning outcomes to ensure organizational and employee performance efficiencies are maximized. The HR/T&D also coordinates the delivery of dynamic, effective, and relevant educational opportunities for MDT staff. These educational opportunities may include seminars, workshops, structured on-the-job (OJT), webcasts, web-based training, and structured coaching or mentoring (include peer mentoring).

The HR/T&D unit:

- Develops and Implements Administrative Training and Development Program designed to meet department-specific needs; including general skill development and job-specific instruction.
- Monitors departmental training initiatives to ensure compliance with Training Approval Policy TAP and Training Package Guidelines SOP.
- Implements PeopleSoft Training Module (eTraining) to record and monitor departmental training activities.
- Coordinates quarterly MDT New Hire Orientation Program for all MDT new hire and transfer employees which include an overview of the department, its policies and procedures. Included in this training is specific information regarding employee benefits, diversity and equal employment opportunity.
- Partners with the HR-Medical Unit to develop supervisory training program to improve absenteeism related to FMLA and Worker's Compensation.
- Partners with MDT Divisions to implement Return to Work Program for employees returning to work after long term absences.
- Continues implementation of comprehensive customer service training initiative for Information Center employees and supervisors to include a mandatory refresher training schedule.

MDT Training and Development is responsible for providing effective training and development that supports the strategic values of Miami-Dade Transit for all functional areas of the department including, Administration, Bus Operations, Bus Maintenance, Rail Operations, Rail Maintenance, Metromover, Customer Service, Safety and Security.

Additional efforts to enhance the work environment and employee wellbeing include:

- In conjunction with AvMed, the MDT Bus Operations Division conducted MDT Mini Health Fairs in April & May of this year at the Northeast, Central, and Coral Way garages. This event included an online Personal Health Assessment and raffle of an iPad Mini. AvMed technicians were also available on-hand to distribute educational pamphlets (hypertension, cholesterol, diabetes, nutrition, sleep apnea, etc.) and review post screening results with Bus Operators.
- Working with AvMed to conduct above referenced MDT Mini Health Fairs throughout other MDT facilities to include Bus Maintenance, Rail Transportation, Rail Maintenance, Facilities Maintenance and Metromover garages.
- Sponsoring MDT an employee recognition program. The program acknowledges the contributions that MDT employees make in the workplace. This recognition includes employee of the month, employee of the quarter and employee of the year nominations.

Through the Miami-Dade County Internal Support Services Training and Development unit, the department provides MDT employees with:

- Supervisory Certification Program, offered by Miami-Dade County University. This program is required of all newly promoted MDT supervisory level employees.
- Develop and maintain a succession planning program to target key positions requiring specific skills and knowledge. This program is handled on a larger scale by the Miami-Dade County Human Resources Department, but MDT has developed a succession planning program available to MDT employees only. Currently, we have two employees enrolled in this program. During this reporting period one position was filled as succession planning. The department is recruiting for applicants for succession planning as needed.

The department's Human Resources Training and Development Division enhanced the employee's training opportunities by developing, in conjunction with Miami-Dade County, a centralized SharePoint site.

<http://enterprisesharepoint/home/MT067/training/MDT%20Virtual%20Training%20Library/Documents/Forms/AllItems.aspx>).

The site provides a centralized location regarding employee training and professional development resources; including PowerPoint presentations, newsletters, job aids, and performance tools. In addition, it provides a centralized location to keep information related to the Training and Development policies, procedures, training calendars, task, pictures, and surveys.



The majority of mandatory training involves specialized training for positions belonging to the Operations, which include positions in the Technician, Skilled Craft and Service Maintenance EEO Job Categories. There remains an underutilization of females in the Technician and Skilled Craft EEO Job Categories, therefore, explaining the disproportion of mandatory training opportunities. Regardless, during the next three years MDT's goal will be to increase the female workforce and to develop new specialized training in their selected fields.

#### **Mandatory Training (3-year)**

Fiscal Year	TOTAL EMPLOYEE TRAININGS	MALES					FEMALES					% of MINORITIES	% OF FEMALES
		TOTAL	W	B	H	O	TOTAL	W	B	H	O		
FY' 10-11	9,182	5,681	368	3,187	2126	59	3,442	58	3,108	262	14	95.3%	37.5%
FY' 11-12	12,186	8,000	607	3,998	3,251	141	4,186	39	3,886	253	8	93.8%	34.3%
FY' 12-13	8328	5177	304	2780	2084	49	3,149	35	2,865	236	13	96.2%	37.8%

#### **Voluntary Training (3-year)**

Fiscal Year	TOTAL EMPLOYEE TRAININGS	MALES					FEMALES					% of MINORITIES	% OF FEMALES
		TOTAL	W	B	H	O	TOTAL	W	B	H	O		
FY' 10-11	3182	2892	883	844	1004	161	290	203	29	55	3	67.2%	9.1%
FY' 11-12	258	158	20	45	65	28	100	4	66	30	0	64.0%	39.0%
FY' 12-13	183	103	18	61	42	4	58	1	31	25	1	88.0%	36.0%

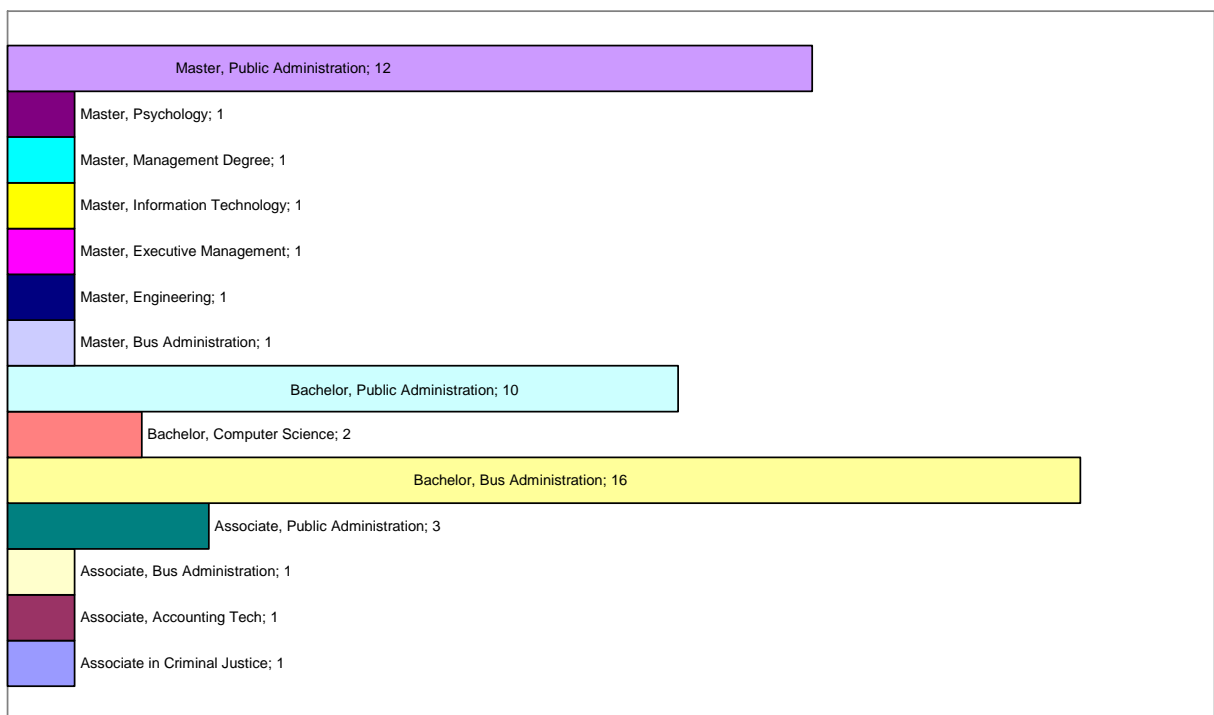
As depicted in the table above, the department will encourage the females to participate in the available non-mandatory training that is offered through Miami-Dade Transit Training and Development, as well as the Miami-Dade County Human Resources Department. During the next fiscal year, the department will focus on targeting the female workforce to prepare them for promotional opportunities. MDT has signed a Memorandum of Understanding (MOU) with the County Human Resources training division to encourage MDT employees to continue with their education. Miami-Dade County also offers all county employees 50% tuition reimbursement for continuing education. With this in mind, MDT has the Management Internship Program to encourage MDT employees to achieve a higher education.

## TUITION REIMBURSEMENT

Miami-Dade Transit encourages employees to achieve higher levels of education which will prepare them for management positions throughout the department. Incentives are the Management Internship Program, the County's Succession Program, Divisional Mentoring Program, and the Tuition Reimbursement Program.

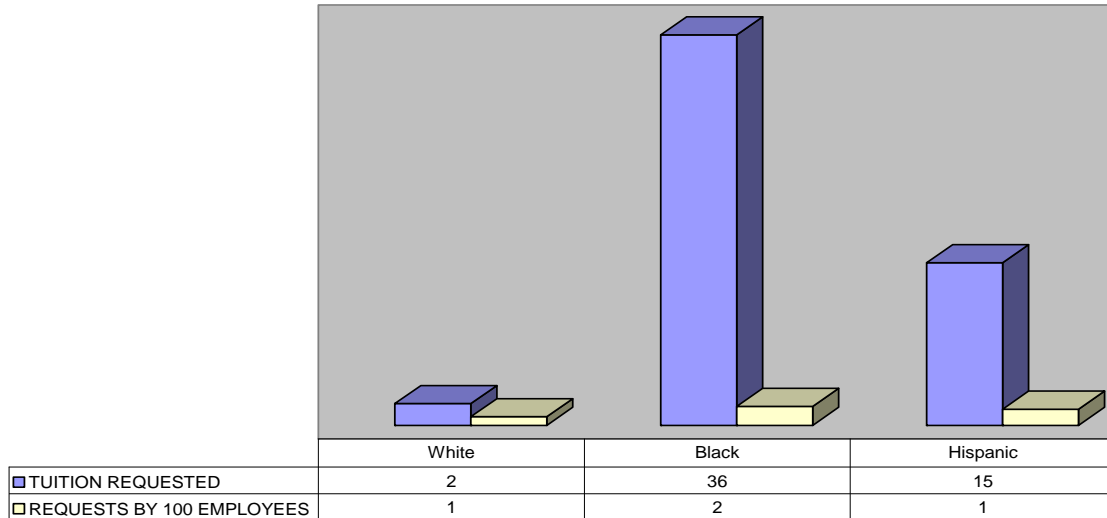
During this period MDT employees requested tuition reimbursement to achieve the following degrees:

### TUITION REIMBURSEMENT BY COLLEGE DEGREE October 1, 2010 through September 30, 2013

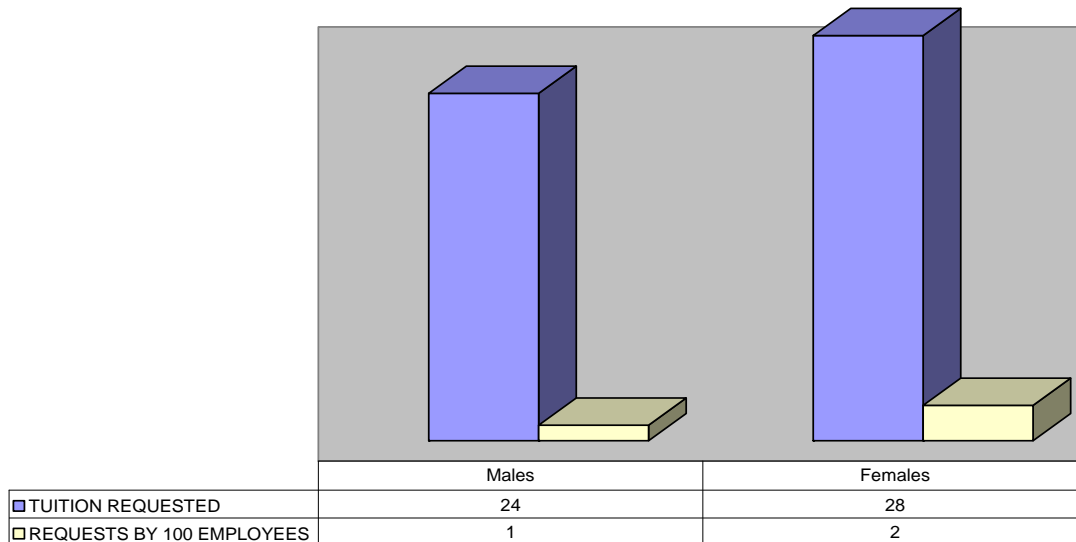


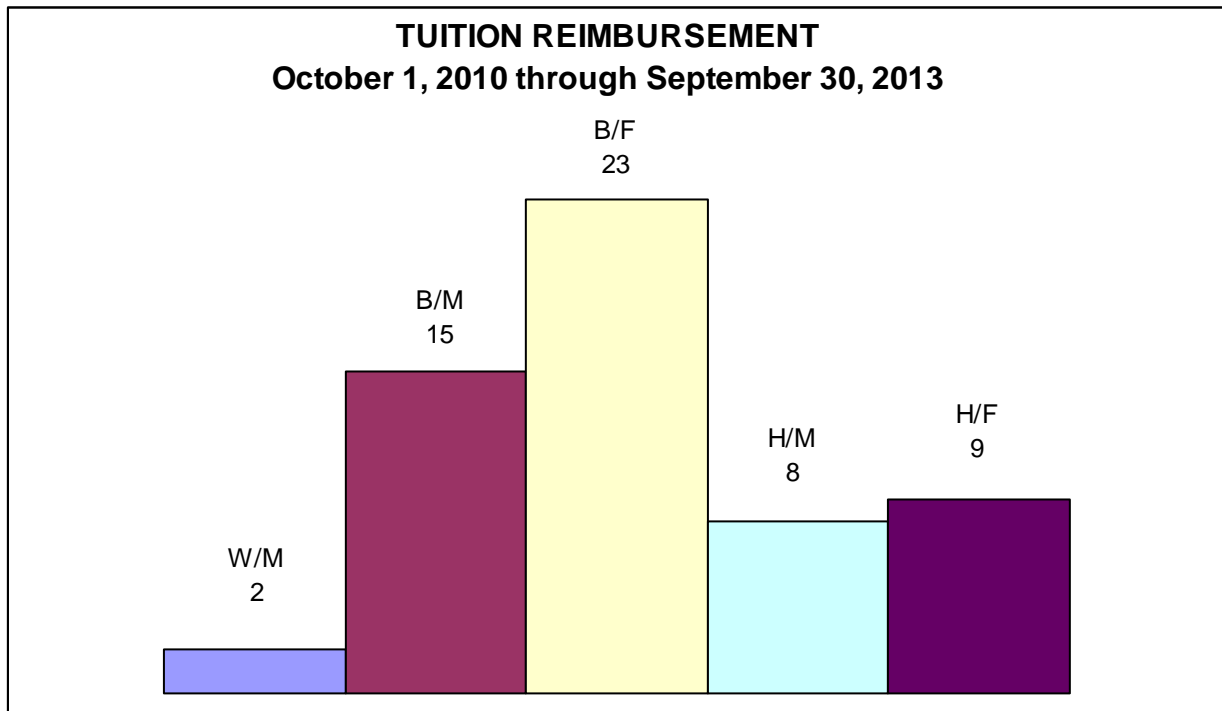
The chart below shows the race and gender of the employees requesting tuition reimbursement:

**TUITION REIMBURSEMENT REQUESTS BY RACE**  
October 1, 2010 through September 30, 2013



**TUITION REIMBURSEMENT REQUESTS PER GENDER**  
October 1, 2010 through September 30, 2013



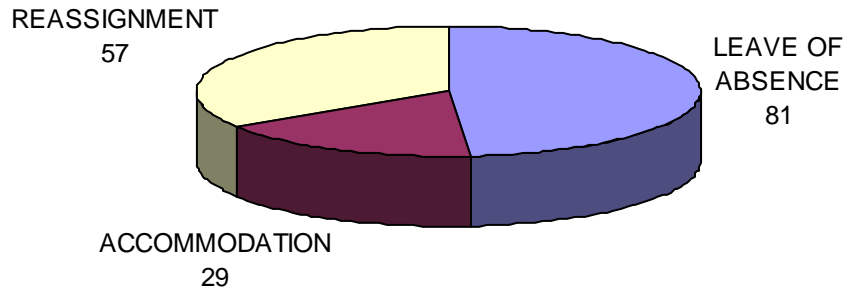


When compared to the available workforce, Black males and Black females requested reimbursement at a higher rate.

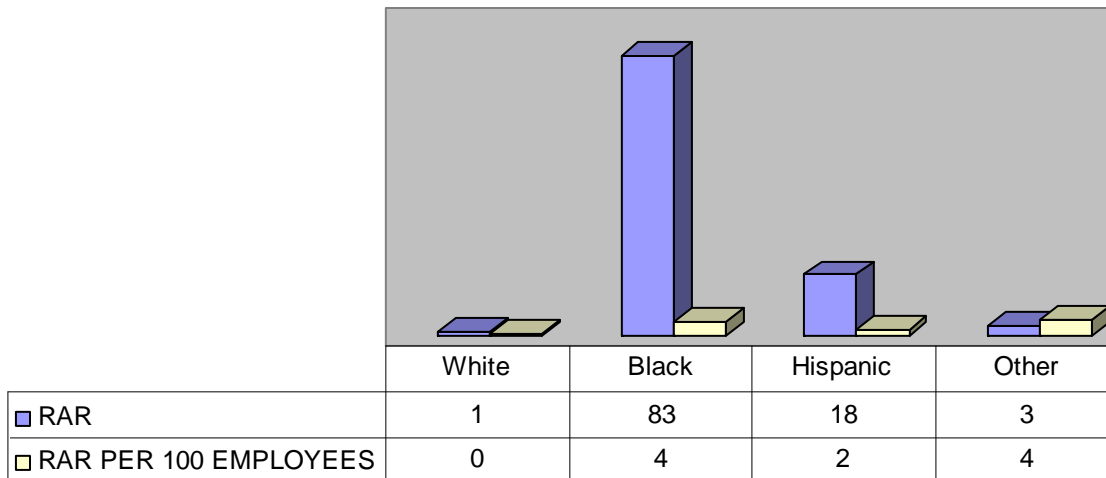
## **AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE ACCOMMODATIONS**

Miami Dade Transit (MDT) provides the requisite posting of federal regulations, throughout all MDT facilities, including notice of employee rights pursuant to Sections 503 and 504 of the Rehabilitation Act of 1973. Additionally, MDT's, Employee Resources section provides a link to the County's Reasonable Accommodation website. This link is augmented by the Office of Civil Rights and Labor Relations' (OCR/LR) ADA unit's website which provides extensive information and resource center regarding Reasonable Accommodations. The agency's Long Term Absentee Policy incorporates a procedural referral to MDT's ADA unit for employee reasonable accommodation evaluation. Finally, as a part of OCR's continued employee outreach, staff is developing a series of EEO related posters for distribution throughout MDT facilities, including ADA and Reasonable Accommodations. Listed below are the statistics during this period.

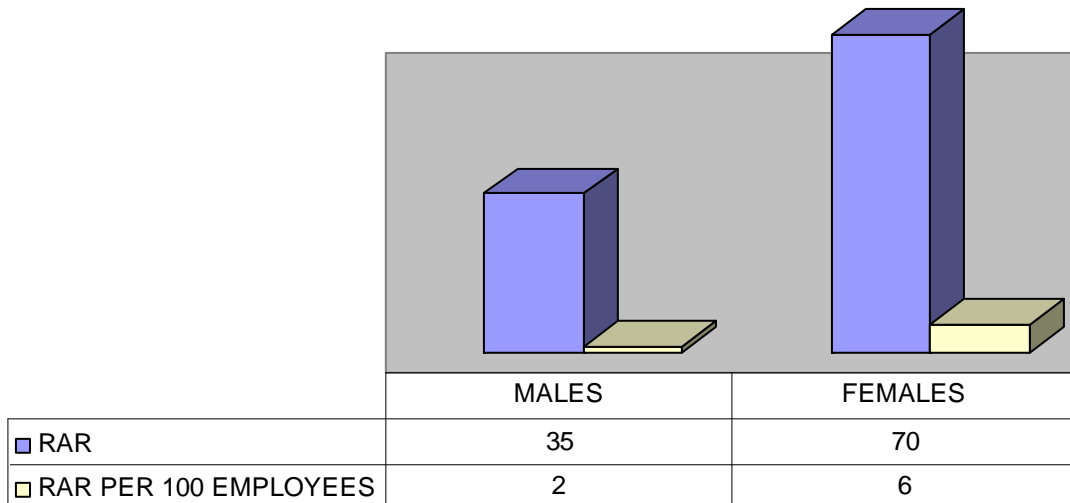
**REASONABLE ACCOMMODATION REQUESTS**  
**October 1, 2010 through September 30, 2013**



**REASONABLE ACCOMMODATION REQUESTS BY RACE**  
**October 1, 2010 through September 30, 2013**



**REASONABLE ACCOMMODATION REQUESTS BY GENDER**  
**October 1, 2010 through September 30, 2013**



## **LIGHT DUTY PROGRAM**

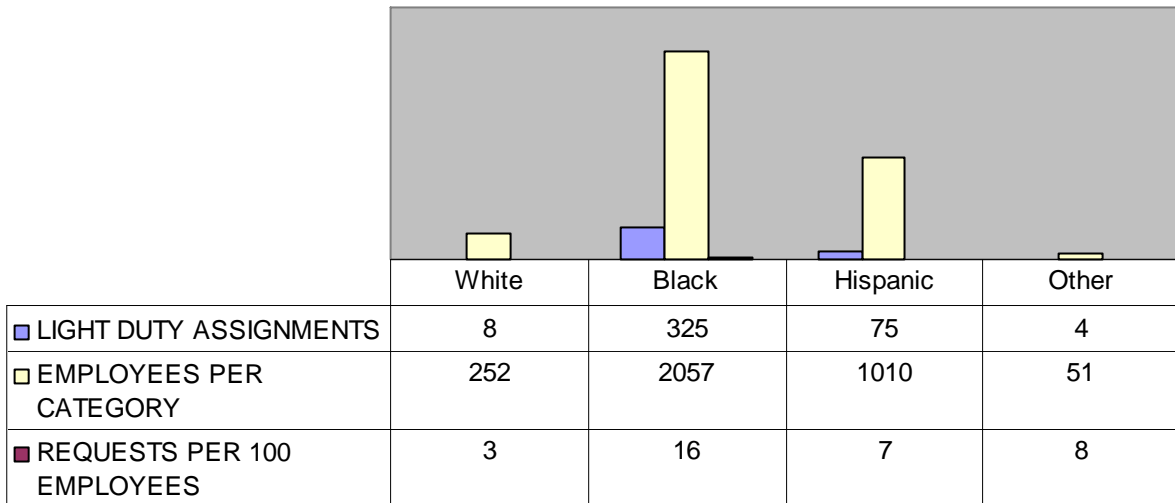
In addition to providing permanent reassignment to other positions, leave of absences and on-the-job accommodations, the department provides its employees with an opportunity to work a light duty assignment during a temporary disability. The Miami-Dade Transit Light Duty Policy establishes light duty assignments for sick or injured employees. The program is monitored through the department's Human Resources Division. The Human Resources Division will accept all requests for light duty assignments from the MDT divisions and provide them with available personnel to fill the assignments. During this reporting period, the following employees were assigned light duty:

- 16 Bus Maintenance Technicians
- 356 Bus Operators\*
- Four (4) Bus Stock Clerks
- One (1) Rail Stock Clerk
- One (1) Rail Supervisor
- One (1) Rail Technician/Traction Power
- One (1) Rail Technician/Train Control
- Five (5) Rail Vehicle Cleaners
- Six (6) Rail Vehicle Electronic Technicians
- Nine (9) Rail Vehicle Mechanics
- Two (2) Track Repairers
- Four (4) Train Operators
- Two (2) Transit Facilities Equipment Technicians
- Four (4) Transit Revenue Collectors

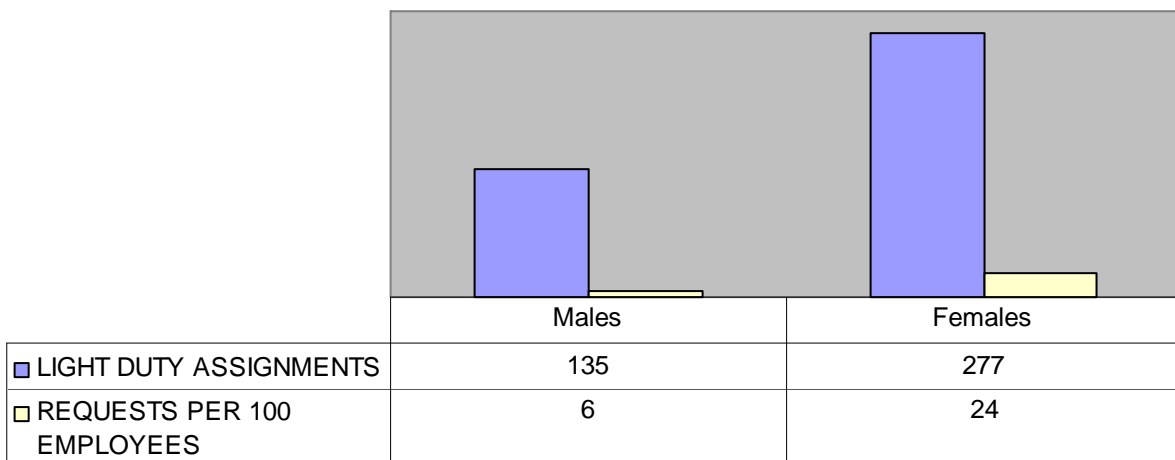


\*Note: The employees that are referred to the light duty program are mainly Bus Operators which is comprised mainly by the Black men and Black females. There are no accommodations available for this position other than light duty.

**LIGHT DUTY ASSIGNMENTS  
PER EMPLOYEE'S RACE  
END OF FY' 2012-2013  
(October 1, 2010 through September 30, 2013)**



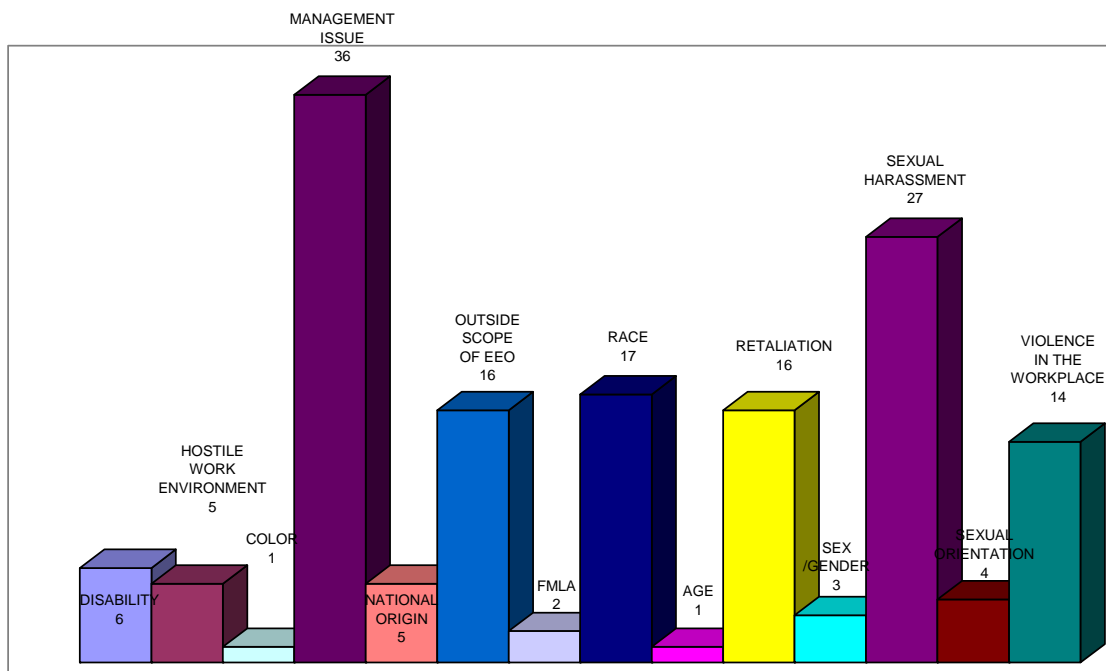
**LIGHT DUTY ASSIGNMENTS  
PER EMPLOYEE'S GENDER  
END OF FY'2012-2013  
(October 1, 2010 through September 30, 2013)**



## INVESTIGATIVE PROCESS COMPARISON

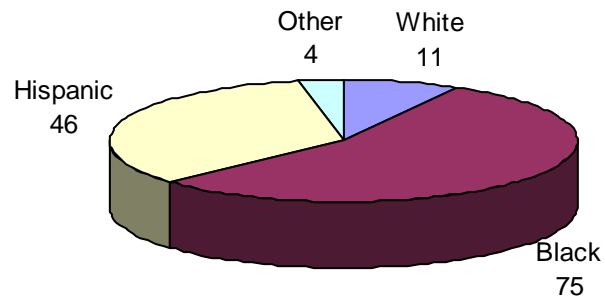
- **Internal Complaints** - During the period of October 1, 2010 through September 31, 2013, the EEO unit of the Office of Civil Rights and Labor Relations received 135 internal complaints. The majority of the complaints were mostly allegations of discrimination and/or unlawful harassment based Sex/Gender, Race, Retaliation and Violence in the Workplace. Complaints were filed by MDT employees regarding one or more of the protected EEO categories. In addition, complaints of sexual harassment were received from public transportation riders through the 311 and the Paratransit Services.

### COMPLAINTS OF DISCRIMINATION AND/OR UNLAWFUL HARASSMENT FILED WITH THE MDT EQUAL EMPLOYMENT OPPORTUNITY UNIT October 1, 2010 through September 30, 2013

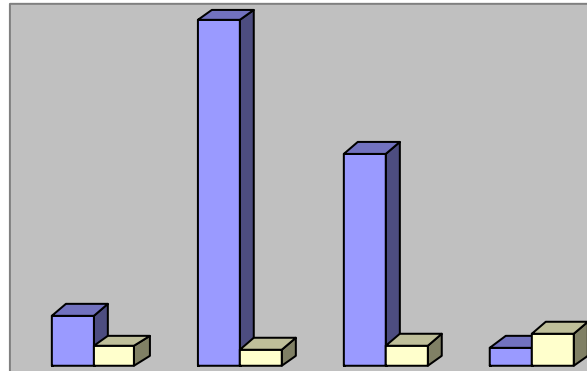


A comparison of the complaints filed and the MDT workforce by race shows that White and Other employees filed at a higher rate than Black and Hispanic employees.

**COMPLAINTS OF DISCRIMINATION  
AND/OR UNLAWFUL HARASSMENT  
FILED WITH THE MDT EQUAL EMPLOYMENT OPPORTUNITY  
UNIT BY RACE  
October 1, 2010 through September 30, 2013**

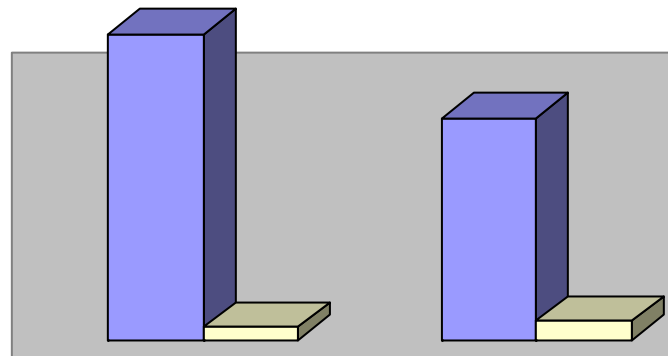


**COMPLAINTS COMPARED TO THE MDT WORKFORCE BY RACE**  
**October 1, 2010 through September 30, 2013**



	White	Black	Hispanic	Other
■ COMPLAINTS	11	75	46	4
■ COMPLAINTS PER 100 EMPLOYEES	4	4	5	7

**COMPLAINTS COMPARED TO MDT WORKFORCE BY GENDER**  
**October 1, 2010 through September 30, 2013**



	MALES	FEMALES
■ COMPLAINTS	80	58
■ COMPLAINTS PER 100 EMPLOYEES	4	5

During this reporting period, the following observations were made:

- A comparison of the number of complaints filed and the MDT workforce shows that females filed complaints at a higher rate than males.
- Complaints of sexual orientation increased during this period.
- The majority of the complaints filed with the OCR/LR were outside the scope of EEO.
- It is becoming more common for males to allege sexual harassment. Of specific interest is the language of the female bus operator in the garages.
- New area of concern is social media. Presently researching examples of discriminatory practices using social media. Proactive solutions being recommended by expert sources will be considered.
- During this period there was an increase in the number of Paratransit customer complaints of sexual harassment.
- The term harassment continues to be used very freely without taking into consideration that for harassment to be unlawful it needs to be connected to a federally protected characteristic.

During this reporting period, the OCR/LR provided all MDT facilities with a video called “Sexual Harassment in the 21<sup>st</sup> Century” for use with all operational employees. In addition, a newly approved Administrative Order 7-43 on Domestic Violence in the Workplace was distributed throughout the department for dissemination to all MDT employees and included in the department’s internal (TRANSITNET) and external ([miamidade.gov/transit](http://miamidade.gov/transit)) websites.

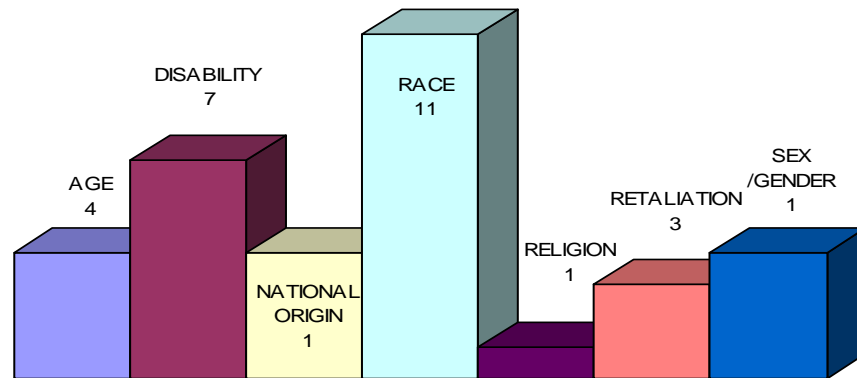
As proactive measures, the department is:

- Providing supervisory and rank and file training on discrimination and/or unlawful harassment issues.
- Purchasing videos to upload to the internal website regarding diversity, ethics, unlawful and sexual harassment and violence in the workplace.

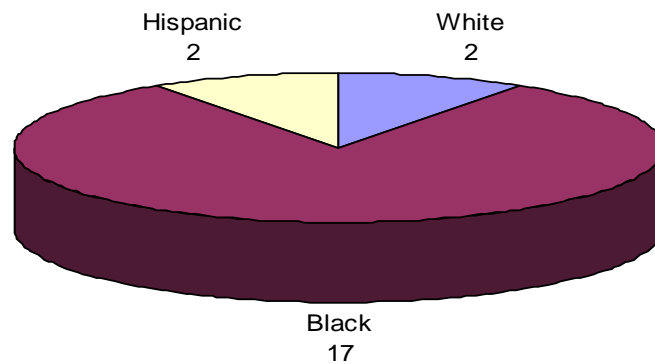
## **External Complaints**

During October 1, 2010 through September 30, 2013, twenty-two (22) charges were filed against Miami-Dade County and Transit with the Equal Employment Opportunity Commission (EEOC) and the Florida Commission on Human Relations (FCHR). The majority of the complaints contained allegations of two or more protected characteristics. Race, Disability, Sex/Gender and Retaliation have the highest rate of incidents. The following charts provide relevant information regarding the protected EEO category, race and gender.

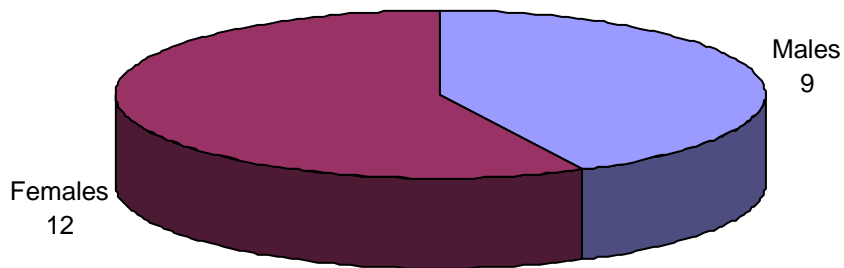
**COMPLAINTS OF DISCRIMINATION FILED WITH THE EQUAL  
EMPLOYMENT OPPORTUNITY COMMISSION  
October 1, 2010 through September 30, 2013**



**COMPLAINTS OF DISCRIMINATION FILED WITH THE EQUAL  
EMPLOYMENT OPPORTUNITY COMMISSION BY RACE  
October 1, 2010 through September 30, 2013**



**COMPLAINTS OF DISCRIMINATION FILED WITH THE EQUAL  
EMPLOYMENT OPPORTUNITY COMMISSION BY GENDER**  
October 1, 2010 through September 30, 2013



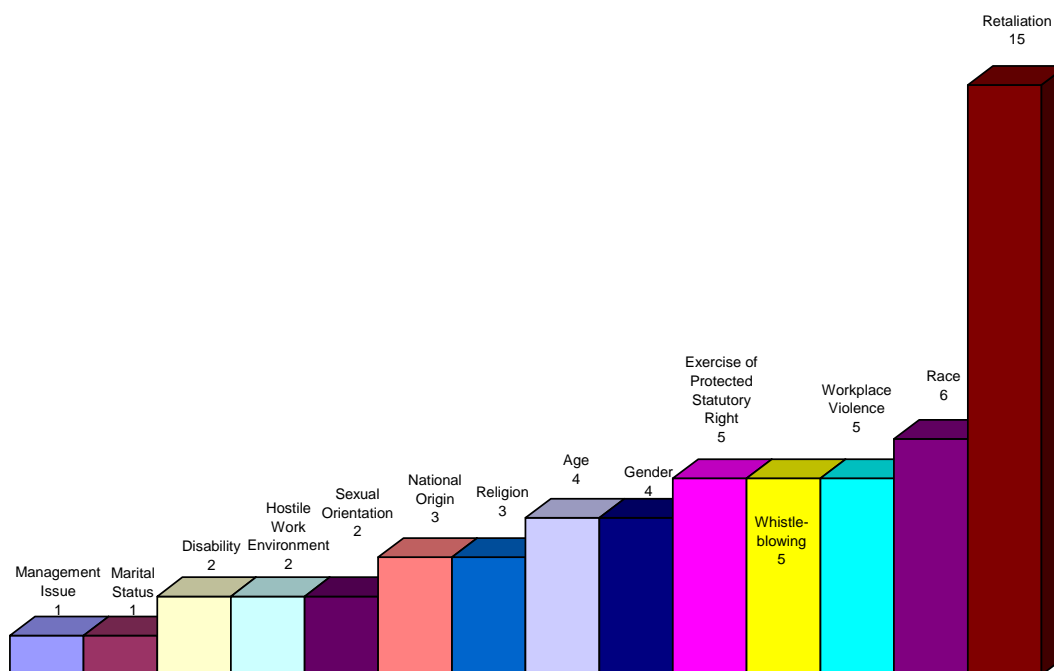
The majority of the charges filed with the EEOC during this reporting period were from Black females as the result of termination from County service.

To address issues of discrimination and/or unlawful harassment, the Office of Civil Rights and Labor Relations has made videos on unlawful harassment available to various worksites. Additionally, all MDT employees are required to take a yearly mandatory training on unlawful harassment which contains information on federal and state statutes, and MDT policies and procedures.

## MIAMI-DADE COUNTY OFFICE OF HUMAN RIGHTS AND FAIR EMPLOYMENT PRACTICES

Miami-Dade Transit employees have an option to address their issues of discrimination and/or unlawful harassment by contacting the Miami-Dade County Office of Human Rights and Fair Employment Practices (OFEP) directly. The OFEP provided our office with a list of thirty-two (32) complaints filed with their office by MDT employees during October 1, 2010 through September 30, 2013. The number one type of discrimination and/or unlawful harassment allegation filed in the Human Rights Office of Fair Employment Practices is retaliation (15 complaints); followed by race (6 complaints) and workplace violence (5 complaints). The following charts reflect the protected EEO job categories, as well as race and gender statistics.

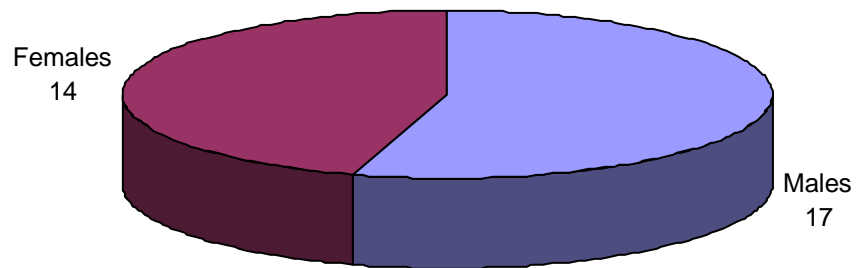
**COMPLAINTS FILED WITH THE HUMAN RIGHTS  
AND OFFICE OF FAIR EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2013**



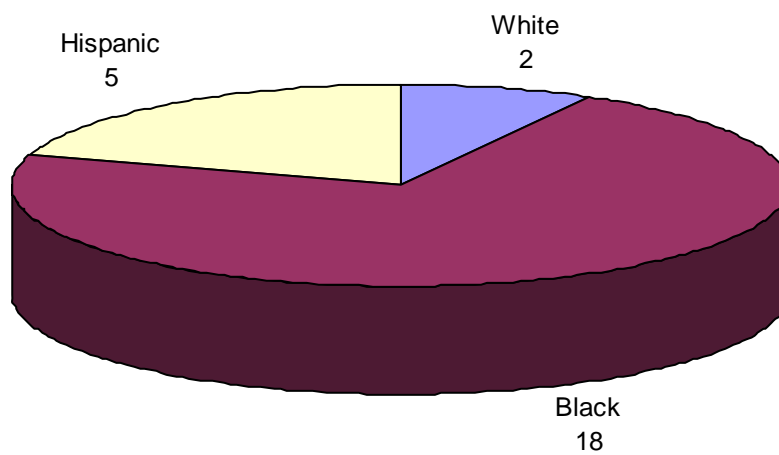
During this period the Miami-Dade County Human Services Office of Fair Employment Practices initiated a Diversity Matters program which included posters, flyers and a video entitled “In All Fairness”. Topic of the initiative was discrimination and promotion of diversity in the workforce. The OCR/LR noted a significant increase in the number of complaints filed with the OFEP during this reporting period with a higher incident rate with retaliation, race, workplace violence, whistleblower and the exercise of statutory right to file a complaint.



**COMPLAINTS FILED WITH THE HUMAN RIGHTS  
AND FAIR EMPLOYMENT PRACTICES OFFICE BY GENDER**  
October 1, 2010 through 9-30-13



**COMPLAINTS FILED WITH THE HUMAN RIGHTS AND FAIR  
EMPLOYMENT OFFICE BY RACE**  
October 1, 2010 through September 30, 2013



## **MONITORING AND REPORTING SYSTEMS**

SUBJECT: Equal Employment Opportunity (EEO)  
Monitoring and Reporting

*OCR/EEO 1*  
Effective 12/01/10

PURPOSE: To establish uniform monitoring and reporting procedures that enable the agency to evaluate the EEO program during the fiscal year, and provide a proactive approach to facilitate the implementation of identifiable remedial actions.

REFERENCE: Department of Transportation (DOT) Urban Mass Transportation Administration (UMTA) C 4704.1, Equal Employment Opportunity Program Guidelines for Grant Recipients MDT's EEO Program Plan

PROCEDURES: In accordance with UMTA C 4704.1, 49, an important part of any successful EEO program is the establishment of an effective and workable internal monitoring and reporting system. This system should facilitate an overall evaluation of key performance indicators of the agency's EEO plan, with supporting data base, as well as provide a foundation for identifiable remedial action.

Accordingly,

1. Commensurate with the beginning of fiscal year (FY) '10-'11, the Office of Civil Rights and Labor Relations (OCR) shall provide statistical quarterly updates of key EEO performance indicators.
2. These indicators shall include a comparative trend analysis of such key performance indicators as (1) workforce analysis by race, gender and EEO job categories; (2) underutilization by EEO job categories; (3) internal complaints by protected characteristics; (4) external complaints comparative to internal complaints; and any other significant trends analysis.
3. The quarterly updates will be posted on MDT's TransitNet and provided to the MDT Director as part of the Division Chief's regular reporting.
4. OCR shall ensure that all hiring managers review the underutilization report(s) prior to receiving final approval from OCR to proceed with interviews for vacant positions. To ensure compliance, OCR shall require that all hiring managers submit as a part of the interview package, a signed and dated copy of the most recent underutilization report taken from the TransitNet website.
5. In order to keep senior staff apprised, quarterly underutilization update report(s) shall be distributed via email to senior staff as well as posted on the TransitNet website.

OCR shall also ensure that senior staff is accountable for utilizing report information as a part of their recruitment efforts.

6. OCR will also provide monthly updates of EEO performance indicators on MDT's scorecard for review and discussion with the MDT Director and Senior Staff.
7. Upon the posting of each quarterly and/or monthly update, OCR staff shall conduct a thoughtful review and analysis to determine the applicability of remedial action.
8. Remedial action shall include, but not limited to: (1) global training; (2) targeted/specialized training; (3) specialized internal and/or external recruitment outreach campaigns; (4) formalized management internship programs; (5) informal management mentoring programs; (6) formalized succession planning; and (7) administrative action for program violations.
9. An end of year review shall also be conducted to form the basis of the establishment of EEO goals and objectives for the succeeding year.
10. MDT recognizes the importance of ensuring EEO program success through effective monitoring and reporting, consistent with the objectives of DOT's C 4704.1, Equal Employment Opportunity Program Guidelines.
11. Complaints are kept in an EXCEL spreadsheet according to the reporting period of the EEO plan.

## **Equal Employment Opportunity (EEO) Monitoring of Sub-recipients and Contractors for EEO Compliance**

In accordance with the Federal Transit Administration (FTA) legislation, “non-discriminatory use of Federal funds by recipients of FTA assistance, including their sub-recipients and contractors is prohibited”. The Miami-Dade Transit Office of Civil Rights and Labor Relations is charged with administrative oversight to ensure compliance, as well as FTA reporting requirements pertaining to Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity (EEO) program, Disadvantaged Business Enterprise (DBE) program and the American with Disabilities Act of 1990 (ADA). Regarding EEO, MDT has established a uniform procedure to ensure that sub-recipients’ and contractors’ who receive federally funded contracts (or contract funded through the American Recovery and Reinvestment Plan (ARRA) Economic Stimulus Grant) are in compliance with FTA’s EEO requirements.

### **Procedure:**

1. In accordance with the DBE TAPP, DBE staff shall forward to the Project Coordinator the applicable Affirmative Action Requirements, detailing DBE and EEO Clauses.
2. The DBE TAPP further requires that prior to award; the proposed subcontract is reviewed to ensure a compliant agreement as a condition precedent to the issuance of a Notice to Proceed.
3. No later than 45 days succeeding execution of the contract, DBE staff shall forward a cover memorandum and survey form designed to elicit relevant EEO related information.
4. The receipt of survey information shall be directed to EEO staff that will retain responsibility for compiling and maintaining the survey information.
5. EEO staff shall first determine whether the sub-recipient or contractor employs 50 or more Transit related employees.
6. Should it be determined that the sub-recipient or contractor employs 50 or more Transit related employees, EEO staff shall procure a copy of the firms’ EEO program for compliance review.
7. Should it be determined that the sub-recipient or contractor employs less than 50 employees, the sub-recipient and/or contractor shall not be required to maintain an independent EEO program.
8. In such case, the sub-recipient and/or contractor’s EEO compliance shall fall under the purview of MDT’s EEO Program Plan.
9. DBE staff shall conduct a field visit, no later than 45 days following receipt of the survey information. The field visit shall also include DBE compliance.
10. The field visit shall include verification of the internal dissemination of requisite EEO policies including: (1) Agency’s EEO Policy Statement; and (2) Posting of Federal EEO regulations including Unlawful Harassment.
11. EEO staff shall facilitate assisting the sub-recipient and/or contractor with EEO related training, as required.

12. Additionally, EEO staff shall require the sub-recipient's and/or contractor's submittal of quarterly progress reports including: (1) workforce statistics; (2) training activities; (3) EEO complaints; and such other information required as a supplement to MDT's EEO Program updates.
13. MDT shall provide advisory support, guidance and consultation required to ensure the sub-recipient's and contractor's compliance to FTA's EEO requirements.
14. MDT acknowledges the importance of ensuring sub-recipient's and contractor's compliance to all applicable FTA EEO requirements.

Regarding the American Recovery and Reinvestment Act (ARRA) Projects, the department is monitoring municipalities as follows:

The following cities were provided ARRA funds to purchase buses and trolleys and they have advised MDT that they have contracted out their services to an independent contractor. The department is in the process of gathering the Federal Transit Administration requirements for these municipalities:

- City of Miami
- City of Coral Gables
- City of Homestead
- City of Hialeah
- City of Sunny Isles

In addition, the following municipalities were also provided with funds to purchase trolleys for their services. MDT employees will be used to man and services these vehicles:

- City of Miami Beach
- City of Cutler Bay

At this time, there are no sub-recipients (DBE Contractors or ARRA municipalities) that have 50 or more transit related employees. The Miami-Dade County Transit website has all pertinent policies and procedures which the department adheres to regarding Federal EEO compliance. A link to the website has been forwarded via e-mail to all ARRA recipients.

<http://www.miamidade.gov/transit/equal-employment-opportunity.asp>

**MIAMI-DADE TRANSIT  
OFFICE OF CIVIL RIGHTS  
MUNICIPALITY INFORMATION SHEET**



**Municipality Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**Contact Person & Title** \_\_\_\_\_

**Contact Numbers** \_\_\_\_\_

**e-mail address** \_\_\_\_\_ **Fax** \_\_\_\_\_

**Legal Status of Organization**

REQUIREMENTS	YES	NO	NOTES
Organizational Chart with position, EEO job category, race and gender provided (picture)			
EEO policy Statement			
Internal Unlawful harassment policy provided			
Internal Sexual harassment policy provided			
Internal Violence in the workplace policy provided			
Proof of visible Federal, State and County required EEO posters submitted			
Has 50 or more Transit related employees			
Internal established recruitment method and process provided			
Internal recruitment results submitted			
Additional Information			



**DATE:** March 12, 2014

**TO:** Miami-Dade Municipality Executive Officer

**FROM:** Cathy Lewis, Chief, MDT Office of Civil Rights & Labor Relations

**SUBJECT:** American Recovery and Reinvestment Act (ARRA) Economic Stimulus Grant - 2014 Request for Update of the EEO Plan

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As sub-recipients of funding received through the American Recovery and Reinvestment Plan (ARRA) Economic Stimulus Grant, your organization must comply with all requirements imposed by the federal government.

In accordance with the Federal Transit Administration (FTA) legislation, “non-discriminatory use of Federal funds by recipients of FTA assistance, including their sub-recipients and contractors is prohibited.” In compliance with the FTA reporting requirements, the Miami-Dade Transit Office of Civil Rights and Labor Relations (OCR/LR) will be responsible for compiling data pertaining to Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity (EEO) program, Disadvantaged Business Enterprise (DBE) program, and the Americans with Disabilities Act of 1990 (ADA).

MDT has prepared the following questions to assist in this process and to establish a reporting procedure. Provide your answers by COB, Friday, April 11, 2014. You will be contacted at a later date with further instructions if needed. If you have any questions, do not hesitate to contact Maria V. Fajardo at (786) 469-5470 or [mvf59@miamidade.gov](mailto:mvf59@miamidade.gov).

Note:

1. If you have previously submitted this information, please send any new rules, policies or procedures you may have.
2. Miami-Dade Transit policies and procedures regarding Equal Employment Opportunity as well as the MDT Equal Employment Opportunity Plan may be found at the Miami-Dade County Portal at:  
<http://www.miamidade.gov/transit/civil-rights-and-labor-relations.asp>

#### **EEO QUESTIONNAIRE**

**Threshold Requirements: Any applicant, recipient, or sub-recipient is required to comply with program requirements in Chapter III if it meets the following thresholds:**

- a. **Employees 50 or more transit-related employees\*; and**
- b. **Requests or receives capital or operating assistance under Sections 3, 4(i), or 9 of the FTA; assistance under 23 U.S.C. 142(a)(2) or 23 U.S.C. 103(e)(4), or any combination thereof, in excess of \$1 million in the previous Federal fiscal year; or**

**c. Request and receives planning assistance under Sections 8 and/or 9 in excess of \$250,000 in the previous Federal fiscal year.**

Name of Organization \_\_\_\_\_

\_\_\_\_\_ State DOT      \_\_\_\_\_ MPO      \_\_\_\_\_ Transit Agency      \_\_\_\_\_ City

TEAM ID: \_\_\_\_\_

1. Give the correct name and address of the Municipality.
2. Give the name and contact information of person delegated responsibilities of equal employment opportunity for the municipality.
3. Supply the most recent organizational chart.
4. State the legal status of your organization, i.e., corporation, partnership, tax-exempt non-profit, etc. If incorporated, identify the state of incorporation.
5. Submit copies of all written rules, policies and procedures relating to Title VII of the Civil Rights.
6. How many employees do you have in your organization? \_\_\_\_\_
  - a. How many of those employees are \*transit related? \_\_\_\_\_

\*A transit related employee is an employee of an FTA applicant, recipient, or sub-recipient who is involved in an aspect of an agency's mass transit operation funded by FTA. For example, a city planner involved in a planning bus routes would be counted as part of the recipient's work force, but a city planner involved in land use would not be counted.

7. How much did your organization receive in capital or operating assistance the previous fiscal year?  
\_\_\_\_\_
8. How much did your organization receive in planning assistance the previous fiscal year?  
\_\_\_\_\_
9. Does your agency submit an EEO Program? \_\_\_\_\_ Yes      \_\_\_\_\_ No.
  - a. If yes, what is the date of your last submission? \_\_\_\_\_
10. Do you contract out any of your transit services? \_\_\_\_\_ Yes      \_\_\_\_\_ No.  
If no, skip to question 7. If yes,



- a. What is the name of agency (s)?

\_\_\_\_\_

- b. How much does the agency receive in capital or operating assistance? \_\_\_\_\_

- c. How much does the agency receive in planning assistance? \_\_\_\_\_

- d. How many transit employees does the agency have?

\_\_\_\_\_

- e. Does the agency submit a EEO Program to you? \_\_\_\_\_ Yes \_\_\_\_\_ No  
If yes, what is the date of their last EEO submission?

\_\_\_\_\_

11. What is the date of your last Triennial Review (If applicable)?

\_\_\_\_\_

- a. Were there any deficiencies? \_\_\_\_\_ Yes \_\_\_\_\_ No.

If yes, in what area(s) \_\_\_\_\_

\_\_\_\_\_

- b. Are any of the deficiencies still open \_\_\_\_\_ Yes \_\_\_\_\_ No.

If yes, in what areas? \_\_\_\_\_

\_\_\_\_\_

12. What is the date of your last State Management review (If Applicable)?

\_\_\_\_\_

- a. Were there any deficiencies? \_\_\_\_\_ Yes \_\_\_\_\_ No.

If yes, in what

area(s) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- b. Are any of the deficiencies still open \_\_\_\_\_ Yes \_\_\_\_\_ No.

If yes, in what area(s)?

\_\_\_\_\_

13. Has your agency participated in an EEO compliance review?

\_\_\_\_\_

If yes,

a. Were there any deficiencies? \_\_\_\_\_ Yes \_\_\_\_\_ No.

If yes, in what area(s)

\_\_\_\_\_  
\_\_\_\_\_

b. Are any of the deficiencies still open \_\_\_\_\_ Yes \_\_\_\_\_ No.

If yes, in what area(s)? \_\_\_\_\_

\_\_\_\_\_

I declare (or certify, verify, or state) that the foregoing is true and correct.

Signature \_\_\_\_\_ Date \_\_\_\_\_

CEO or GM \_\_\_\_\_

## Administrative Order



**Administrative Order No.: 7-3**

**Title:** Disciplinary Action

**Ordered:** 6/2/1981

**Effective:** 6/2/1981

### **AUTHORITY:**

Section 4.02 of the Metropolitan Dade County Charter.

### **SUPERSEDES:**

This administrative order supersedes previous Administrative Order No. 7-3 dated June 6, 1978.

### **POLICY:**

It is the responsibility of all supervisors to maintain standards of employee conduct in accordance with the Personnel Rules of Metropolitan Dade County, and any stated rules of a department, division or other established work unit. Copies of policies and work rules should be made available to employees and employees should know where to locate them. Supervisors should review these policies and rules with employees on a continuing basis.

Supervisors should be thoroughly familiar with personnel rules and procedures and with labor contract articles concerning performance and disciplinary action. When disciplinary actions are challenged management is required to justify its actions. Fair and reasonable discipline will receive firm support, and can be expected to be upheld. However, discipline which is not supported by facts, or imposed arbitrarily, is unacceptable and must be avoided.

Any employee may be reprimanded, suspended, reduced in grade or dismissed by the head of his department, or designee as approved in Administrative Order 7-16, for any good and sufficient reason which will promote the efficiency of the County service. Negligence, dishonesty, insubordination, or conduct unbecoming a public employee are among such good and sufficient reasons. The aforementioned reasons should not be considered exclusive.

### **DEFINITION OF PART-TIME:**

Regular part-time employees are those who have worked twenty (20) hours or more per week for at least six (6) months continuously. All other part-time employees are hereby defined as non-regular.

## **APPLICABILITY OF THIS ORDER:**

This order shall be applicable only to permanent and regular part-time employees, and to Conditional and C.E.T.A. employees (as authorized by Administrative Order) who have completed calendar periods of continuous employment equivalent to the probationary periods required for their respective classification. However, the EMPLOYEE APPEALS section of this order shall not be applicable to regular part-time employees.

## **COUNSELING:**

### **Informal Counseling:**

It is the responsibility of the appropriate supervisor to counsel employees when necessary to improve performance and attempt to avoid the need for disciplinary measures. Supervisors will normally recognize employee situations which could evolve into disciplinary cases and should attempt by friendly, informal counseling, to provide a satisfactory remedy. Informal counseling is not recorded on the PERSONNEL RECORD SUMMARY.

### **Formal Counseling:**

When the employee fails to respond to informal counseling, formal counseling should be conducted by the supervisor. In the formal counseling session the applicable standards and policies should be discussed. Actions which may be expected if performance does not improve should be explained, and a reasonable time period for correction and review should be set. A narrative description of this counseling should be prepared in triplicate, a copy given to the employee, one forwarded to the Personnel Division, and a copy kept in the department files.

Neither formal nor informal counseling is considered to be disciplinary action. Both should be viewed as preventive efforts to improve performance and thereby avoid the necessity of discipline. Although informal counseling may ordinarily precede formal counseling, the appropriate choice is that of the supervisor. When it is evident, by continued unacceptable behavior, that the employee has not responded to counseling, disciplinary action is appropriate.

During both informal and formal counseling, the supervisor should indicate conduct which is required of the employee. Formal counseling, however, requires that you record and convey to the employee the type of conduct required, the deviations that are the cause of the counseling session, what you expect of the employee and a timetable where appropriate. This is the appropriate time to caution the employee that disciplinary action will be necessary if conduct does not improve. A RECORD OF COUNSELING form shall be removed from an employee's file after two 2 years of good performance during which the employees have not been the subject of disciplinary action or further formal counseling.

## **DISCIPLINARY ACTION:**

While counseling should normally precede disciplinary action, an employee who commits a sufficiently serious offense should receive immediate discipline. It is the supervisor's responsibility to know when he/she may be permitted to take immediate disciplinary action and to consult immediately in such cases with his/her supervisor.

## **INVESTIGATION:**

Disciplinary action **must** be supported by complete and accurate investigation. Assistance by your Departmental Personnel Office, the Personnel Division and Labor Relations Division is available as needed. Should the disciplined employee appeal, the accuracy and thoroughness of the investigation is essential to enable the County to sustain the action.

Obtain pertinent facts by assembling information and relevant documents, which should include statements of witnesses and/or the statement of the employee involved in the incident or performance shortcoming. Every effort must be made to verify information obtained. Interviews may be conducted privately to avoid possible embarrassment to employees or other witnesses. Witnesses' statements should always be signed. While identity may be protected as required, the witnesses should be asked whether they will testify if the employee appeals or whether they object to having their names revealed. Assistance in discussions with witnesses will be provided upon your request.

## **PRELIMINARY DETERMINATION:**

After full investigation, review policies and rules and determine the specific charges, if any, which should be made against the employee arising out of the investigation. Supervisors may avail themselves of the advice and counsel of their Department Personnel Office, the Personnel Division and Labor Relations Division. When the specific charges have been determined, each charge and a brief supporting summary of the facts upon which it is based should be entered on the DISCIPLINARY ACTION REPORT. If the investigation reveals the absence of a basis for charges, this form should be destroyed. No entry should be made on the PERSONNEL RECORD SUMMARY unless disciplinary action is approved.

## **REVIEW OF THE EMPLOYEE'S RECORD:**

Review the employee's PERSONNEL RECORD SUMMARY and personnel file (if necessary) to determine the past record. Observe what impact previous discipline, if any, has had on the employee performance and response to supervision. The PERSONNEL RECORD SUMMARY contains favorable as well as unfavorable reports including brief summaries of evaluations and dates of merit increases. (Supervisors must be prepared to explain a poor evaluation or disciplinary action followed by a merit increase. Denial of a merit increase is not a proper substitute for disciplinary action; however, the imposition of discipline may have a bearing on the

granting of subsequent merit increases.) Except in cases of emergency action, no discipline should be recommended without review of the PERSONNEL RECORD SUMMARY. A pattern of behavior may be observable from this form and should be considered as should entries on any RECORD OF COUNSELING form. When necessary, the full personnel file may be consulted. The objectives are to prepare the supervisor to meet with the employee and to make a recommendation regarding final action.

### **INTERVIEW WITH EMPLOYEE AND REPRESENTATIVE, IF ANY:**

As soon as possible after completion of the investigation and preparation of the DISCIPLINARY ACTION REPORT the employee shall be scheduled for a private disciplinary session at which he has the right to the presence of a labor organization or other representative. Conduct of these sessions is at the discretion of the division director and may be delegated to an appropriate supervisor, however, the supervisor making the specific charges should be present. When the employee is represented by an agent of the Union or an attorney the division should consider contacting the Labor Relations Division and/or the County Attorney's Office.

The session is intended to provide the employee with an explanation of the charges and notice that disciplinary action is being considered. Any questions which the employee may have should be answered. The response of the employee, including his own explanation of the incident if not previously obtained, or mitigating circumstances, should be noted. If new witness names are introduced they should be contacted after the interview. Suggestions or statements of the employee's representative should be courteously received and noted. The employee must be given the right to respond, orally or in writing, to the charges made and his response must become a part of the DISCIPLINARY ACTION REPORT and taken into consideration **prior** to a final determination being made.

It is County policy to maintain a courteous relationship with employee representatives for the mutual exchange of relevant information. However, these interviews are not hearings, and protracted or argumentative sessions are to be avoided.

### **EMPLOYEE ASKED TO SIGN AND GIVEN A COPY:**

At the close of the interview the employee should be asked to sign the DISCIPLINARY ACTION REPORT and given a copy. Since this is a new policy and a new format, a patient explanation of the procedure should be offered where needed. If the employee, for any reason, refuses to sign the supervisor should write "Employee refused to sign" and sign his own name with the date. A witness signature should be obtained under this circumstance.

## **FINAL RECOMMENDATION AND APPROVAL:**

As soon as possible after the employee interview, a final determination should be made as to the disciplinary action to be taken, if any. If, as a result of further investigation, employee response, or other considerations, discipline is decided against, the employee should be notified, the DISCIPLINARY ACTION REPORT form destroyed, and no entry should be made on the PERSONNEL RECORD SUMMARY. If disciplinary action is to be carried out, the penalty should be determined by a balanced judgment based upon:

- The seriousness of the violation;
- Mitigating circumstances, if any;
- The length of service and previous record of the employee;
- Reasonable consistency in applying similar penalties to similar offenses;
- The prospect that disciplinary action may play a rehabilitative role;
- The attitude and conduct of the employee throughout investigation and personal interview;
- Other relevant factors arising out of County or department practice or the peculiarities of the particular incident under consideration.

Ordinarily, discipline may be applied in a progressive fashion, with more severe penalties following successive violations. This is particularly true where a relatively minor offense is repeated. However, serious offenses may call for appropriately severe penalties. When the final recommendation is completed the form should be sent to the appropriate person with authority to take disciplinary action in accordance with Administrative Order 7-16 . The form should indicate the specific dates of any changes in the employee pay status such as the dates of a suspension or the date of termination.

If the recommended disciplinary action calls for dismissal, the employee must be given the opportunity to respond orally to the charges before the departmental official charged with the final authority to take dismissal action. The employee, again, has the right to the presence of the labor organization or other representative of the employee's choosing for this oral response before the authorized departmental official.

## **RESIGNATION IN LIEU OF DISCIPLINARY ACTION:**

Where a decision is made, subsequent to Final Approval, to permit an employee to resign in lieu of dismissal the employee must submit the resignation in writing. This resignation shall be held for 24 hours after which it shall become final unless retracted during the 24 hour period. **This rule applies only when a resignation is accepted in lieu of dismissal** and the employee **must** have been told that he/she will be terminated in the absence of the resignation. Resignations may be accepted in lieu of termination at the discretion of the department, which should first consult with the Personnel Division.

## **NOTICE:**

Formal notification to the employee of disciplinary action (except reprimands) shall be in the form of a letter spelling out charges and specifications and advising the employee of his right to appeal. The employee should sign for his copy of this letter, if presented personally, or the letter should be sent to the employee by certified mail. Copies shall be provided to the Personnel Director and Labor Relations Director.

## **EMERGENCY ACTION:**

Actions in accordance with County Code: Nothing in these policies shall prevent the imposition of emergency disciplinary suspension and/or removal from the premises in cases where such action is warranted. Such actions shall be followed by immediate consultation with the Personnel Director or Labor Relations Director. As soon as practicable, the procedures described herein shall be undertaken and completed. These procedures shall, if possible, include an interview with the employee and/or his representative. Non-emergency disciplinary action, actions in the nature of preliminary suspension pending disposition of criminal charges, or any other action required by law shall be carried out with appropriate adjustments, if any, in these procedures. Personnel files and PERSONNEL RECORD SUMMARY should identify such actions and the reasons therefore.

## **EMPLOYEE APPEALS:**

Except for employees suspended under the automatic suspension policy (or employees not entitled to appeal), employees may appeal disciplinary action (except reprimands) to a Hearing Examiner within fourteen (14) days by requesting same in writing of the Personnel Director in accordance with Section 2.47 of the Metropolitan Dade County Code. The Hearing Examiner shall conduct a hearing after notice upon the charges and shall transmit his findings-of-fact, conclusions, and any recommendations together with a transcript of all evidence taken before him and all exhibits received by him, to the County Manager.



The County Manager, upon review of the advisory findings of the Hearing Examiner, may sustain, reverse, or modify the suspension, reduction in grade, or the dismissal, and shall transmit notification of his action to the employee by certified mail.

### **REPRIMANDS:**

Any employee who receives a written reprimand may discuss it with the Department Director or his designee in accordance with Administrative Order 7-16.

### **INCIDENT OR INFORMATION:**

Any employee indicted by a Grand Jury or against whom an information has been filed by a prosecuting official will be automatically suspended from the County service. Such suspension shall remain in effect until the indictment has been fully disposed of by trial, quashing or dismissal.

An employee suspended under the automatic suspension provision who has been tried and convicted and his conviction is not reversed shall automatically forfeit his position in the County service. An employee whose indictment is quashed or dismissed, or who is acquitted following trial, may be reinstated by the County Manager.

### **EXCLUSIONS:**

Temporary, provisional, probationary, emergency, non-regular part-time, seasonal, trainee and exempt personnel are excluded from the provisions of this order unless otherwise provided by law, by a duly ratified collective bargaining agreement, or by action of the County Manager for any reason which will promote the efficiency and good of the service.

### **CONFORMITY WITH THE LAW**

In issuing these policies and procedures it is the intent of the County to state appropriate guidelines for carrying out counseling and disciplinary action in accordance with the Dade County Code, collective bargaining agreements and County Personnel Rules.

Department directors and supervisors are reminded that the County Code and Personnel Rules remain the sources of direction on disciplinary matters not covered in these amended policies and procedures. They should be reviewed and consulted as needed. All policies and procedures not affected by these changes remain in effect.

This administrative Order is hereby submitted to the Board of County Commissioners of Dade County, Florida.

Merrett R. Stierheim  
County Manager

## Administrative Order



**Administrative Order No.:** 7-6

**Title:** Personnel Policy on Equal Employment Opportunity

**Ordered:** 2/15/1972

**Effective:** 3/1/1972

### **AUTHORITY:**

Section 4.02 of the Metropolitan Dade County Charter

### **SUPERSEDES:**

This administrative order supersedes previous Administrative Order No. 7-6, dated August 1, 1963.

### **STATEMENT OF POLICY:**

The policy of Dade County is to foster, maintain, and promote equal employment opportunity. The County will select candidates for employment on the basis of candidates' qualifications for the job and treat them with respect to compensation and opportunity for training and advancement, including upgrading and promotion, without regard to sex, race, color, religion, or national origin. Equality in such opportunities continues to be the basic policy of the County.

### **IMPLEMENTATION OF POLICY:**

All personnel whose duties encompass recruiting and employment will continue to review, regularly, the implementation of these personnel policies and the relevant practices to assure that equal employment opportunity based on valid job requirements is being actively observed to the end that no employee or applicant for employment shall suffer discrimination because of sex, race, color, religion or national origin.

### **RECRUITMENT AND HIRING OF MINORITY APPLICANTS:**

The County will continue to expand its efforts to attract minority group applicants. This policy applies to all County departments and locations. All executives and supervisory personnel, especially those whose duties encompass recruiting and

employment, have been made aware of this policy. The County expects all management personnel to aid in these efforts.

### **RECRUITMENT SOURCES:**

The recruitment sources shall be advised periodically of the County's Equal Employment Opportunity Policy. The County includes among its recruitment sources organizations and media which are utilized by and are available to minority group candidates. Detailed information about the County job openings, as well as County hiring processes, will be provided to these recruitment sources. Employees, including minority group employees, are encouraged to refer friends and family for employment with the County.

### **JOB ADVERTISEMENTS:**

Employment advertisements shall continue to contain assurances of equal employment opportunity and shall comply with Federal and State Statutes regarding expression of sex, and other qualifications.

### **APPLICATIONS FOR EMPLOYMENT:**

All applicants are given the opportunity to file an application for employment. Comfort, convenience, and all due dispatch will be assured all applicants.

### **APPLICATION RESERVE FILE:**

All applicants are informed as to the possibility or probability of current or later job openings. Applications of all job applicants are kept in a reserve file for a reasonable period.

To the extent that it is practical, reference to these files shall be made periodically in connection with the County's employment requirements. This program is designed to insure equal consideration to both minority and non-minority applicants.

### **QUALIFICATIONS AND TESTING:**

(a) The County's policy includes the responsibility for ensuring that hiring qualifications for both entry and experience-level jobs are fair and shall continue to be fairly administered. These qualifications are subject to regular review to assure that they conform to the actual job performance requirements and to changing and novel situations. The County has continuing responsibility to perform its services and functions efficiently. In keeping with these responsibilities, the County will make use of special programs to test job performance, and develop orientation and training

programs aimed at the elimination of deficiencies of minority groups. Use of aide, intern or enrollee classifications to test job performance is an example of the special programs that will be developed.

(b) Tests which may be administered by the County shall be only those that will measure the skills actually required for the job. Tests are tools employed solely to aid in the selection of the right person for the right job. Tests shall conform to applicable legal regulations and shall be appropriately validated.

(c) All tests given to applicants shall be administered and evaluated by qualified employees who are fully acquainted with County policy as to equal employment opportunity.

### **COMPENSATION:**

The policy of the County is to pay compensation which is, to every extent possible, competitive with local rates for the work performed so that compensation does not create a barrier to the recruitment of minority-group personnel. Opportunities for performing overtime work or otherwise increasing compensation will be afforded to all qualified employees without discrimination based on sex, race, color, religion, or national origin. It is the policy of the County to compensate all employees equally, based upon job classification, experience, and ability.

### **EQUAL EMPLOYMENT NOTICES:**

Notices with regard to equal employment shall be posted in conspicuous places on County premises, where notices are customarily posted.

### **PROMOTION AND TRAINING:**

1. The policy of the County is to provide every reasonable means to see that employees succeed on their jobs and are given opportunities to prepare themselves for full use of their talents and potential. On-the-job training will be provided to prepare employees to meet the full requirements of their new jobs, and special programs developed to meet specialized training needs.

2. Candidates for promotion are chosen on the basis of existing or forecasted job openings and on their qualifications and work record - without regard to sex, race, color, religion, or national origin. Performance appraisals and work records for all personnel, including minority groups, will be carefully examined when openings for higher-level positions occur.

## **RECORD KEEPING:**

1. The County's data processing and other systems will maintain up-to-date records. These records reflect the County's efforts in maintaining its equal opportunity policies. These records include:

(a) Statistics on current employment in the County by:

- (1) Dictionary of Occupational Title: job categories code
- (2) Racial and ethnic group code classification
- (3) Sex code
- (4) Job location code

(b) Schedules of job classifications and salary ranges.

(c) Records of all employees hired, including job classifications and salary. These records will identify minority group employees.

(d) Job and salary records of employees promoted, including old and new job classification and salaries.

(e) Records of employees resigned or terminated with the reasons thereof, when known.

(2) An Equal Employment Opportunity Report will be produced semi-annually - thus providing for an analysis of the status of actual equal opportunity within the County system and for an evaluation of progress made in this regard.

This administrative Order is hereby submitted to the board of County Commissioners of Dade County, Florida.

R. Ray Goode

County Manager

## Administrative Order



**Administrative Order No.:** 7-16

**Title:** Administration and Delegation of Authority to Discipline

**Ordered:** 7/7/1981

**Effective:** 7/7/1981

### **AUTHORITY:**

Section 4.02 of the Metropolitan Dade County Charter.

### **SUPERSEDES:**

This Administrative Order supersedes previous A.O. 7-16 dated June 6, 1978.

### **POLICY:**

In accordance with Section 2-47 of the County Code an employee may be suspended, reduced in grade or dismissed by the Director of his department or the director's designee in the manner provided in an Administrative Order. This Administrative Order establishes the policy and procedure to effectuate such delegation. Department directors are specifically authorized to request approval of the delegation of disciplinary authority solely in accordance with this Administrative Order. Approval of the dismissal or demotion of an employee shall continue to be exercised only by a Department Director. Authority to suspend or reprimand may be delegated to an appropriate level of administration or supervision. The purpose of such delegation is to provide an appropriate distribution of administrative authority and an affirmation of specific responsibilities to supervisors in order to increase their accountability for disciplinary action. A closer proximity between lesser disciplinary offenses and the exercise of corrective action will improve the disciplinary system. Fairness to employees and effectiveness of the disciplinary system are consistent and important objectives of personnel management. Employees will have the right to discuss reprimands with Department Directors or Division Directors.

### ***Part I - Dismissal and Reduction in Grade***

Only the Department Director or, in his absence, the person officially designated by him to act in his behalf as "acting director", is authorized to dismiss an employee or reduce an employee in grade. These forms of discipline are non-delegatable.

## **APPLICATION:**

### ***Part II - Authority to Delegate***

The Department Director may request approval of the delegation of authority to suspend an employee to a lower level of administration by making a specific request to the County Manager and placing on file with the Manager the exact title designation of those positions which shall be authorized to suspend. Such lists shall include the name of the person holding said position at the time of the request and thereafter be kept current; however, absence of a current name designation shall not void or affect any disciplinary action taken by the actual holder of the listed position. If a Department Director does not request approval of the delegation of disciplinary authority, or does not receive such approval from the County Manager, he/she shall continue to be solely responsible for the approval of all disciplinary actions.

### ***Part III - Delegation of Authority to Suspend***

The County Manager may approve the delegation of authority to suspend employees to Assistant Department Directors, Division Directors, and those managers and supervisors of organizational units who report directly to the above. Assistant Department Directors are those specifically holding that title with the approval of the County Manager. Division Directors are those whose positions within the department are so listed in the official table of organization. In departments or agencies where positions are not specifically listed as "Division Director", or by any other title containing the word "division", equivalent status may be inferred from the internal structure of the department or agency and shall be confirmed by reference to the list of titles submitted by the Department Director and the Manager's actual approval of the delegated authority under this Administrative Order. The County Manager may also approve requests from Department Directors to delegate the authority to suspend employees to those managers and supervisors of major organizational units, who are not covered in the above provisions. Such requests should include a justification and a description of the major organizational unit. Nothing provided herein shall alter or affect the authority of an employee "acting" in the capacity of a Department Director or other delegated position to properly perform in the absence of the designated or delegated authority. When approved by the Board of County Commissioners, the County Manager, or as otherwise required by law, the terms "Agency" and "Department" shall be synonymous.

### ***Part IV - Delegation of Authority to Reprimand***

The County Manager may approve the delegation of authority to reprimand employees to Assistant Department Directors, Division Directors, and to additional departmental supervisory personnel as requested by the Department Director, after the Department Director has placed on file with the Manager the classification titles of those supervisors who shall be authorized to reprimand. If only certain members of a



classification will be delegated this authority, the names of the specific supervisors so authorized should be maintained on a list kept by the Department Director. This list should be updated as necessary. For those job classifications which are not specifically titled "supervisory", equivalent status may be inferred from the internal structure of the department and shall be confirmed by reference to the list of classifications submitted by the Department Director and approved by the Manager.

#### ***Part V - Discussion of Reprimand***

An employee who receives a written reprimand shall be entitled to discuss such action with the Department Director, or with an Assistant Department Director or Division Director, specifically designated to carry out such responsibility. Such discussion shall be an informal administrative action to ensure that proper procedure has been followed in the issuance of the reprimand. Designation of the Assistant Department Director or Division Director to carry out such responsibility may be done by internal department administrative order. No other authority for such designation is required. The employee shall be entitled to such discussion upon requesting it in writing through his immediate supervisor within fourteen (14) calendar days of the issuance of the reprimand. If the person approving the reprimand is the Assistant Director or a Division Director, the discussion, as stated herein, shall be provided by the Department Director or Assistant Director, respectively, as required.

#### **PROCEDURE:**

Nothing provided in this Administrative Order shall extend the rights of any employee under Section 2.47 of the Code except as specifically provided above. The County Manager shall maintain an official record of approved delegations of authority in accordance with the requirements of this Administrative Order. Delegated authority to suspend or reprimand shall become effective when the County Manager approves the request of the Department Director in writing.

Merrett R. Stierheim

County Manager

## Administrative Order



**Administrative Order No.:** 7-18

**Title:** Grievance Procedure

**Ordered:** 4/21/1998

**Effective:** 5/1/1998

**AUTHORITY:**

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter.

**SUPERSEDES:**

This Administrative Order supersedes previous Administrative Order No. 7-18, ordered and effective April 18, 1978.

**POLICY:**

It is the policy of Miami-Dade County to provide to all eligible employees a grievance procedure for the resolution of disputes or complaints concerning the terms and conditions of their employment.

**ELIGIBLE EMPLOYEE:**

All permanent, probationary, and regular part-time employees are eligible to use this grievance procedure. Regular part-time are those employees who have worked more than twenty (20) hours per week continuously for six (6) months or more.

The grievance procedure stated herein shall be available to eligible employees (1) not covered by a collective bargaining agreement; or (2) who elect the grievance procedure established by this administrative order. Where a grievance is processed under a labor agreement, such procedure shall be controlling and the procedure described herein shall not be used. Selection of a grievance procedure under this order or under a labor agreement shall be made on the Employee Standard Grievance Form and shall be binding upon the employee. Under no circumstances shall both grievance procedures be used.

**COMPLIANCE WITH LOCAL AND STATE LAW:**

All grievances are to be fairly and appropriately resolved in accordance with Statutes, the Miami-Dade County Home Rule Amendment and Charter, the Code of Miami-

Dade County, the Miami-Dade County Personnel Rules, and other applicable County and departmental rules and regulations. In accordance with Section 447.301 (4), Florida Statutes, grievances may be adjusted under this grievance procedure without the intervention of the bargaining agent only if the adjustment is not inconsistent with the terms of any applicable collective bargaining agreement. Section 447.401 provides that career service employees shall have the option of utilizing a Civil Service grievance procedure as opposed to that provided in a labor agreement. It is the purpose of this administrative order to comply with statutory directives while at the same time maintaining the integrity of negotiated grievance procedures.

**DEFINITIONS:**

1. "Days" means calendar days.
2. A "representative" is any person selected by a grievant to assist the grievant in the course of this grievance procedure.
3. Grievance means a dispute over the interpretation or application of a County order, rule, or regulation pertaining to the terms and conditions of the grievant's employment, which is not excluded from the grievance procedure as provided in the section of this order below entitled EXCEPTIONS, and which is not otherwise reviewable in any other administrative manner.

**EXCEPTIONS:**

This grievance procedure shall not be applicable to the following matters: Disciplinary actions including reprimands; performance evaluations; classification appeals; job description appeals; disability determinations; formal and informal counseling; and matters for which an appeal is otherwise provided. In all such matters employees shall utilize appellate procedures provided by County rules and regulations. Termination of the probationary period is final and may not be grieved or appealed.

**PROCEDURE:**

Each grievance when filed shall state with particularity the facts upon which it is based, the rule, regulation or administrative order which is alleged to have been violated, the remedial action requested and the reason for the remedy requested. Names, places and dates which are important should be set forth in order to aid

prompt and proper resolution of the grievance. A grievant shall have the right to the presence of a representative of his/her choosing.

### **Step 1**

The aggrieved employee shall discuss the grievance with his/her immediate supervisor within seven (7) calendar days of the incident or within seven (7) days after the employee could reasonably be expected to have knowledge of the incident which gave rise to the grievance. The immediate supervisor shall respond verbally to the employee within seven (7) calendar days.

### **Step 2**

If the grievance has not been satisfactorily resolved at Step 1, the employee may appeal by reducing the grievance to writing on the standard form provided by the County for this purpose and presenting it to the intermediate level supervisor within seven (7) calendar days from the time the immediate supervisor's response was due in Step 1. The intermediate level supervisor shall respond to the employee in writing within seven (7) calendar days from the date the written grievance was received.

### **Step 3**

If the grievance has not been satisfactorily resolved at Step 2, the employee may appeal to the division director concerned within seven (7) calendar days from the time the intermediate level supervisor's response was due in Step 2. The division director concerned shall respond to the employee in writing within seven (7) calendar days from the date the written grievance was received.

### **Step 4**

If the grievance has not been satisfactorily resolved in Step 3, the employee may appeal to the department director within seven (7) calendar days from the time the division director's response was due in Step 3. The department director shall meet with the employee and respond to the employee in writing within seven (7) calendar days from the date the written grievance was received.

### **GRIEVANCE APPEAL HEARING:**

If the grievance has not been satisfactorily resolved in Step 4, the employee may request an appeal hearing before the Grievance Appeal Panel. The request shall be made to the Director of the Employee Relations Department, in writing, within seven (7) calendar days of receipt of the response in Step 4. (The Director of the Employee Relations Department shall initially determine whether the grievance complies with the provisions of this administrative order, and if in compliance, schedule an appeal

hearing to be conducted as promptly as possible.) The employee shall be provided at least five (5) calendar days' notice of the hearing. A decision by the Director of the Employee Relations Department that the grievance is not in compliance with the provisions of this administrative order or does not concern a term or condition of employment as provided herein is final and binding and not subject to further review. The Director may, however, refer the matter for alternative resolution where appropriate.

The employee must submit copies of any supporting documentation prior to the date of the panel hearing in order to allow panel members time to properly consider the evidence. No additional documentation will be permitted at the hearing unless previously submitted. At the hearing, the employee and/or his/her representative will have the right to explain and argue the grievance. A departmental representative shall attend and respond to the grievance. The hearing will be informal in nature and will not be governed by any formal rules of civil procedure. The hearing will be conducted in an orderly fashion.

The Grievance Appeal Panel will render a decision, in writing, as promptly as possible, after the conclusion of the hearing. Such decision shall be final, and binding, and not subject to further review.

#### **GRIEVANCE APPEAL PANEL:**

The Grievance Appeal Panel shall consist of the Director of the Employee Relations Department and the two (2) County department directors. The Director of the Employee Relations Department shall appoint department directors to serve on the Panel from a rotating list as needed. In no case, however, shall either of the appointed department directors be from the aggrieved employee's department. Any member of the Panel who feels his/her partiality is reasonably subject to question may decline to serve, and he/she shall be replaced by a department director selected by the Director of the Employee Relations Department from the rotating list.

#### **GENERAL PROVISIONS:**

Either party shall be permitted one (1) extension of time at either Step 2, 3, or 4, as a matter of right, not to exceed seven (7) calendar days. The other party must, however, be notified of the extension in writing prior to the expiration of the time limit for the steps. Additional extensions at Steps 2, 3 or 4, and extensions of the Grievance Appeal hearing may be granted to either party upon a showing of good cause.

If the grievant's immediate supervisor is the person designated in either Step 2, 3 or 4, the employee shall first discuss the grievance with the supervisor as provided in

Step 1; then, if unresolved, shall submit the grievance in writing directly to the next appropriate step.

If a grievance is not processed by the employee within the time limits provided, the grievance shall be considered dropped with prejudice. If the department fails to process a grievance within the time limit provided for that step, the grievance shall automatically proceed to the next step.

Requests for advice regarding this Career Service Grievance Procedure and for interpretations of all collective bargaining agreements should be directed to the Labor Management and Employee Appeals Division of the Employee Relations Department.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

Armando Vidal, P.E.

County Manager

## Administrative Order



**Administrative Order No.: 7-21**

**Title:** Personnel Policy for Centralized Employment Services

**Ordered:** 11/5/1998

**Effective:** 11/15/1998

### **AUTHORITY:**

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter and Section 2-26 of the Code of Miami-Dade County .

### **SUPERSEDES:**

This administrative order supersedes Administrative Order 7-21, ordered and effective July 17, 1979.

### **POLICY:**

The policy of Miami-Dade County is to employ qualified persons and to provide uniform hiring procedures Countywide that ensure a fair and merit-oriented personnel system that also enables the County to fulfill its operational objectives. In addition, the system is designed to aid affirmative action efforts and provide equitable promotional opportunities to employees. This policy shall be consistent with the Equal Employment Opportunity policy as established in Administrative Order 7-6 and the Affirmative Action policy set forth in Ordinance 77-2.

### **RESPONSIBILITY:**

The Employee Relations Department shall be responsible for the administration of a centralized recruitment, screening and referral service for all County employment activities to ensure that all qualified candidates have an opportunity to be considered for employment and to maintain equitable and valid employment practices. All departments are required to fully utilize the centralized employment referral service.

### **COVERAGE:**

All full-time classified and exempt positions up to and including the department director level will be included in this administrative order.

## **PROCEDURE:**

The centralized employment referral service will be governed by the following procedure:

### **(1) PERSONNEL REQUISITION**

County departments that have an existing vacant position will review the classification specification and prospective job duties and initiate a Personnel Requisition for approval by the Office of Management and Budget and the Employee Relations Department. The proposed qualifications in terms of education and experience will comply with those established for the job classification by the Employee Relations Department.

### **(2) EQUAL OPPORTUNITY EMPLOYMENT/AFFIRMATIVE ACTION POLICIES**

All County departments and agencies are responsible for ensuring compliance with all applicable laws and regulations concerning equal opportunity employment practices and for conducting all recruitment activities in a non-discriminatory manner. Any employment or selection process that deviates from routine procedure utilized by a hiring department must be reviewed by the County's Office of Fair Employment Practices to ensure non-discriminatory employment practices. Questions regarding non-discriminatory employment practices should be directed to the County's Office of Fair Employment Practices.

The County's Office of Fair Employment Practices shall monitor such procedures to ensure compliance with County policy and shall require departments to submit periodic reports, as deemed necessary.

Hiring departments shall further be held responsible for complying with all approved departmental affirmative action plans aimed at addressing minority and female underutilization in specific occupational categories. Hiring departments shall review these plans and evaluate appropriate special recruitment efforts prior to conducting a centralized recruitment process to fill department vacancies. This may include, but is not limited to, special recruitment efforts for targeted minority or female populations wherein an underutilization exists.

### **(3) CLASSIFICATION ACTION**

Departments must submit to the Compensation Section of the Personnel Services Division a Request for Classification Action Form for new positions, positions not previously reviewed, or positions whose duties have been altered. The Compensation Section will classify the position, assign or approve an occupational title, establish a salary range, and determine qualifications.

### **(4) NECESSARY APPROVALS**

Recruitment action will only be initiated for Personnel Requisitions approved by the Office of Management and Budget and the Compensation Section. The Recruitment Section of the Personnel Services Division will consult with the requesting department to determine the recruitment method and



appropriately publicize the vacant position.

#### **(5) SCREENING OF APPLICANTS**

Applicants will be screened based on the appropriate recruitment methodology as determined by the Employee Relations Department. This may include, but is not limited to, written examination, performance test, assessment center, job simulation, structured interview, or any combination of these as determined appropriate by the Employee Relations Department Director and the concerned hiring department.

#### **(6) ELIGIBILITY**

The Employee Relations Department will be responsible for certifying the qualifications of any applicant to be appointed to a position.

#### **(7) CREDENTIALS VERIFICATION**

The Employee Relations Department will establish the minimum qualifications for all positions and will be responsible for ensuring that applicants who have been selected for appointment have submitted all required employment documentation, including proof of education and any other required licenses or certifications.

The hiring department shall be responsible for evaluating the authenticity of all required employment documents and employment claims made with regard to the applicant selected for employment as it deems necessary.

#### **(8) SELECTION**

The hiring department's appointing authority shall be responsible for the final selection decision after proper consideration and evaluation of qualified applicants for the position. The hiring department shall also be responsible for ensuring that the selection process is conducted in a non-discriminatory manner without regard to race, ethnicity, gender, national origin, disability, familial status or religious affiliation and that the selection decision is based upon an appropriate assessment of the relative merit and fitness of qualified candidates for the position as it relates to the requirements of the position.

#### **(9) ELIGIBLE LISTS**

A list with an entry indicating the selected candidate for eligible list referrals will be returned to the Recruitment Section, Personnel Services Division, at the completion of the recruitment process and coded accordingly. For tested positions, a list with an entry indicating action taken on each candidate will be returned to the Testing and Validation Section, Personnel Services Division.

#### **(10) JUSTIFICATION FOR ALTERNATIVE RECRUITMENT**

In the event the department is unable to select a qualified candidate from the centralized employment referral services, a justification must be submitted to the Personnel Services Division Director for alternative recruitment efforts. This justification should demonstrate how the initial recruitment failed to

produce an appropriately qualified candidate.

#### **(11) RECRUITMENT AGREEMENTS**

The Employee Relations Department may delegate some recruitment responsibilities to a hiring department when unique recruitment needs have been mutually recognized. The hiring department will enter into a formal written agreement with the Employee Relations Department outlining the recruitment terms. However, the responsibility for establishing minimum qualification standards, final eligibility determination, and basic recruitment methodology will remain with the Employee Relations Department and is not transferable.

#### **(12) CENTRALIZED EMPLOYMENT SERVICES (CES) WAIVERS**

The County Manager may establish a special employment selection process for specific positions waiving the Centralized Employment Services process. This process will be limited to extraordinary circumstances and will ensure that those applicants meet the minimum qualifications for a position. Centralized Employment Services (CES) Waiver requests must be properly documented and approved by the County Manager.

This administrative order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

M. R. Stierheim

County Manager

## Administrative Order



**Administrative Order No.:** 7-28

**Title:** Sexual Harassment

**Ordered:** 11/17/1987

**Effective:** 11/17/1987

### **AUTHORITY:**

Section 4.02 of the Metropolitan Dade County Charter, Section 2-42 of the Code of Metropolitan Dade County, and Administrative Order 7-6 .

### **STATEMENT OF POLICY:**

The policy of Dade County is to insure that all employees are able to enjoy a work environment free from all forms of discrimination, including sexual harassment. Employees who have experienced sexual harassment shall have the right to file complaints with the County's Affirmative Action Office and have those complaints properly investigated. Employees who are found guilty of sexually harassing other employees shall be subject to appropriate sanctions, depending on the circumstances. These may range from counseling up to and including termination.

### **DEFINITION:**

Sexual harassment consists of unsolicited, offensive behavior involving sexual overtures or conduct, either verbal or physical. It does not refer to occasional comments of a socially acceptable nature; it refers to behavior that is not welcome, that is personally offensive, that lowers morale, and that, therefore, interferes with the work environment. As explained in the EEOC Guidelines:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

## **IMPLEMENTATION:**

In order to effectively implement the above policy, all County employees must refrain from

1. Threatening or insinuating, either explicitly or implicitly, that an employee's refusal to submit to sexual favors or advances will adversely affect another employee's employment, performance evaluations, wages, promotion, assigned duties, shifts, or any other condition of employment or career development.
2. Creating a sexually harassing environment by such actions as offensive sexual flirtations, advances, propositions, verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words, or such other conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
3. Taking retaliatory action of any kind against any other employee as a result of that person's seeking redress for, or complaining of, sexual harassment under this policy or through other legitimate channels.
4. Exhibiting any other conduct that falls within the above-stated definition of sexual harassment.

It shall be the responsibility of each County supervisor to maintain his or her work place free of sexual harassment. This duty includes discussing this policy with all employees and assuring them that they need not endure insulting, degrading, or exploitive sexual treatment, and informing employees of their right to file complaints about such conduct.

## **COMPLAINT PROCEDURE:**

Employees who believe they have been the subject of sexual harassment have the right to file a complaint with the County's Affirmative Action Office. Employees may, if they desire, also report such incidents of sexual harassment to their supervisor but are under no obligation to do so prior to filing a complaint. All complaints of sexual harassment will be investigated to determine whether the allegations are well-founded.

If the investigations confirm the existence of sexual harassment, the Affirmative Action Office will pursue prompt corrective action, including positive relief for the victim, and appropriate disciplinary action against the offender.

**COMPLIANCE:**

It shall be the responsibility of the Affirmative Action Office to provide compliance information to managers and supervisors concerning the County's sexual harassment policy, the gravity of such conduct, and the procedures to be employed in conducting sexual harassment investigations.

The Affirmative Action Office shall also provide necessary training to managers and supervisors in the area of sexual harassment.

This administrative order is hereby submitted to the Board of County Commissioners of Dade County, Florida.

Dewey W. Knight

Acting County Manager

## Administrative Order



**Administrative Order No.:** 7-36

**Title:** Workplace Violence

**Ordered:** 3/9/2000

**Effective:** 3/19/2000

### **AUTHORITY:**

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter.

### **POLICY:**

It is the policy of Miami-Dade County to ensure that all employees are able to enjoy a work environment free from all forms of violence and threats of violence. This policy includes an absolute prohibition against employees carrying firearms or personal weapons onto any County property, except as may be specifically authorized by law.

### **EXCEPTION:**

An exception to this is the Trail Glades Firing Range, where (licensed) employees may carry weapons or firearms when off-duty (County Code, Ch. 26, Rule 13). The County will absolutely not tolerate any deviation from this stated policy, and violations of this policy may result in disciplinary action, up to and including dismissal from County service.

### **DEFINITION:**

Workplace violence or occupational violent crime (OVC) is defined as violent and/or threatening behavior in the workplace. Threatening behavior includes any behavior that could be interpreted by a reasonable person as an intent to cause physical harm to another individual. Threatening behavior may, or may not, include the actual act of physical force, with or without a weapon, toward another individual. Threatening behavior may be verbal or non-verbal.

Employees, who have knowledge of violent acts or threats of violence in the workplace, must report through the appropriate chain of command and have the right to have those complaints investigated.

Employees, who engage in violent or threatening acts against other employees or the public, shall be subject to appropriate sanctions, depending upon the circumstances, up to and including termination of employment, as well as possible criminal charges.

In the event disciplinary action is less than termination, there shall be mandatory referral to the County's Employee Support Services Unit (ESS). The County will work with appropriate law enforcement agencies to aid in the investigation and prosecution of anyone who commits a violent act in the workplace.

## **IMPLEMENTATION:**

In order to effectively implement the above policy, all County employees must refrain from:

1. Committing any violent physical act in the workplace against another County employee or member of the public;
2. Carrying or bringing any firearms or personal weapons onto any Miami-Dade County property, unless appropriately licensed and required to carry a firearm or weapon in the course of fulfilling job responsibilities, at and in accordance with the rules and regulations of the Trail Glade Ranges, or as may otherwise specifically be authorized by law. This prohibition on firearms and personal weapons extends to County vehicles, as well as privately-owned vehicles on County property;
3. Making verbal or non-verbal threats of violence toward another person. Threats shall include any behavior or words that would reasonably cause another person to fear bodily harm.
4. Taking disciplinary action or other adverse employment action against another employee because of that person's complaining of, reporting, or seeking redress for violent or threatening behavior perpetrated upon them or others in the workplace;
5. Intentionally destroying property or possessions of co-workers or Miami-Dade County without authorization; or,
6. Exhibiting any other conduct or actions which falls within the above-stated definition of workplace violence.

## **REPORTING PROCEDURE:**

Employees have the right and are encouraged to report knowledge of violent acts or threatening behavior to their supervisor. It shall be each supervisor's responsibility to swiftly and thoroughly investigate such reports, or to report such complaints to the appropriate department or law enforcement authority.

Supervisors shall report all violent acts or threatening behavior, complaints or reports of same, and results of their investigation to their department director or designee. Additionally, the concerned department shall be responsible for reporting any potential criminal action to the appropriate law enforcement agency. Department

management shall take appropriate action to ensure the safety and welfare of its employees and the public.

## **ENFORCEMENT:**

Any employee who violates any provision of this Administrative Order shall be subject to appropriate action by the employee's department, in accordance with Administrative Order 7-3, Disciplinary Action. Upon receipt of a complaint regarding an employee, the concerned department director or designee shall immediately determine whether allowing the employee to continue working could pose a danger to the health, safety or welfare of the public, co-workers, or the employee. If a danger is possible, the department director or his designee shall report all relevant information concerning the matter to the appropriate law enforcement agency and may relieve the employee from duty and place him/her on administrative leave. The department director or his designee shall refer the employee to ESS for counseling and/or referral. Such referral shall not preclude disciplinary action or possible criminal sanctions, which shall be administered in conjunction with ESS referral and shall be imposed in accordance with existing County and departmental rules. The Labor Management and Employee Appeals Division of the Employee Relations Department shall be consulted on any disciplinary action imposed for violation of this Administrative Order.

## **MANAGEMENT GUIDELINES:**

The guidelines below apply to all County employees and are intended to aid managers in dealing with violent or potentially violent situations at work.

### **Immediate Action When Incidents Occur**

Any employee observing violent or threatening behavior is expected to first secure his/her own safety and then:

#### **I. Emergency Situations**

- a. Call 911 and report as many details as possible so that the appropriate emergency response units can be dispatched. The employee should be prepared to provide a description of the violent or threatening individual(s) and the exact location of the incident. It is difficult to give specific instructions for each situation. We do not wish to endanger any employee, therefore, employees should not be encouraged to do anything that jeopardizes their safety.
- b. Contact his/her supervisor. If the supervisor is the threatening individual, the employee should notify someone else in the departmental chain of command.



## II. Non-Emergency Situations

Who you contact and when will depend on the seriousness of the situation. It is in everyone's best interest to make a good faith effort to defuse violent or potentially violent situations as quickly as possible to prevent their escalation and threat to others. The general steps you should follow are:

- a. Encourage and assist employees to resolve their differences by non-violent means;
- b. If the situation escalates, contact his/her supervisor. If the supervisor is the threatening individual, the employee should notify someone else in the departmental chain of command.

### **Appropriate Follow-Up**

If disciplinary action is contemplated, the following should occur:

1. Separately interview all persons involved, including any witnesses, in order to obtain an accurate account of the incident;
2. Document the statements of witnesses and others interviewed;
3. Advise those employees who may be subject to disciplinary action based on the incident that they have the right to be represented during the interview, in accordance with Administrative Order 7-3 ; and
4. Contact the Labor Management and Employee Appeals Division of the Employee Relations Department for advice and assistance in this process.

### **Relieved From Duty**

If a situation involving an employee is serious enough that possible termination may be involved, and/or the continued presence of the employee at the worksite would present a danger, the employee may be relieved from duty and ordered not to return to the worksite until further notice. This action may only be taken with the department director's concurrence.

### **Resources for Advice and Assistance**

After the initial incident has been responded to, the supervisor/manager may need advice and assistance from other County entities. These may include:

Employee Relations Department  
Employee Assistance Program, Employee Support Services Unit  
Labor Management and Employee Appeals Division

General Services Administration Department

Office of Safety  
Security Management  
Office of Fair Employment Practices  
Emergency Assistance (if appropriate)

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

M. R. Stierheim  
County Manager

## Administrative Order



**Administrative Order No.: 7-37**

**Title:** Unlawful Harassment

**Ordered:** 4/11/2000

**Effective:** 4/21/2000

### **AUTHORITY:**

Section 4.02 of the Miami-Dade County Home Rule Amendment and Charter; Sections 2-42 and 11A-34 through 37 of the Code of Miami-Dade County; and Administrative Order 7-6.

### **POLICY:**

The policy of Miami-Dade County is to ensure that all employees are able to enjoy a work environment free from all forms of discrimination, including harassment, on the basis of race, sex, color, national origin, religion, retaliation, age, disability, ancestry, marital status, pregnancy, sexual orientation, or the exercise of their constitutional or statutory rights. Administrative Order 7-28 was adopted in 1987 specifically to protect County employees from sexual harassment. Administrative Order 7-28 and Administrative Order 7-6, Personnel Policy on Equal Employment Opportunity, have since been interpreted to extend similar protection to employees who believe they have been harassed for unlawful reasons other than sex. This Administrative Order is intended to make clear that all County employees who believe they have been unlawfully harassed ***must notify the County's Office of Fair Employment Practices or their Departmental Affirmative Action Officer and may file a complaint for prompt and proper investigation.***\* Employees who are found guilty of unlawfully harassing other employees shall be subject to appropriate sanctions, depending on the circumstances. These may range from counseling up to and including termination.

***Miami-Dade County will not tolerate adverse treatment of employees because they report harassment or provide information related to such complaints. The County, in exercising reasonable care to prevent and promptly correct harassment or retaliation for reporting harassment, will protect victims from further unlawful harassment and retaliation.***

### **DEFINITION:**

Unlawful harassment consists of unsolicited, offensive or retaliatory behavior based on race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, sexual orientation, or an employee's exercise of their constitutional or

statutory rights. It does not refer to occasional comments of a socially acceptable nature **to a reasonable person**; it refers to behavior that is not welcome, that is personally offensive, that lowers morale, and that, therefore, interferes with the work environment.

*Offensive comments about an employee's race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, sexual orientation, or the exercise of their constitutional or statutory rights constitutes unlawful harassment when (1) submission to such conduct is made either explicitly or implicitly a term of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Harassment may also take the form of adverse employment actions, such as termination, demotion, or other adverse employment decisions which effect an employee's working conditions, if such actions are taken on the basis of an employee's race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, sexual orientation, or an employee's exercise of their constitutional or statutory rights. Employment actions that are based on an employee's performance or other legitimate reasons are not harassment.*

## **IMPLEMENTATION:**

In order to effectively implement the above policy, all County employees must refrain from:

1. Threatening or insinuating, either explicitly or implicitly, that an employee's race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, sexual orientation, or the exercise of their constitutional or statutory rights will adversely affect their employment, performance evaluations, wages, promotion, assigned duties, shifts, or any other condition of employment or career development.
2. Creating a harassing environment by making offensive racial, ethnic or **sexual** comments, jokes or slurs, or such other conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an unlawfully intimidating, hostile or offensive working environment.
3. Taking retaliatory action of any kind against any other employee because of that person's seeking redress for, complaining of, or witnessing of, unlawful discrimination or harassment under this policy or through other legitimate channels.
4. Exhibiting any other conduct that falls within the above-stated definition of unlawful harassment.

It shall be the responsibility of each County supervisor to maintain his or her work place free of unlawful harassment. This duty includes discussing this policy with all employees and assuring them that they need not endure insulting, degrading, or exploitive treatment on the basis of race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, sexual orientation, or the exercise of their constitutional or statutory rights, and informing employees of their right to file complaints about such conduct.

## **COMPLAINT PROCEDURE:**

Employees who believe they have been the subject of harassment prohibited by this Administrative Order, ***must notify the County's Office of Fair Employment Practices or their Departmental Affirmative Action Officer and, if they choose, may file a formal complaint with the County's Office of Fair Employment Practices.*** Employees may, if they desire, also report such incidents of unlawful harassment to their supervisor but are under no obligation to do so. ***Employees are encouraged to report harassment before it becomes severe or pervasive. This will facilitate early mediation and effective resolution of potential unlawful harassment complaints.***

All complaints of harassment, subsequent investigations and corrective actions shall be handled on a confidential basis to the extent possible under the law. Protective measures will be instituted to protect the complainant. Miami-Dade County has established procedures for resolving, filing and processing complaints of unlawful harassment.

If the investigation confirms the existence of unlawful harassment, the Fair Employment Practices Office will pursue prompt corrective action, including remedial relief for the victim, and appropriate disciplinary action against the offender.

## **COMPLIANCE:**

It shall be the responsibility of the Office of Fair Employment Practices to provide compliance information ***to all employees concerning*** the County's harassment policy, the gravity of such conduct, and the procedures to be employed in conducting harassment investigations, as follows:

1. The Office of Fair Employment Practices shall provide necessary unlawful harassment training to managers and supervisors.
2. ***Department Directors shall be responsible for ensuring that employees are apprised of this Administrative Order and mandatory training is conducted.***
3. ***The Office of Fair Employment Practices and the Employee Relations Department will monitor departmental training.***
4. The unlawful harassment policy and procedures will be incorporated in countywide training offered by the Employee Relations Department.

This Administrative Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

\*Miami-Dade County Procedures Manual, Procedure Number 414, Filing Discrimination/ Unlawful Harassment Complaint.

M. R. Stierheim  
County Manager

## Implementing Order



**Implementing Order No.:** 7-43

**Title:** Domestic Violence in the Workplace

**Ordered:** 02/02/2010

**Effective:** 02/12/2010

### **AUTHORITY:**

Section 1.01 of the Miami-Dade County Home Rule Amendment and Charter.

### **POLICY:**

It is the policy of Miami-Dade County to promote a safe working environment for its employees and to create a supportive environment for employees who are victims of domestic violence. This policy is consistent with other Miami-Dade County policies regarding workplace violence and harassment.

### **PURPOSE:**

The purpose of this policy is to heighten awareness and establish roles and responsibilities for addressing domestic violence and its impact in the workplace. This policy promotes victim safety, perpetrator accountability and safety of Miami-Dade County workplaces and employees. It is designed to mitigate the impact of domestic violence in the workplace by providing employees, victims and perpetrators with a link to internal and community resources.

### **DEFINITIONS:**

**Domestic violence/domestic abuse:** A pattern of coercive behavior used by one person to gain power and control over another and which may include physical or sexual violence, emotional or psychological intimidation, verbal abuse, stalking or economic control. Domestic abuse includes not only acts of physical violence, but also oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Domestic violence can occur among individuals of any racial, economic, educational, religious background, in heterosexual and same-sex relationships, living together or separately, married or unmarried, in short-term or long-term relationships and in various living arrangements. Domestic violence victims are predominantly females; however, men may also be victims.

**Victim:** An individual who is subject to an act of domestic violence.

**Perpetrator:** An individual who commits an act of domestic violence.

**Workplace Safety Plan:** A plan developed to provide reasonable means to assist an employee in implementing workplace safety solutions.

### **IMPLEMENTATION:**

In order to effectively implement the above policy:

- 1) Any act of domestic violence committed by or against County employees or members of the public on County property or during the performance of County business, are strictly prohibited.
- 2) Any County employee or member of the public who commits an act of domestic violence on County property shall immediately be reported to law enforcement, as well as existing building security, and removed from County premises.
- 3) Any County employee who commits an act of domestic violence on County property or who uses County time, phones, email, vehicles or other resources in the commission of any act in violation of this policy, shall be subject to disciplinary action up to and including termination.
- 4) In all circumstances, Miami-Dade County, its supervisors and managers, will respect the privacy of employees who are involved in domestic violence situations, and disclosures shall be made only on a "need to know" basis. These matters will be kept strictly confidential, except where information must be disclosed to protect the victim's safety or the safety of the workplace.
- 5) No discipline may be taken against an employee based on the fact that the employee has been a victim of domestic violence or because management fears that domestic violence may spill over to the workplace.
- 6) Miami-Dade County will provide access and referral information regarding local, state and national resources for victims of domestic violence.

#### **ROLES AND RESPONSIBILITIES:**

Miami-Dade County requires all employees to contribute to the maintenance of a safe working environment. Employees should not ignore violent, threatening, harassing, intimidating or other disruptive behavior. Managers and supervisors receiving such reports, are to take them seriously. Employees must immediately call 911 for matters that are of an emergency nature and require immediate attention.

##### *Department of Human Services*

Provides crisis intervention and assistance to victims of violent crimes, domestic crimes, counseling information and referral, safe shelter, transportation, emergency financial assistance, emergency food and clothing, advocacy support, and clinical treatment to perpetrators and victims of domestic violence and intra-family child abuse.

##### *Employee Support Services*

Employee Support Services is a benefit designed to provide confidential services to County employees whose personal problems may affect their ability to function on the job, at home, or in society. Professional counselors are available; direct services are provided through referral.

##### *Domestic Violence Response Team*

A multi-disciplinary committee which serves as a resource for assistance in cases of violence in the workplace, including domestic violence. On a case by case basis, this team assesses potential threats, evaluates each situation, and recommends resources and appropriate long and short term action, including whether allowing the employee to



continue working could pose a danger to the health, safety, co-workers, or the welfare of the public. The team will convene on an as-needed basis and will be comprised of specially trained members of the following departments and organizations: Office of Fair Employment Practices (OFEP); Department of Human Services (DHS); Human Resources Department (HR); Enterprise Technology Services Department (ETSD), Miami-Dade County Fire Rescue (MDFR); General Services Administration (GSA); Miami-Dade Police Department (MDPD); County Attorney's Office (CAO); Miami-Dade County collective bargaining units; and domestic violence service providers.

#### *Employees*

Employees are encouraged to respond to victims of domestic violence in a non-judgmental, supportive manner, including making referrals to community resources.

#### *Victims*

Any employee who is a victim of domestic violence is encouraged to contact the Department of Human Services and/or Employee Support Services for confidential assistance. Employees covered by a collective bargaining agreement, are also encouraged to seek support and referral services provided by their Union.

If an employee is concerned about his or her safety while at work, the employee should notify his or her manager/supervisor. The employee should be prepared to provide information about the abuser such as a physical description or recent photograph and a copy of any protective order, so that management and/or building security can alert law enforcement should a prohibited person appear in the workplace.

Employees who need time off from work due to domestic violence, should notify their manager/supervisor in order to obtain Domestic Leave pursuant to the provisions of Section 11A-60 through Section 11A-69 of the Code of Miami-Dade County (Ordinance 99-5). Employees should establish a plan for returning to work, and should maintain communication with their manager/supervisor during absence from work.

#### *Perpetrators*

Any employee who is a domestic violence perpetrator is encouraged to contact the Department of Human Services and/or Employee Support Services for confidential assistance. Perpetrators who are covered by a collective bargaining agreement, are also encouraged to seek confidential assistance from programs offered by their Union.

If a County employee is arrested for an act of domestic violence, he or she is required to report the arrest within three (3) calendar days, pursuant to Administrative Order 7-39. Where an employee is subject to restrictions of a restraining order that would impact the workplace, the employee must report the circumstance to his/her manager/supervisor within one business day of receipt of such order.

#### *Managers/Supervisors*

Where a supervisor has reason to believe or becomes aware that an employee is a victim of domestic violence, the supervisor will provide an opportunity for the employee to voluntarily discuss the situation in a private consultation and offer referral to resources through the Department of Human Services and/or Employee Support Services for confidential support and assistance. It is important that the supervisor or manager respect the employee's privacy and not pressure the employee to disclose personal

information. Discussions with employees should remain confidential to the extent possible by law.

As necessary, the supervisor and the employee should discuss and develop a workplace safety plan to reduce the risk of violence on the job and promote the safety of the employee. The plan should include, but not be limited to, screening calls; creating unpredictable rotations of work schedules, work sites and assignments; removing the employee's name from any automated directories, and contacting the Miami-Dade Coordinated Victims Assistance Center (CVAC) and the National Domestic Violence hotline at 1-800-799-SAFE for information and assistance. Assistance with the development of a detailed safety plan can be obtained from the professional staff at CVAC.

If an employee-victim requests time off due to domestic violence, the supervisor shall grant Domestic Leave to the extent required by Section 11A-60 through Section 11A-69 of the Code of Miami-Dade County (Ordinance 99-5). No discipline or adverse action should be taken against an employee because he or she is a victim of domestic violence.

Where an employee's status as a domestic violence victim has negatively affected the employee's performance, the supervisor should discuss the matter with the employee and develop a performance improvement plan. The plan will be developed on a case by case basis and must take into consideration the employee's status as a victim of domestic violence.

## **ENFORCEMENT**

Where a supervisor becomes aware that an employee has committed an act of domestic violence, the supervisor shall determine whether allowing this employee to continue working could pose a danger to the health and safety of co-workers or the welfare of the public. In all cases, this decision shall be made after conferral with resources outlined in this policy. If danger or risk to safety exists, the department director or designee shall report all relevant information concerning the matter to law enforcement and may relieve the employee of duty by placing him/her on administrative leave, as appropriate. The department should refer the employee to the Department of Human Services and/or Employee Support Services for coordinated counseling and referral to intervention services. Such referral shall not preclude any disciplinary action or possible criminal sanction. The Labor Management and Employee Appeals Division of the Human Resources Department should be consulted regarding disciplinary action imposed for violation of this Implementing Order.

This Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

County Manager

Approved by the County Attorney as  
to form and legal sufficiency

## **MIAMI-DADE TRANSIT (MDT) POLICY ON SEXUAL HARASSMENT**

It is MDT policy that all employees must be allowed to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive or disruptive, including sexual harassment.

MDT's position is that sexual harassment is a form of unlawful discrimination that undermines the integrity of the employment relationship. No employee, either male or female, should be subjected to unsolicited and unwelcome sexual overtures or conduct, either verbal, written or physical. Occasional compliments of a socially acceptable nature are not sexual harassment. Sexual harassment refers to sexual behavior that is not welcome, is personally offensive, debilitates morale, and therefore, interferes with work effectiveness. Such behavior will result in disciplinary action up to and including dismissal.

It is not MDT's intention to regulate social relationships that are freely entered into by employees. However, it is the Agency's affirmative duty to develop and maintain a workplace free of sexual harassment and intimidation. MDT expects every employee's full cooperation in the achievement of this goal.

### **Purpose**

The purpose of this policy is to keep from the work environment activities of a sexual nature which create an intimidating, hostile or offensive work environment or impedes a person's ability to perform his or her job. In addition, this policy serves to create an atmosphere which allows and encourages those who may be the victims of harassment to first inform the person indulging in the harassment that the action is offensive. If the harassment does not cease immediately, the discrimination complaint process should be utilized.

Sexual harassment, whether committed by supervisory or rank and file personnel, is specifically prohibited as unlawful conduct and against stated MDT policy.

### **Definition**

Sexual harassment is unsolicited or unwelcome verbal or written comments, gestures, or physical contact of a sexual nature. Criteria to be used in determining whether an action constitutes unlawful behavior are as follows:

- a. Submission to such conduct is either an explicit or implicit term or condition of employment (for example, promotion, training, timekeeping, overtime assignments, etc.);
- b. Submission to or rejection of the conduct is used as a basis for making employment decisions; or
- c. The conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment,

### **Responsibilities**

The Training Section of the Human Resources Division will incorporate MDT's policy against sexual harassment into the employee orientation program and as a mandatory element for internal supervisory and management training.

Managers and supervisors are held accountable for enforcing standards of appropriate office behavior and are expected to take prompt action to deal with any conduct identified as sexual harassment under this policy.

All employees will comply with MDT's policy against sexual harassment.

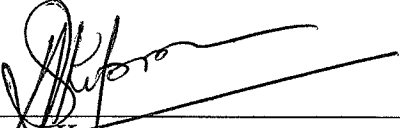
Cathy Lewis, Chief, Office of Civil Rights and Labor Relations, has been delegated responsibility for providing guidance, investigating charges of impropriety and recommending appropriate action. However, management personnel, at every level, share in the responsibility for preventing and reporting sexual harassment.

Ms. Lewis' office is located on the 17<sup>th</sup> floor of the Transit Overtown Village, 701 N.W. 1<sup>st</sup> Court, Miami, Florida 33136 and her telephone number is (786) 469-5486. Any employee or applicant for employment who wishes to file a sexual harassment complaint is encouraged to do so. For the complaint filing procedure, please see ***MDT's Discrimination Complaint Filing Procedure*** or call (786) 469-5486 during regular business hours and (305) 375-1952 during off hours or weekends.

### **Protection from Retaliation**

Employees will not be disciplined or otherwise retaliated against for reporting in good faith what he or she believes to be a possible violation of MDT's sexual harassment policy, even if he or she is not sure a violation has occurred. The supervisor or other person to whom the complaint was made is to contact the Office of Civil Rights and Labor Relations in order to work towards establishing safeguards against retaliation while investigating the complaint.

Any employee who is in receipt of a complaint or has knowledge of a potential violation and fails to take action by reporting the matter to the Office of Civil Rights & Labor Relations may be subject to disciplinary action up to and including dismissal.

  
\_\_\_\_\_  
Harpal Kapoor  
Director  
Miami-Dade Transit

03/21/08  
Date:

Supersedes Statement signed November 3, 2003

## **ZERO TOLERANCE POLICY ON VIOLENCE**

Miami-Dade Transit (MDT) has adopted a zero-tolerance policy prohibiting workplace violence. It is our policy to ensure that all employees are able to work in an environment free from all forms of violence and threats of violence. Consistent with this policy, violent and/or threatening behavior in the workplace, including physical violence, intimidation, harassment, and/or coercion, which occurs on or about MDT property or involves an MDT employee will not be tolerated.

Acts or threats of violence include conduct which is sufficiently severe, offensive or intimidating to be interpreted by a reasonable person as an intent to cause physical harm to another individual or to property. Threatening behavior may, or may not, include an actual act of physical force, with or without a weapon, toward another individual. Threatening behavior may be verbal or nonverbal and create a hostile, abusive or intimidating work environment for one or more employees. Acts of workplace violence include, but are not limited to, the following:

- a. All threats or acts of violence occurring on or about MDT's or Miami-Dade County's premises, regardless of the relationship between MDT and the parties involved.
- b. All threats or acts of violence occurring off MDT's or Miami-Dade County's premises involving someone who is acting in the capacity of an MDT representative.

Examples of conduct that may be considered threats or acts of violence include, but are not limited to, the following:

- a. Hitting, shoving, or other violent physical act in the workplace against another MDT employee or member of the public.
- b. Making an explicit or implicit threat to harm an individual or their family, friends, associates or property.
- c. Intentional destruction or making a statement threatening to destroy MDT's or Miami-Dade County's property.
- d. Sending harassing or threatening messages by telephone, facsimile, e-mail, or other method of transmission to an MDT employee or to a member of the public.
- e. Harassing surveillance or stalking (following or watching someone).
- f. Unauthorized possession or use of firearms or weapons on or about MDT or Miami-Dade County property. Even though it is legal to carry a concealed weapon in the State of Florida, MDT bans them from MDT or Miami-Dade County property unless specifically authorized by an appropriate authority.
- g. Making a statement or gesture that would cause a person to have a reasonable fear of harm.

Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on MDT property shall be removed from the premises as quickly as safety permits and shall remain off MDT premises pending the outcome of an investigation.

No existing MDT policy, practices or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing.

MDT's prohibition against threats and acts of violence applies to all persons involved in MDT's operations, including but not limited to personnel, contract and/or temporary workers and anyone else on or about MDT or county property. Violation of this policy by any individual on or about MDT or County property will lead to disciplinary action, up to and including dismissal and/or legal action as appropriate.

All MDT personnel are responsible for notifying their immediate supervisors or the management representatives designated below of any threats they have witnessed, received or have been told that another person has witnessed or received. Even without an actual threat, personnel should report any behavior that they regard as threatening or violent, when that behavior is job-related or might be carried out on an Agency-controlled site, or is connected to MDT employment.

Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior.

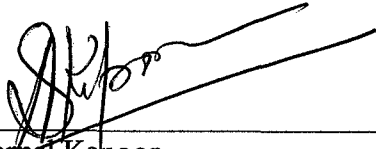
If the designated management representatives are not available, personnel should report threats to any member of the management team.

MDT's Zero Tolerance Policy On Violence is fully in compliance with Miami-Dade County Administrative Order 7-36, Workplace Violence.

**The designated management representatives are:**

Cathy Lewis  
Chief, Office of Civil Rights and Labor Relations  
(786) 469-5486  
Overtown Transit Village  
701 N.W. 1<sup>st</sup> Court, 17<sup>th</sup> floor

William Foster  
Chief, Human Resources Division  
(786) 469-5229  
Overtown Transit Village  
701 N.W. 1<sup>st</sup> Court, 13<sup>th</sup> floor

  
\_\_\_\_\_  
Harpal Kapoor  
Director  
Miami-Dade Transit

03/20/08  
\_\_\_\_\_  
Date

Supersedes Statement Signed November 3, 2003

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**Date:** 08/30/04

**Section:** Office of Civil Rights  
& Labor Relations

**Supersedes:** TAPP dated 05/21/97  
No. 04-0005

**Subject:** Internal Procedure for  
Disciplinary Action

**AUTHORITY:**

Miami-Dade County Administrative Orders Nos. 7-3 and 7-16, Miami-Dade County Personnel Rules, Chapters VII and VIII.

**PURPOSE:**

To establish a uniform internal procedure for the administration of discipline.

**POLICY:**

Disciplinary action is to be administered in a manner that preserves the employee's self-esteem and adheres to the concept of due process. This internal procedure does not replace Miami-Dade County Administrative Orders and Personnel Rules. Consultation with the MDT Office of Civil Rights and Labor Relations is required prior to presentation and finalization of all DARs (disciplinary action reports) and is encouraged any time guidance is needed.

The application of discipline should be cumulative and progressive taking into consideration employee's work history during the previous three (3) years, unless special circumstances, e.g. drugs, second positives. Additionally, in cases of recommendations for termination, the employee's entire work history shall be reviewed by the Director.

Discipline should be administered in a progressive manner, with more stringent penalties following successive violations. This is particularly true when a relatively minor offense is repeated. However, serious offenses will call for appropriately severe penalties, without consideration to the concept of progression.

**PROCEDURE**

A. Immediate supervisor conducts a thorough and complete investigation of the incident.

1. Reviews the facts surrounding an incident. Interviews employees involved and witnesses. Interviews should be conducted in private with employees or other witnesses. If the findings from the interview may lead to discipline, afford employee a right to representation. Witness statements must always be signed.

All applicable Dade County Personnel Rules and departmental rules, procedures, policies and union contract provisions should be reviewed to determine specific violations, if any, and ensure employee's due process.

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**Procedure (continued)**

2. If specific violations are identified, a determination should be made whether counseling or disciplinary action is appropriate. Records of Counseling should never succeed a disciplinary action.
3. If an incident review is not required, such as in the case of a miss-out, a DAR should be prepared immediately, with a goal of conducting the presentation of charges to the employee within forty-eight (48) hours.
  - a. A draft DAR must be created in the MDT DAR system by the appropriate supervisor.
  - b. The draft will be reviewed by the Office of Civil Rights and Labor Relations, Discipline Unit.
  - c. The Discipline Officer will release the DAR and include the disciplinary history of the employee including the prior three (3) years, unless special circumstances require a longer period.

**A. Informal counseling**

An informal counseling is the conversation between a supervisor and subordinate through whom the supervisor attempts to correct a work related behavioral problem. It is an unwritten warning.

For a conversation to qualify as an informal counseling, the supervisor must identify it as such to the employee. Otherwise, the conversation, while work related, is just another coaching session. The supervisor is expected to assist the employee by identifying the incident that led to the informal counseling. Specifics are important. The supervisor must tell the employee why the behavior is unacceptable and what is expected of the employee in the future. The supervisor must also tell the employee that unless immediate and sustained improvement is demonstrated, appropriate administrative action may be pursued.

Management reserves the right to counsel an employee at any time. However, if during the counseling session an employee requests representation, supervisors are encouraged to comply with the request.



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### **Informal Counseling (Continued)**

Because informal counseling is verbal and frequently not witnessed, supervisors need to keep notes and document the fact the counseling took place. There are several ways of accomplishing this without formalizing the counseling process. The supervisor could keep what is referred to as a contact sheet which is simply a name given to the paper on which the supervisor records the exchange between the parties and the reason for it. These notes are kept only to assist the supervisor's ability to recall events should the need arise in the future.

Another way of recording that an informal counseling took place (for the same purpose ONLY) is for the supervisor to write a memorandum to his or her manager detailing the conversation with the employee.

Regardless of the method selected the document is NOT to be placed in the employee's departmental or county personnel files. Such actions would violate the spirit and intent of the informal counseling process.

### **B. Formal counseling**

A formal counseling is a written document which requires that the supervisor record and identify the conduct required, the deviations that led to the counseling, expectations and a timetable for improvement, if appropriate. The employee should be cautioned that disciplinary action may be pursued if immediate and sustained improvement is not demonstrated.

A narrative description of the counseling should be prepared by creating the ROC in the MDT DAR System or by using the form available on the web. After obtaining the employee's signature, the original should be given to the employee and two copies forwarded to Office of Civil Rights and Labor Relations for distribution as follows: one copy for the departmental personnel file, and one copy to the Administrative Services Division of the Employee Relations Department for inclusion in the employee's county personnel file.

**Note:** If a formal counseling is appropriate the information should be entered on the MDT DAR System, recorded on the ROC Form no. 162.05-3 or the form available on the web. If the appropriate form is not used, the system will not recognize your documentation as a record of counseling.

In the event that the employee refuses to sign the ROC form, obtain a witness (another member of management), enter on the form "employee refused to sign", and have the witness sign after confirming the employee's refusal.

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**C. DISCIPLINARY ACTION**

If disciplinary action is appropriate, enter each specific charge with a sufficiently detailed supporting statement of facts in the MDT DAR system, which corresponds to the Miami-Dade COUNTY DAR Form No. 162.05-2. The DAR must be created as soon as possible, but no later than 30 days of knowledge of the incident, unless there are legitimate extenuating circumstances. After creating the DAR, the system will automatically provide an option to send an email to the Office of Civil Rights and Labor Relations indicating that the draft DAR has been created and that it is ready for review. Additional supporting documentation should be concurrently sent by FAX to (305) 375-2997. All original supporting documents should be retained for attachment to the completed DAR.

- a. Office of Civil Rights reviews DAR including appropriate charges and facts.
- b. The DAR is made available to the supervisor (the MDT DAR system will automatically provide an option to send an email to the person who created the DAR notifying that the DAR is ready).
- c. A summary of the employee's disciplinary history will be prepared by the Discipline Unit. (Or, a disciplinary history will be available in the DAR system for appropriate review prior to making a final determination.)
- d. Immediate supervisor prepares to conduct the divisional meeting.
- e. Upon receipt of the final DAR from the Office of Civil Rights and Labor Relations, supervisor schedules a divisional meeting with the employee. The divisional meeting is a private session in which the employee has the right to the presence of a labor organization or representative of choice. Supervisor sends memo to the employee and the appropriate collective bargaining unit stating the date, time and location of the divisional meeting.

In actions involving employees represented by the Transport Workers Union, Local 291 the union and the employee must be given a complete copy of the DAR with all the attachments at least 48 hours prior to the hearing. It is MDT's practice to treat all other employees and their respective representatives similarly.

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**1. Supervisor adheres to guidelines in conducting the divisional meeting.**

- a. Office of Civil Rights and Labor Relations staff are available to attend DAR presentations, when requested.
- b. The supervisor is to determine who should attend the meeting and insure their participation.
- c. Charges are presented to the employee by the divisional meeting officer who explains, at this point, that disciplinary action is being considered. Questions should be answered, to the extent possible. The employee's response, including his/her own explanation of the incident, must be noted. If new witnesses are identified, they should be contacted after the interview. (This interview is not a substitute for the initial investigation or review, although issues or concerns presented may require additional fact-finding.)
- d. The employee must be given the right to respond, orally and/or in writing, to the charges. Oral comments must be reflected in the notes of the hearing. The employee may prepare a written response as soon as possible but no later than within two (2) working days of the divisional meeting, unless otherwise mutually agreed. The written response must become part of the DAR and must be taken into consideration prior to a final determination being made.
- e. Supervisor takes meeting notes, while the notes are not transcripts, they should accurately reflect what took place.
- f. At the close of the divisional meeting, the supervisor should explain the remaining process. The employee shall be asked to sign the DAR and advised that the original shall be provided upon completion of the process. By signing the DAR, the employee only indicates that he/she received a copy of the document. Signing the DAR does not mean the employee necessarily agrees with the statements in the document. If the employee refuses to sign, the supervisor should write, "employee refused to sign" and a witness' signature obtained (another member of management.)

If the DAR is issued as a result of a positive toxicology test, other than post-accident, a return to work agreement may be offered pursuant to MDT policy and practice. Office of Civil Rights and Labor Relations, Discipline Unit will prepare the DAR and administer the return to work agreement, as appropriate.

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**Supervisor adheres to guidelines in conducting the divisional meeting (Continued)**

The return to work agreement will be administered by a representative of the Office of Civil Rights and Labor Relations who will present and review the agreement in detail. The level of suspension will be determined in accordance with the employee's prior disciplinary history.

If the employee accepts the terms and conditions of the return to work agreement, the DAR will be finalized at that time. If the employee elects not to accept the terms and conditions of the return to work agreement, a recommendation for termination will be forwarded to the Department Director.

**2. Supervisor makes a recommendation on discipline.**

As soon as possible after the presentation of charges, a final determination should be made. If as a result of further investigation, employee response, or other consideration, discipline is not warranted, the employee should be notified and the DAR form marked VOID and returned to the Office of Civil Rights and Labor Relations.

- a. Supervisor reviews previous violations and the nature of the alleged violation(s).
- b. Review the entire DAR file and send it with hearing notes and recommended action to the Office of Civil Rights and Labor Relations.
- c. Discipline staff will review proposed discipline to ensure uniform application of the recommended action.
- d. If disciplinary action is to be carried out, the recommended penalty should be determined by a balanced judgment based upon; the seriousness of the violation; mitigating circumstances; the length of the employee's service; the employee's previous record; reasonable consistency in applying penalties to similar offenses; the prospect that disciplinary action may play a rehabilitative role; the employee's attitude and conduct throughout the investigation and presentation of charges; and other relevant factors based upon practices or peculiarities of the incident under consideration.

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- e. Once it is decided to discipline the employee, the person responsible for administering the DAR must note the level of discipline on the DAR. This person varies dependent upon the recommended level of discipline and delegation of authority. Disciplinary measures include and are limited to:

- ❖ Written Reprimand
- ❖ Suspension
- ❖ Demotion
- ❖ Termination

The Department Director is the final authority in cases where demotion or termination is recommended.

In accordance with the County Manager's memo dated October 8, 1999, immediately upon finalization of this TAPP, MDT management will implement the use of two (2) consecutive written reprimands in lieu of disciplinary suspensions of less than 40 hour increments, thereafter appropriate suspension will be implemented. This provision will only be applicable to those employees whose disciplinary histories for the preceding three (3) year period reflect no disciplinary suspensions.

It is MDT's policy to offer employees, except in the most egregious of circumstances and with notice to the union, the option of forfeiting accrued annual or holiday leave in lieu of serving a disciplinary suspension. Employees selecting this option, when authorized and approved by the department, shall waive their right to any appeal action of the suspension. The documentation of suspension will be a part of the employee's work record and remain in his/her personnel file.

Only annual or holiday leave are eligible for forfeiture. The employee continues to work and the time is taken from his/her leave bank. The employee must have sufficient hours to cover the total period of disciplinary suspension.

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**3. Formal notice of disciplinary action.**

- a. Formal notification to the employee of disciplinary action (except in rare instances of written reprimands) shall be in the form of a letter (created by the Office of Civil Rights and Labor Relations for the appropriate supervisor's signature) where charges and specifics are spelled out and the employee is advised of the right of appeal.
- b. If the employee is on the premises, the letter along with the original DAR should be delivered by the supervisor. The employee's signature acknowledging receipt of the letter must be obtained. If the employee refuses to sign for the letter, a witness must be obtained and the refusal noted on the copies retained by management. In such instances, the supervisor should verbally advise the employee of the final action and applicable appeal rights in the presence of a witness.
- c. If the employee is not on the premises, or refuses to accept delivery, the letter and other documents must be sent certified mail.

4. In the case of termination, an employee who has worked at least 1,040 work hours, regardless of status, must be offered an opportunity to meet with the Department Director. This offer is to be made in writing. The Office of Civil Rights and Labor Relations will coordinate arrangements for the Department Director.

**5. Distribution the DAR and suspension letter when applicable, as follows:**

Original – Employee

Copies to:

- Miami-Dade County, Director, Employee Relations Department
- MDT Human Resources Division
- Administrative Services Division, Personnel File
- Divisional Personnel File
- Employee representative and/or bargaining agent
- Office of Civil Rights and Labor Relations (including all supporting documentation, videos, audios, etc.

(Note: Actions not filed in the employee's county and departmental files are the same as actions not taken.)

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**6. Resignations in lieu of termination.**

Resignations may be accepted in lieu of termination and should be coordinated with the Office of Civil Rights and Labor Relations. The resignation must be submitted in writing.

Resignations in lieu of termination will be held 24 hours after which they will become final unless retracted during that period. This rule applies only when a resignation is accepted in lieu of termination and the employee has been told that he or she will be dismissed in the absence of the resignation.

**7. Emergency action by management.**

At any time during the investigation, the appropriate assistant director may relieve an employee of duty, with pay, pending the resolution of charges.

**References:**

Administrative Order 7-3, dated June 2, 1981


Administrative Order 7-16, Administration and

Delegation of Authority to Discipline

County Manager's Memo dated October 8, 1999

Employee Code of Conduct, dated August 30, 2004

Approved:

  
Roosevelt Bradley  
MDT Director

Date:

8-30-04

# **MIAMI-DADE TRANSIT**

## **Management Internship Program**

### Introduction

In 1994, Miami-Dade Transit (MDT) started the Management Internship Program (MIP) as a career enhancement track for MDT employees seeking management experience in operational and administrative areas and as a means to address underutilization in the management ranks. In 1998, the MIP Review Committee evaluated the program and implemented changes that would result in providing an otherwise qualified applicant the requisite experience required for an Administrative Officer 2 or equivalent level position. Another significant change is that upon satisfactory completion of the MIP program, the successful graduate(s) are offered an employment opportunity in a professional or administrative position (probationary status) at a minimum Administrative Officer 2 level.

The Chief, Office of Civil Rights and Labor Relations (OCR/LR) will be responsible for implementing the program, monitoring the effectiveness of the changes implemented, and recommending a future course of action. Continuation of the program, its format, length, etc., will always remain at the Director's discretion.

The Miami-Dade Transit's Management Internship Program Committee (comprised of successful MIP graduates) will function in an advisory capacity to the Chief, OCR/LR and will serve as part of the selection panel tasked with the responsibility of providing selection recommendations to the Director for final approval.

### Minimum Requirements for Participation

All MDT employees who meet the requirements outlined below are eligible to apply for the MIP:

- Employment with MDT for the three consecutive years preceding the application and currently in the same classification for a minimum of two consecutive years preceding the application;
- Employment in a line or administrative support classification that does not require a Bachelor's degree and for which maximum hourly compensation is below the maximum rate for the Administrative Officer 2 level (\$2,591.83 biweekly or \$32.40 per hour);
- Performance evaluations with at least an overall above satisfactory rating for the previous two years - Bus Operators' scores must fall within the mean for the previous two years;
- Completion of a Bachelor's degree (must be completed at the time of application);
- No prior participation in any other internship program sponsored by either Miami-Dade County or MDT.

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## **Program Narrative**

The 2008 and prospective MIP participant(s) will occupy a position in the Management Intern classification, occupational code number 0872. The classification pays a flat rate of \$1588.98 biweekly. If the successful MIP applicant is earning more than \$1588.98 biweekly, his/her current rate-of pay will be frozen for the duration of the program.

The first several weeks of the yearlong program will be spent with the MDT OCR/LR in classroom training and/or orientation. If necessary, the intern will be scheduled for training on different personal computer software programs. That determination will be made after evaluating the intern's familiarity with personal computers. After the introductory period at OCR/LR, the intern will be assigned to rotations in the three major areas of MDT. The intern will work with the Chiefs of the divisions falling under these areas and be expected to participate fully with the division activities.

The first rotation will include all divisions falling under the Deputy Director of Administration: Finance, Budgeting and Capital Resource Allocation, Materials Management, Information Technology, Marketing and Human Resources.

The second rotation will include all divisions falling under the Deputy Director of Operations. The intern will be assigned to the Assistant Director of Bus Services, the Assistant Director of Rail Services, Chief of Paratransit Services, and the Chief of Infrastructure Engineering and Systems Maintenance. The intern will be expected to participate fully in the activities associated with each member of Senior Staff.

The third rotation will include all divisions falling under the Deputy Director of Engineering, Planning and Development.

The final round of rotations will be determined by the MDT Director as recommended by the Chief, OCR/LR. Consideration will be given to the intern's specific areas of interest and/or availability of position for placement.

The interns will be expected to file weekly reports in which he/she narrates the events of the previous week and comments on progress made with assignments and special projects. The reports must be submitted to the Chief, OCR/LR or their designee by close of business each Monday. Feedback on the report will be given back to the intern by close of business the following Monday.

Successful completion of the program will be dependent upon the interns' attendance, punctuality, timely submission of work products and the quality and quantity of same. The person who assigns the special projects to the intern will be responsible for evaluating the final product and giving the intern constructive feedback. Once a rotation is completed, the Deputy Director of the assigned area will prepare an end-of-rotation evaluation. These evaluations are to be forwarded to the OCR/LR to provide constructive feedback of the intern's professional development and work performance. At the end of the internship, the OCR/LR will consolidate the end-of-rotation evaluations and prepare for the intern a formal performance evaluation that will be a composite of his/her performance in each of the areas to which he/she was assigned, and the collective observation of management staff. A

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satisfactory rating in each of the areas evaluated is required. The intern's final rating will be by the Chief, OCR/LR, and the evaluation will be reviewed by the Director.

Upon graduation from the program, the participant will receive a certificate of completion and said certificate will be made part of the participant's permanent personnel file.

### **Application Process**

Applications are to be submitted to Maria Fajardo, MDT's OCR/LR, Overtown Transit Village, 17<sup>th</sup> Floor, 701 N.W. 1<sup>st</sup> Court, Miami FL 33136. Applications must be received by the closing date of the advertisement. The position is normally opened in the fall of each year. The Office of Civil Right and Labor Relations will be responsible for ensuring that all application packages are complete and will verify that the applicant meets the minimum eligibility requirements.

Each applicant is responsible for submitting all the required application documents. Incomplete applications will be deemed unresponsive and the applicant will not be considered for participation in the MIP.

The MIP Committee, as a whole or a subcommittee thereof, may conduct interviews and will review the merits of each application to the program before submitting the names of at least three candidates for the Director's consideration. The Director and the Chief, OCR/LR shall select the successful candidate.

The following is required for an application to be considered complete:

1. Application form
1. Current resume
2. Proof of education
3. Copy of performance evaluations for the past four years - Bus Operators must submit a copy of their "yellow cards"
4. Two letters of reference from members of the community at large (professors, community leaders, religious leaders, business leaders, etc.)
5. A double spaced three page typed written position paper, on a subject relevant to MDT. The question, which changes with every recruitment, will be determined at a later date.

MDT is an Equal Opportunity Employer

Revised 3/28/08

## **Title VI of the Civil Rights Act of 1964**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Federal Transit Administration works to ensure nondiscriminatory transportation in support of our mission to enhance the social and economic quality of life for all Americans. The FTA Office of Civil Rights is responsible for civil rights compliance and monitoring to ensure non-discriminatory provision of transit services.

## **RESOURCES**

Title VI Complaint Process

Title VI Non-Discrimination Program Complaint of Discrimination Form

**Standard Operating Procedure  
(SOP)**

**Title: Title VI Complaint Process**

**50-04-01**

## **INTRODUCTION**

These procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program and/or activity administered by Miami Dade Transit (MDT) or its sub-recipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest possible level. The option of informal mediation meeting (s) between the affected parties and the investigator may be utilized for resolution, at any stage of the process. MDT will make every effort to pursue a resolution of the complaint.

Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination based on race, color, national origin, sex, age, disability, income status or retaliation prohibited by the Title VI of the Civil Rights Act of 1964 or other federal statutes, may file a written or verbal complaint to the MDT Office of Civil Rights and Labor Relations (OCR/LR) (see attached complaint form) or have their complaint taken through Miami Dade County's 311 System.

The MDT Office of Civil Rights and Labor Relations (OCR/LR) is responsible for the following:

- 1) Monitoring complaints investigated by the field to ensure their resolution;*
- 2) Ensuring that corrective action is taken within (45) days of a finding.*

In order for a complaint against MDT to be considered timely, it must first be filed within sixty (60) calendar days after the alleged incident has occurred. MDT will waive the sixty (60) day time limit for good cause.

#### **Written Complaint**

1. OCR/LR intake staff receives copy of written complaint;
2. Pertinent information from written complaint inputted into Info Com system; (5 days)
3. OCR/LR staff monitors complaint status in Info Com system until resolution reached and customer notified ; (45 days)
4. Monthly report generated and distributed as necessary.
5. Review the findings of investigation for appropriate action.

#### **Via Telephone**

1. OCR/LR intake staff listens to phone messages taken from after hours complaint line (305) 375-1952.
2. Pertinent information from Title VI Nondiscrimination Program Complaint of Discrimination form inputted into Info Com system; (2 days)
3. OCR/LR staff monitors complaint status in Info Com system until resolution reached and customer notified; (45 days)
4. Monthly report generated and distributed as deemed necessary.
5. Review the findings of the investigation for appropriate action.

### **311 System**

1. Customer (s) call 311 and place complaint;
2. Call takers take complaint;
3. Pertinent Information from complaint inputted into Info Com system;  
(2 days)
4. OCR/LR staff monitors complaint status in Info Com system until  
resolution reached and customer notified; (45 days)
5. Monthly report generated and distributed as deemed necessary.
6. Review the findings of the investigation for appropriate action.

### **Appeals**

If Miami Dade Transit concludes that the respondent is in compliance with laws/regulations and the complainant disagrees, the complainant may, if dissatisfied, file an action with the Federal Transit Authority (FTA).

APPROVED BY: \_\_\_\_\_

CHIEF, OCR/LR

DATE: \_\_\_\_\_

7/23/09

**MIAMI-DADE TRANSIT**  
**Title VI Non-Discrimination Program**  
**Complaint of Discrimination**

Complainant (s) Name: <i>Nombre(s) de(los) Reclamante(s):</i>	Complainant (s) Address: <i>Dirección(es) de(los) Reclamante(s):</i>
Complainant (s) Phone Number: <i>Número(s) de teléfono de(los) Reclamante(s):</i>	
Complainant's Representative's Name, Address, Phone Number and Relationship (e.g. friend, attorney, parent, ect); <i>Nombre del representante del Reclamante, dirección, teléfono y relación (por ejemplo amigo, abogado, padre, etc.):</i>	
Name and Address of Agency, Institution, or Department Whom You Allege Discriminated Against You: <i>Nombre y dirección de la agencia, institución o departamento que usted alega discriminó en su contra:</i>	
Names of the Individual (s) Whom You Allege Discriminated Against You )If Known): <i>Nombre(s) de(los) individuo(s) que usted alega discriminaron en su contra (si lo sabe):</i>	
I believe the discrimination I experienced was based on (check all that apply): <i>Creo que la discriminación que yo experimenté fue basada en (marque todos los que apliquen):</i>	Date of Alleged Discrimination: <i>Fecha de la supuesta discriminación:</i>
<input type="checkbox"/> Race <i>Raza</i> <input type="checkbox"/> Color <i>Color</i> <input type="checkbox"/> National Origin <i>Origen Nacional</i>	

Mail to: *Envíe por correo a:* **Miami-Dade Transit, Office of Civil Rights & Labor Relations, 701 NW First Court, Suite 1700, Miami, Florida 33136**

This form may also be faxed to: *Este formulario también se puede enviar por fax a:* **786-469-5589**

Miami-Dade Transit has 180 days from receipt of form to complete investigation and issue findings.

*Miami-Dade Transit tiene 180 días desde que recibe la forma para completar la investigación y comunicar los resultados.*

**MIAMI-DADE TRANSIT**  
**Title VI Non-Discrimination Program**  
**Complaint of Discrimination**

Please list the name(s) and phone number(s) of any person, if known, that Miami Dade Transit could contact for additional information to support or clarify your allegation(s).

*Por favor enumere el(los) nombre(s) y teléfono(s) de cualquier persona, si sabe, que Transporte de Miami-Dade podría contactar para obtener información adicional para respaldar o aclarar lo que usted alega.*

Please explain as clearly as possible **how, why, when** and **where** you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Additional pages may be attached if needed.

*Por favor explique lo más claramente posible cómo, por qué, cuándo y dónde cree usted que discriminaron en su contra. Incluya la mayor cantidad de información de segundo plano posible acerca de los supuestos actos de discriminación. Puede agregar páginas adicionales si es necesario.*

Complainant(s) or Complainant(s) Representatives Signature:

*Firma de(los) Reclamante(s) o de los representantes de(los) Reclamante(s):*

Date of Signature:

*Fecha de la firma:*



**MIAMI - DADE TRANSIT AGENCY  
POLICIES & PROCEDURES**

**No:** 50-0001  
**Page:** 1 of 3

<b>Date:</b>	03/21/03	<b>Section:</b>	Office of Civil Rights & Labor Relations
<b>Supersedes:</b>	TAPP dated 02/07/00	<b>Subject:</b>	Interview Questions

**AUTHORITY:** Director, Miami-Dade Transit, and Miami-Dade Transit Affirmative Action Plan approved by the Federal Transit Administration May 31, 2002.

**PURPOSE:** To establish procedures regarding the submittal of interview questions for review by the Office of Civil Rights and Labor Relations.

**SCOPE:** This TAPP applies to all hiring managers and the Office of Civil Rights and Labor Relations.

**POLICY:** It is MDT's policy to have the Office of Civil Rights and Labor Relations review all proposed interview questions to ensure their validity and reliability. This is achieved by ensuring that the interview questions are designed to elicit consistent, unbiased, accurate information. Rating standards are also reviewed to ensure that the criteria are clear and understandable. The objective is to provide raters with sufficient information so that interviews yield consistent results regardless of the panel members' subject matter expertise.

Efforts are expended to ensure that the questions are designed to measure and evaluate an applicant's skills for the job. Toward this end, questions are correlated to the published job announcement, job description and/or specification, and essential job functions.

**PROCEDURE:**

**Timing** Interview questions may be submitted for review at any time after the job announcement has been finalized, regardless of whether the announcement has been published.

**Documents** In addition to the questions, relative rating scales and rating standards; to facilitate the review of interview questions, the following documents should also be provided to the Office of Civil Rights and Labor Relations for review: (1) a copy of the final job announcement (final draft or actual announcement); (2) a copy of the job specification related to the classification; (3) a copy of the position's job description; and (4) a copy of the position's approved essential job functions.

**MIAMI - DADE TRANSIT AGENCY  
POLICIES & PROCEDURES**

**No:** 50-0001  
**Page:** 2 of 3

**Date:** 03/21/03

**Section:** Office of Civil Rights  
& Labor Relations

**Supersedes:** TAPP dated 02/07/00

**Subject:** Interview Questions

The documents should be transmitted with a cover memo in which the hiring manager identifies the proposed selection method, i.e., ranking or banding. Hiring managers should also include the minimum interview score applicants must achieve in order to be considered viable candidates for the position and, if applicable, the banding tiers and the scores that define each.

**Review**

The Office of Civil Rights and Labor Relations staff will review the proposed interview questions as follows:

- Are questions designed only to elicit information about the applicant's ability to do the job, with or without reasonable accommodation?
- Is there more than one inquiry per question? If there are, do the rating standards include guidance on each inquiry?
- Is the information sought from applicants appropriate for the type of recruitment?
- Are the questions consistent with the required and preferred qualifications announced?
- Are the rating standards sufficiently developed so that raters know and understand what the hiring manager is seeking?
- Are the rating standards sufficiently defined to afford all panel members an understanding of what information is being sought, or are subjective terms such as some, little, sufficient, extensive, considerable, inappropriate, etc., used?

**MIAMI - DADE TRANSIT AGENCY  
POLICIES & PROCEDURES**

**No:** 50-0001  
**Page:** 3 of 3

**Date:** 03/21/03

**Section:** Office of Civil Rights  
& Labor Relations

**Supersedes:** TAPP dated 02/07/00

**Subject:** Interview Questions

**Response**      The Office of Civil Rights and Labor Relations will provide feedback as soon as possible, but no later than five business days after receipt of the questions.

Approved: \_\_\_\_\_

Roosevelt Bradley  
MDT Director

Date: March 21, 2003

**MIAMI - DADE TRANSIT AGENCY  
POLICIES & PROCEDURES**

**No:** 50-0002  
**Page:** 1 of 2

<b>Date:</b>	03/21/03	<b>Section:</b>	Office of Civil Rights & Labor Relations
<b>Supersedes:</b>	TAPP dated 02/07/00	<b>Subject:</b>	Interview Panels

**AUTHORITY:** Director, Miami-Dade Transit, and Miami-Dade Transit Affirmative Action Plan approved by the Federal Transit Administration May 31, 2002.

**PURPOSE:** To establish responsibility regarding interview panels.

**SCOPE:** This TAPP applies to the Office of Civil Rights and Labor Relations, hiring managers, supervisors, and all employees selected to participate as interview panelists.

**POLICY:** It is MDT's policy to have the Office of Civil Rights and Labor Relations, with the Director's concurrence, select and approve the members of interview panels and for appointees to participate fully unless otherwise excused.

**PROCEDURE:**

**Timing** Hiring managers should recommend a minimum of two panel members to the Office of Civil Rights and Labor Relations, to include the chairperson. Such recommendation may be initiated at any time after the request to fill has been submitted.

**Hiring Mgrs.** Hiring managers should forward to the Office of Civil Rights and Labor Relations a request to establish an interview panel in which, at minimum, two panel members are recommended, including the recommendation for panel chairperson. The two recommended panel members may be from the same division, at the discretion of the hiring manager.

**OCR/LR** Office of Civil Rights and Labor Relations, at the authority of the Director, may reject or accept the hiring manager's recommendations. Staff will select the panel members and determine the number of participants. However, there should never be fewer than three panel members, as there should be representation from the three major ethnic groups in the community, as well both male and female representation.

Panels should be comprised of participants whose positions are equal to, or preferably higher than, the position for which the division is recruiting.

**MIAMI - DADE TRANSIT AGENCY  
POLICIES & PROCEDURES**

**No:** 50-0002  
**Page:** 2 of 2

**Date:** 03/21/03

**Section:** Office of Civil Rights  
& Labor Relations

**Supersedes:** TAPP dated 02/07/00

**Subject:** Interview Panels

**Panelists** When selected as panelists, employees are expected to serve. If an employee's participation creates an undue hardship for the division, the panelist's Division Chief, or appropriate management staff, should so inform the Chief, Office of Civil Rights and Labor Relations. The Chief in turn will determine whether or not a panelist will be excused from serving on the specified panel.

The panel chairperson is responsible for ensuring that panelists have the requisite information needed to conduct fair, unbiased and effective interviews. The chairperson should review questions, answers and rating criteria with the panel members, prior to the interviews, to ensure that the panel fully understands the interview and selection process.

The panel chairperson is also responsible for ensuring that all applicants are asked the same questions.

**Response** The Office of Civil Rights and Labor Relations will provide feedback as soon as possible, but no later than two business days after receipt of the hiring manager's recommendations, barring any extreme circumstances.

Approved: \_\_\_\_\_

  
Roosevelt Bradley  
MDT Director

Date: March 21, 2003

**MDT's OFFICE OF CIVIL RIGHTS  
AND LABOR RELATIONS  
RECRUITMENT CHECKLIST**

Consistent with MDT's Fair Employment Practices, all recruitment activities have been designed to ensure that the selection process is fair, unbiased and results in the selection of qualified, competent personnel. The hiring managers are entrusted with the responsibility of making employment determinations in accordance with established procedures, including review and approval by the Office of Civil Rights and Labor Relations. In that regard, the Office of Civil Rights and Labor Relations' checklist is not intended to preclude otherwise restrict a hiring manager's employment decisions, but to ensure fair and objective standards for selection.

The checklist provided below represents an administrative tool to assist you in ensuring that all required documentation is provided to the Office of Civil Rights and Labor Relations to facilitate timely approval of your respective recruitment packages, and expeditious submittal to the Human Resources Division for final implementation.

**NOTICE:** Once the interview and selection process has been completed, all forms and/or documents utilized in the process are subject to the Florida Sunshine Law.

**PRE-EMPLOYMENT INTERVIEW PHASE**

A. Steps required before job applicant interviews can begin:

1. Is this a TWU bargaining unit Rail position that requires the selection of an applicant to be based upon the 13© arbitrator's award related to hiring? If yes, then the employment steps listed below are not applicable.

Selection based upon 13 ©: \_\_\_\_\_ Yes \_\_\_\_\_ No

2. Submit a list of proposed interview panel members for concurrence by the Office of Civil Rights and Labor Relations, and MDT Director. Interview panels should be ethnically and gender balanced. We recommend a minimum panel size of three; one white, one black and one Hispanic interviewer to include at least one female. All panel members cannot be from the same organizational division. Designate the interview panel chairperson.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No

3. In an effort to insure that no discriminatory and/or biased interview questions are asked of job applicants, each hiring manager shall submit all proposed interview questions to the Office of Civil Rights and Labor Relations for review and concurrence.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No

4. Designate the specific type of selection method(s) that the interview panel will utilize for the recruitment. See the definitions at the end of this checklist.

\_\_\_\_\_ Banding Method  
(Include Tier Scores)

\_\_\_\_\_ Ranking Method

\_\_\_\_\_ 2<sup>nd</sup> Interview

\_\_\_\_\_ Other (Specify)

5. The following documents need to be submitted to the Office of Civil Rights and Labor Relations prior to the approval of the interview questions:

- Copy of advertisement
- Essential job functions
- Job description and/or request for classification action (RCA)
- Eligible/résumé list
- Criteria check list (see explanation at the end of this checklist)

When all of the above requirements have been satisfied, you will receive notice from the Office of Civil Rights and Labor Relations that your interview questions and panel have been approved.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No

It is necessary that you advise the Office of Civil Rights and Labor Relations with a minimum of one-week advance notice of the scheduled date of the interviews.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No

6. Convene a briefing session with the interview panel members prior to the start of the interviews so that all panel members understand the procedures, the questions and the kinds of answers the questions are intended to elicit.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No

### **POST EMPLOYMENT INTERVIEW PHASE**

- B. Steps required after completing the interview process:

1. If the vacant position you recruited for had been identified as underutilized for minorities and/or women, please state:

- a) Whether the applicant pool included qualified women and minorities.

\_\_\_\_\_ Yes \_\_\_\_\_ No

- b) State the number and percentage of qualified women and minorities that were actually selected for an interview opportunity.

Number of minorities and the percentage:

\_\_\_\_\_ (number) \_\_\_\_\_ (percentage)

- Per EEOC, minorities include: white females, black males, black females, Hispanic males and Hispanic females.

Number of women and the percentage:

\_\_\_\_\_ (number) \_\_\_\_\_ (percentage)

2. Submit the selection memorandum, including items three, four, five and six below to the Chief of the Office of Civil Rights and Labor Relations for review, concurrence and the Director's final approval. The selection memorandum should name the interview panel, the selection criteria and other relevant facts upon which the interview panel made its ranking and/or selection of a particular job applicant. The memo should also explain how persons were selected for interviews, what efforts were made to contact them, and the results of those efforts.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No

3. Submit a summary sheet outlining each rater's scoring of all job applicants interviewed. Additionally, submit the actual rating forms used in the interview process by each rater.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No

4. Submit the signed applicant flow log and nepotism forms for each job applicant that is interviewed. Make sure that all persons interviewed have signed the form.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No

5. Submit a completed Recruitment Checklist to the Office of Civil Rights and Labor Relations as part of the selection package.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No

6. Submit all copies of certified mail and return receipts which were sent out to applicants that could not be reached by phone for an interview.

Completed: \_\_\_\_\_ Yes \_\_\_\_\_ No



## DEFINITIONS

In determining which selection method the selection committee will use prior to interviewing any job applicants, the hiring manager should make his or her determination based on the following definitions:

- a) **Banding Method** - Under this selection method, job applicants are grouped [i.e., banded] together in tiers based on the range of scores achieved by the job applicants [e.g., top one third, middle one third, and bottom one third]. The hiring manager first determines an acceptable qualifying base score; applicants obtaining this base score are deemed to be qualified for the position. Within any qualifying tier [i.e., scores that equal or exceed the base qualifying score], the hiring manager can select any candidate for the position. The hiring manager cannot select a job applicant who did not achieve the qualifying score.

When using the banding method, senior staff may want to conduct second interviews, or informal meetings, to assist in the hiring decision. If so, the hiring manager should submit this request in writing to the Office of Civil Rights and Labor Relations prior to final approval of the questions.

- b) **Ranking Method** - Under this selection method, job applicants are ranked based on the absolute scores achieved during the interview process. The applicant receiving the highest score is deemed to be the number one candidate and must be selected for the position. In the event that the number one job applicant does not accept the job offer, then the hiring manager should consider the second ranked applicant for the position. It is advisable that when utilizing the ranking method, the hiring manager should also establish a qualifying minimum score so those applicants falling below this score would not be deemed qualified for the position.
- c) **Second Interview Method** - Under this selection method, the hiring manager must indicate what method was utilized by the hiring manager to determine job candidates who will go to a second interview. This may include a statement that the top three job candidates (based on their ranking) will be going forward to a second set of interviews, or the selection of the highest qualifying band of job applicants will be moving forward to a second set of interviews. In any event, based on the results of the second interview, the hiring manager must set forth the selection criteria and/or justification used to select a job applicant for the position.
- d) **Other Method** - If the hiring manager uses any other selection method, the selection method must be stated in detail and receive concurrence from the Office of Civil Rights and Labor Relations prior to the hiring manager utilizing the selection method.

## **CRITERIA CHECKLIST (RESUME LISTS ONLY)**

1. Prepare your checklist with all required and preferred attributes. All applicants on resume list must be considered for interview. The criteria checklist must contain the names of all the applicants and what attributes they meet, unless:
  - If the resume list consists of 40 applicants or less, all the applicants need to be placed on the checklist.
  - If the resume list consists of 41 plus resumes, you will need to prepare a memo stating that you have reviewed all the resumes and only list the names of those applicants who meet your previously established criteria.
2. After screening the resumes to determine what attributes the applicants possess, based on the highest number of attributes met, decide who you recommend for an interview. This list should be simultaneously forwarded to the Office of Civil Rights and Labor Relations and to the Human Resources Division. Human Resources will notify you of those applicants who meet the minimum qualifications and at that point you may contact the applicants to extend an interview opportunity. Please note that you must include all applicants that meet the minimum number of attributes. For example, if you select six out of the 10 possible attributes, then all the applicants that met six or above must be considered for an interview.

## **ELIGIBLE LISTS**

Since eligible lists contain minimal information in reference to an applicant's experience, a criteria checklist is not applicable. In order to comply with MDT's requirements of Fair Employment Practices, the following steps need to be taken by the hiring managers:

- Send a memo to the Office of Civil Rights and Labor Relations indicating the names of applicants selected for interview and what steps were taken to select the names. For example, randomly selected or selecting every tenth or twentieth applicant.

CHART 1

Dept. Job Title or Number	Salary	Current Period As Of: September 30, 2013											Current				Availability %		% of Under-Utilization		GOAL	
		All Employees			EMPLOYEES																	
					MALE			FEMALE					MIN		F							
		TOT	M	F	W	AA	HISP	MULTI	W	AA	HISP	MULTI	#	%	#	%	MIN	F	MIN	F	MIN	F
Officials & Administrators	\$0,831.94 to 262,350.66	48	35	13	10	7	12	6	1	8	4	0	37	77.1%	13	27.1%	76.6%	32.0%	0.5%	-4.9%	(0.23)	2.36
Professionals	\$3,898.80 to 117,192.66	460	310	150	61	109	127	13	12	89	45	4	387	84.1%	150	32.6%	75.5%	52.0%	8.6%	-19.4%	(39.70)	89.20
Technicians	\$8,500.68 to 87,108.56	165	153	12	22	53	72	6	3	8	1	0	140	84.8%	12	7.3%	84.2%	53.4%	0.6%	-46.1%	(1.07)	76.11
Office/Clericals	\$11,549.46 to 64,476.50	252	73	179	8	35	29	5	102	61	1	0	233	92.5%	164	65.1%	88.0%	61.5%	4.5%	3.6%	(11.24)	(9.02)
Skilled Craft	\$4,766.40 to 91,150.80	137	133	4	26	51	52	4	0	3	1	0	111	81.0%	4	2.9%	76.0%	5.1%	5.0%	-2.2%	(6.88)	2.99
Service Maintena	\$23,463.18 to 75,690.68	2312	1530	782	96	858	555	21	7	724	49	2	2209	95.5%	782	33.8%	87.6%	11.8%	7.9%	22.0%	(183.69)	(509.18)

CHART 2

Dept. Job Title or Number	FUTURE PERIOD								NUMERIC GOALS FOR PROGRAM YEAR								ANTICIPATED WORK FORCE AS OF	PROJECTED % INCREASE							
	ANTICIPATED JOB OPENING BY:			JOB OPENINGS TO BE FILLED BY:					NEW HIRE			PROMOTIONS			Total Added										
	ATTR	EXPS	TOT	REC	TRAN	PRO	NEW HIRE	TOT	TOT			TOT													
									M	F	MIN	M	F	MIN	MIN	FEM		MIN	F	MIN	F	MIN	F		
Officials & Administrators	20		20	20				20	2	5	2	3	5	3											
Professionals	200			200				200	25	25	50	25	25	50		19				6.3%		6.3%		6.3%	
Technicians	80			80				80	10	10	20	10	10	20		46				15.3%		15.3%		15.3%	
Office/Clericals	60			60				60	10	10	10	10	10	10											
Skilled Craft	120			120				120	20	20	20	20	20	20		2				0.0%		1.0%		1.0%	
Service Maintenance	400						400	400	200	200	200	25	25	50											

ATTR - Attrition  
EXPS - Expansion

REC - Recruit  
TRAN - Transfer  
PRO - Promotion

**WORKFORCE ANALYSIS**

Dept. Job Title or Number	Salary	Current Period As Of: September 30, 2013																
					MINORITY EMPLOYEES													
					MALE							FEMALE						
		TOT	M	F	W	AA	HISP	API	AIAN	NHOPI	MULTI	W	AA	HISP	API	AIAN	NHOPI	MULTI
Officials & Administrators		48	35	13	10	7	12				6	1	8	4				0
Professionals		460	310	150	61	109	127				13	12	89	45				4
Technicians		165	153	12	22	53	72				6	3	8	1				0
Office/Clericals		252	73	179	8	35	29				5	102	61	1				0
Skilled Craft		137	133	4	26	51	52				4	0	3	1				0
Service Maintenance		2312	1530	782	96	858	555				21	7	724	49				2

WORKFORCE ANALYSIS Cont. p. 2

Dept. Job Title or Number	Current %				Availability Factor		% of Under-Utilization		GOAL		FUTURE PERIOD							
	MIN		F								ANTICIPATED JOB OPENING BY:			JOB OPENINGS TO BE FILLED BY:				
					ATTR	EXPS	TOT	REC			TRAN	PRO	NEW HIRE	TOT				
	#	%	#	%					MIN	F					MIN	F	MIN	F
Officials & Administrators	37	77.10%	13	27.10%	76.60%	32.00%	0.50%	-4.80%	(0.23)	2.36	20	0	20	20	0	0	0	20
Professionals	387	84.10%	150	32.60%	75.50%	52.00%	8.60%	-19.40%	(39.70)	8.20	200	0	200	200	0	0	0	200
Technicians	140	84.85%	12	7.27%	84.20%	53.40%	0.65%	-46.13%	(1.07)	76.11	80	0	80	80	0	0	0	80
Office/Clericals	233	92.46%	164	65.08%	88.00%	61.50%	4.46%	3.58%	(11.24)	(9.02)	60	0	60	60	0	0	0	60
Skilled Craft	111	81.02%	4	2.92%	76.00%	5.10%	5.02%	-2.18%	(6.88)	2.99	120	0	120	120	0	0	0	120
Service Maintenance	2209	95.54%	782	33.82%	87.60%	11.80%	7.94%	22.02%	(183.69)	(509.18)	400	0	400	0	0	0	400	400

**WORKFORCE ANALYSIS Cont. p. 3**

Dept. Job Title or Number	NUMERIC GOALS FOR PROGRAM YEAR								ANTICIPATED WORK FORCE AS OF	PROJECTED % REPRESENTATION							
	NEW HIRE			PROMOTIONS						12 MO		2 YR		3 YR		4 YR	
	TOT			TOT													
	M	F	MIN	M	F	MIN	MIN	FEM		MIN	F	MIN	F	MIN	F	MIN	F
Officials & Administrators										0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Professionals								19		0.00%	0.00%	0.00%	6.30%	0.00%	6.30%	0.00%	6.30%
Technicians								46		0.00%	0.00%	0.00%	15.30%	0.00%	15.30%	0.00%	15.30%
Office/Clericals										0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Skilled Craft								2		0.00%	0.00%	0.00%	0.70%	0.00%	0.70%	0.00%	0.70%
Service Maintenance										0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%



EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2011

	MALES				FEMALES			
Race/Ethnicity	White	Black / African American	Hispanic	Other	White	Black / African American	Hispanic	Other
Retirement	10	23	19	1	1	20	3	2
Resigned In Lieu Of Termination	5	1	2					
Termination/Discipline		6	5			5		
Disability Retirement								
Reduction in force (RIF)								
Transfer								
Total	15	30	26	1	1	25	3	2

Totals		
Disciplinary Actions	626	Applications
Promotions	21	3373
Hires	77	3373



**EMPLOYMENT PRACTICES**  
October 1, 2010 through September 30, 2011

Disciplinary Actions	Male				Female				
	Race/Ethnicity	White	Black / African American	Hispanic	Other	White	Black / African American	Hispanic	Other
Termination		1	9	8			15		
5-day Suspension		1	10	9			12		
5-day w/agreement		1	13	12			6		
10-day Suspension			1	2			4		
10-day w/letter			14						
10-day w/agreement				7	4		13		



EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2011

Disciplinary Actions	Male				Female			
Race/Ethnicity	White	Black / African American	Hispanic	Other	White	Black / African American	Hispanic	Other
20-day w/agreement	1	5				1		
20-day w/letter								
30-day w/agreement			1					
Total	33	180	107	8	0	284	14	0

EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2011

Promotions #	Male								
Race/Ethnicity	White			Black / African American			Other		
	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted
Officials & Administrators	72	1	1.39%	221		0.00%	4		0.00%
Professionals	71	1	1.41%	330	3	0.91%	17		0.00%
Technicians	7		0.00%	128		0.00%	7		0.00%
Office/Clericals	6		0.00%	65		0.00%	3		0.00%
Skilled Craft	0			0	2		0		
Service Maintenance	15		0.00%	148	3	2.03%	7		0.00%
Total	171	2	1.17%	892	8	0.90%	38	0	0.00%

EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2011

Promotions #	Female								
Race/Ethnicity	White			Black / African American			Other		
	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted
Officials & Administrators	24		0.00%	186		0.00%	12		0.00%
Professionals	18		0.00%	363	2	0.55%	15		0.00%
Technicians	3		0.00%	115		0.00%	7		0.00%
Office/Clericals	4		0.00%	207		0.00%	1		0.00%
Skilled Craft	0			0			0		
Service Maintenance	2		0.00%	91	1	1.10%	0		
Total	51	0	0.00%	962	3	0.31%	35	0	0.00%

EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2011

Hiring # Race/Ethnicity	Male								
	White			Black / African American			Other		
	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired
Officials & Administrators	72	0	0.00%	221	0	0.00%	4	0	0.00%
Professionals	71	0	0.00%	330	1	0.30%	17	0	0.00%
Technicians	7	0	0.00%	128	0	0.00%	7	0	0.00%
Office/Clericals	6	0	0.00%	65	0	0.00%	3	0	0.00%
Skilled Craft	0	0		0	1		0	0	
Service Maintenance	15	0	0.00%	148	26	17.57%	7	0	0.00%
Total	171	0	0.00%	892	28	3.14%	38	0	0.00%

EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2011

Hiring # Race/Ethnicity	Female								
	White			Black / African American			Multi Racial		
	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired
Officials & Administrators	24	0	0.00%	186	0	0.00%	12	0	0.00%
Professionals	18	0	0.00%	363	0	0.00%	15	0	0.00%
Technicians	3	0	0.00%	115	0	0.00%	7	0	0.00%
Office/Clericals	4	0	0.00%	207	0	0.00%	1	0	0.00%
Skilled Craft	0	0	0.00%	0	0	0.00%	0	0	0.00%
Service Maintenance	2	1	50.00%	91	28	30.77%	0	0	0.00%
Total	51	1	1.96%	962	28	2.91%	35	0	0.00%

**EMPLOYMENT PRACTICES**  
**October 1, 2010 through September 30, 2011**

<b>Separations</b>	<b>Male</b>			<b>Female</b>			
<b>Race/Ethnicity</b>	<b>White</b>	<b>Black / African American</b>	<b>Other</b>	<b>White</b>	<b>Black / African American</b>	<b>Hispanic</b>	<b>Other</b>
<b>Retirement</b>	1.60%	3.67%	0.16%	0.16%	3.19%	0.48%	0.32%
<b>Resigned In Lieu Of Termination</b>	0.80%	0.16%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>Termination/ Discipline</b>	0.00%	0.96%	0.00%	0.00%	0.80%	0.00%	0.00%
<b>Disability Retirement</b>	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>Reduction in force (RIF)</b>	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>Transfer</b>	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
<b>Total</b>	2.40%	4.79%	0.16%	0.16%	3.99%	0.48%	0.32%



EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2011

Disciplinary Actions	Male			Female			
Race/Ethnicity	White	Black / African American	Other	White	Black / African American	Hispanic	Other
Termination	0.16%	1.44%	0.00%	0.00%	2.40%	0.00%	0.00%
5-day Suspension	0.16%	1.60%	0.00%	0.00%	1.92%	0.00%	0.00%
5-day w/agreement	0.00%	0.16%	0.00%	0.00%	0.64%	0.00%	0.00%
10-day Suspension	0.16%	0.64%	0.00%	0.00%	0.00%	0.00%	0.00%
10-day w/letter	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
10-day w/agreement	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
15-day Suspension	3.35%	19.33%	0.32%	0.00%	36.90%	2.24%	0.00%

EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2011

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EMPLOYMENT PRACTICES  
October 1, 2010 through September 30, 2011

Race/Ethnicity	White	Black / African American	Other	White	Black / African American	Hispanic	Other
20-day suspension	3.35%	19.33%	0.32%	0.00%	36.90%	2.24%	0.00%
20-day w/agreement	0.32%	0.32%	0.00%	0.00%	0.32%	0.00%	0.00%
20-day w/letter	0.80%	0.16%	0.00%	0.00%	0.00%	0.00%	0.00%
30-day w/agreement	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total	5.27%	28.75%	1.28%	0.00%	45.37%	2.24%	0.00%

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Separations	Male				Female			
Race/Ethnicity	White	Black / African American	Hispanic	Other	White	Black / African American	Hispanic	Other
Resignation								
Retirement	9	20	22	2	3	21	4	
Retirement In Lieu Of Termination		8	3			3		
Termination/Discipline	1	8	1			7		
Disability Retirement								
Reduction in force (RIF)								
Transfer								
Total	10	36	26	2	3	31	4	0

Totals		
Separations	112	
Disciplinary Actions	730	Applications
Promotions	40	3253
Hires	130	4106

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Disciplinary Actions	Male				Female				
	Race/Ethnicity	White	Black / African American	Hispanic	Other	White	Black / African American	Hispanic	Other
Termination			4	2			1		
5-day Suspension		2	4	7			7	3	
5-day w/agreement		2	11	3			14		
10-day Suspension		1	7	1			3		
10-day w/agreement		2	10				14	1	
15-day w/agreement			9	3			5		
Last chance agreement				1					
15-day Suspension		1	4				2		

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Disciplinary Actions	Male				Female			
Race/Ethnicity	White	Black / African American	Hispanic	Other	White	Black / African American	Hispanic	Other
Record of Counseling		1	2			1		
Written Reprimand	11	171	84		1	302	13	
Strong Letter		10	2			4		
30-day w/agreement								
20-day suspension		1	2					
Total	19	232	107	0	1	353	17	0

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Promotions #	Male											
Race/Ethnicity	White			Black / African American			Hispanic			Other		
	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted
Officials & Administrators	34		0.00%	76		0.00%	79	1	1.27%	8		0.00%
Professionals	101	1	0.99%	396		0.00%	441	1	0.23%	24		0.00%
Technicians	5		0.00%	91	1	1.10%	43	4	9.30%	4	1	25.00%
Office/Clericals	0			0			0			0		
Skilled Craft	0			0	2		0	1		0		
Service Maintenance	3	1	33.33%	596	4	0.67%	15	4	26.67%	3		0.00%
Total	143	2	1.40%	1159	7	0.60%	578	11	1.90%	39	1	2.56%

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Promotions #	Female											
Race/Ethnicity	White			Black / African American			Hispanic			Other		
	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted
Officials & Administrators	12		0.00%	96		0.00%	35		0.00%	4		0.00%
Professionals	34		0.00%	437	6	1.37%	171		0.00%	18		0.00%
Technicians	0			62	2	3.23%	1		0.00%	0		
Office/Clericals	0			0			0	1		0		
Skilled Craft	0			0			0			0		
Service Maintenance	0			460	10	2.17%	3		0.00%	1		0.00%
Total	46	0	0.00%	1055	18	1.71%	210	1	0.48%	23	0	0.00%



EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Hiring #	Male											
Race/Ethnicity	White			Black / African American			Hispanic			Other		
	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired
Officials & Administrators	37	0	0.00%	76	0	0.00%	79	1	1.27%	8	0	0.00%
Professionals	101	0	0.00%	396	0	0.00%	441	0	0.00%	24	0	0.00%
Technicians	5	0	0.00%	941	0	0.00%	43	0	0.00%	4	0	0.00%
Office/Clericals	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
Skilled Craft	0	0	0.00%	0	0	0.00%	0	0	0.00%	0	0	0.00%
Service Maintenance	3	3	100.00%	596	43	7.21%	15	26	173.33%	3	0	0.00%
Total	146	3	2.05%	2009	43	2.14%	578	27	4.67%	39	0	0.00%

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Hiring #	Female											
Race/Ethnicity	White			Black / African American			Hispanic			Multi Racial		
	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired
Officials & Administrators	12	0	0.00%	96	0	0.00%	35	0	0.00%	4	0	0.00%
Professionals	34	0	0.00%	437	0	0.00%	171	0	0.00%	18	0	0.00%
Technicians	0	0		62	0	0.00%	1	0	0.00%	0	0	0.00%
Office/Clericals	0	0		0	0	0.00%	0	0	0.00%	0	0	0.00%
Skilled Craft	0	0		0	0	0.00%	0	0	0.00%	0	0	0.00%
Service Maintenance	0	2		460	55	11.96%	3	0	0.00%	1	0	0.00%
Total	46	2	4.35%	1055	55	5.21%	210	0	0.00%	23	0	0.00%

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Separations	Male					Female			
	Race/Ethnicity	White	Black / African American	Hispanic	Other	White	Black / African American	Hispanic	Other
Resignation		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement		8.04%	17.86%	19.64%	1.79%	2.68%	18.75%	3.57%	0.00%
Retirement In Lieu Of Termination		0.00%	7.14%	2.68%	0.00%	0.00%	2.68%	0.00%	0.00%
Termination/Discipline		0.89%	7.14%	0.89%	0.00%	0.00%	6.25%	0.00%	0.00%
Disability Retirement		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Reduction in force (RIF)		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Transfer		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total		8.93%	32.14%	23.21%	1.79%	2.68%	27.68%	3.57%	0.00%

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Disciplinary Actions	Male				Female			
Race/Ethnicity	White	Black / African American	Hispanic	Multi Racial	White	Black / African American	Hispanic	Multi Racial
Termination	0.00%	0.55%	0.27%	0.00%	0.00%	0.14%	0.00%	0.00%
5-day Suspension	0.27%	0.55%	0.96%	0.00%	0.00%	0.96%	0.41%	0.00%
5-day w/agreement	0.14%	0.96%	0.14%	0.00%	0.00%	0.41%	0.00%	0.00%
10-day Suspension	0.14%	0.55%	0.00%	0.00%	0.00%	0.27%	0.00%	0.00%
10-day w/agreement	0.00%	0.14%	0.27%	0.00%	0.00%	0.14%	0.00%	0.00%
15-day w/agreement	1.51%	23.42%	11.51%	1.78%				0.00%
Last chance agreement	0.00%	1.37%	0.27%	0.00%	0.00%	0.55%	0.00%	0.00%
15-day Suspension								

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Disciplinary Actions	Male				Female			
Race/Ethnicity	White	Black / African American	Hispanic	Multi Racial	White	Black / African American	Hispanic	Multi Racial
Record of Counseling	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Written Reprimand	9.82%	152.68%	75.00%	0.00%	0.89%	269.64%	11.61%	0.00%
Strong Letter	0.00%	8.93%	1.79%	0.00%	0.00%	3.57%	0.00%	0.00%
30-day w/agreement	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
20-day suspension	0.00%	0.14%	0.27%	0.00%	0.00%	0.00%	0.00%	0.00%
Total	2.60%	31.78%	14.66%	0.00%	0.14%	48.36%	2.33%	0.00%

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Separations	Male				Female			
	White	Black / African American	Hispanic	Other	White	Black / African American	Hispanic	Other
Retirement	16	43	33	1		24	6	
Resignation in lieu of termination	1	4				2		
Termination/Dis cipline	2	7	5			8	3	
Disability Retirement		1	3			6	1	
Total	19	55	41	1	0	40	10	0

Totals		
Separations	166	
Disciplinary Actions	815	Applications
Promotions	120	14102
Hires	170	14102

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Disciplinary Actions	Male				Female				
	Race/Ethnicity	White	Black / African American	Hispanic	Others	White	Black / African American	Hispanic	Others
Strong Letter			2	2			3		
Written Reprimand		9	152	66		1	234	7	2
3-day suspension w/agreement			1						
5-day suspension			15	7			11	4	
5-day suspension w/agreement		2	12	5			23		
10-day suspension			1	5			7		

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Disciplinary Actions	Male				Female				
	Race/Ethnicity	White	Black / African American	Hispanic	Others	White	Black / African American	Hispanic	Others
10-day suspension w/agreement			4	6			15	1	
15-day suspension			2	1			1		
15-day suspension w/agreement			8	2					
20-day suspesion w/agreement			2				3		
30-day suspension w/agreement								1	
Total		32	262	143	1	1	348	26	2



EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Promotions #	Male											
Race/Ethnicity	White			Black / African American			Hispanic			Other		
	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted
Officials & Administrators	136	2	1.47%	374		0.00%	254	3	1.18%	22		0.00%
Professionals	214	2	0.93%	1155	7	0.61%	953	9	0.94%	38	1	2.63%
Technicians	14	4	28.57%	152	15	9.87%	120	13	10.83%	3	1	33.33%
Office/ Clericals	53		0.00%	530		0.00%	433	2	0.46%	17		0.00%
Skilled Craft	5		0.00%	97	2	2.06%	57	2	3.51%	1		0.00%
Service Maintenance	88		0.00%	1911	10	0.52%	851	6	0.71%	16	1	6.25%
Total	510	8	1.57%	4219	34	0.81%	2668	35	1.31%	97	3	3.09%

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Promotions #	Female											
Race/Ethnicity	White			Black / African American			Hispanic			Other		
	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted	Applied	Promoted	% Promoted
Officials & Administrators	38		0.00%	332		0.00%	110		0.00%	10		0.00%
Professionals	44		0.00%	1460	8	0.55%	268	1	0.37%	20		0.00%
Technicians	1		0.00%	173	6	3.47%	17		0.00%	1		0.00%
Office/Clericals	48		0.00%	1560	4	0.26%	415	3	0.72%	22		0.00%
Skilled Craft	1		0.00%	52		0.00%	3		0.00%	1		0.00%
Service Maintenance	194		0.00%	1723	17	0.99%	109	1	0.92%	6		0.00%
Total	326	0	0.00%	5300	35	0.66%	922	5	0.54%	60	0	0.00%

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Hiring #	Male											
Race/Ethnicity	White			Black / African American			Hispanic			Other		
	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired
Officials & Administrators	136	1	0.74%	374	1	0.27%	254	0	0.00%	22	0	0.00%
Professionals	214	4	1.87%	1155	0	0.00%	953	4	0.42%	38	0	0.00%
Technicians	14	0	0.00%	152	0	0.00%	120	1	0.83%	3	0	0.00%
Office/Clericals	53	0	0.00%	530	1	0.19%	433	0	0.00%	17	0	0.00%
Skilled Craft	5	0	0.00%	97	0	0.00%	57	0	0.00%	1	0	0.00%
Service Maintenance	88	16	18.18%	1911	49	2.56%	851	32	3.76%	16	1	6.25%
Total	510	21	4.12%	4219	51	1.21%	2668	37	1.39%	97	1	1.03%

EMPLOYMENT PRACTICES  
October 1, 2011 through September 30, 2012

Hiring #	Female											
Race/Ethnicity	White			Black / African American			Hispanic			Multi Racial		
	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired	Applied	Hired	% Hired
Officials & Administrators	38	0	0.00%	332	0	0.00%	110	0	0.00%	10	0	0.00%
Professionals	44	0	0.00%	1460	0	0.00%	268	2	0.75%	20	0	0.00%
Technicians	1	0	0.00%	173	0	0.00%	17	0	0.00%	1	0	0.00%
Office/Clericals	48	1	2.08%	1560	2	0.13%	415	1	0.24%	22	0	0.00%
Skilled Craft	1	0	0.00%	52	0	0.00%	3	0	0.00%	1	0	0.00%
Service Maintenance	194	1	0.52%	1723	45	2.61%	109	8	7.34%	6	0	0.00%
Total	326	2	0.61%	5300	47	0.89%	922	11	1.19%	60	0	0.00%

EMPLOYMENT PRACTICES  
October 1, 2012 through September 30, 2013

Separations	Male				Female			
Race/Ethnicity	White	Black / African American	Hispanic	Other	White	Black / African American	Hispanic	Other
Retirement	9.64%	25.90%	19.88%	0.60%	0.00%	14.46%	3.61%	0.00%
Retirement In Lieu Of Termination	0.60%	2.41%	0.00%	0.00%	0.00%	1.20%	0.00%	0.00%
Termination/Dis cipline	1.20%	4.22%	3.01%	0.00%	0.00%	4.82%	1.81%	0.00%
Disability Retirement	0.00%	0.60%	1.81%	0.00%	0.00%	3.61%	0.60%	0.00%
Total	11.45%	33.13%	24.70%	0.60%	0.00%	24.10%	6.02%	0.00%

EMPLOYMENT PRACTICES  
October 1, 2012 through September 30, 2013

Disciplinary Actions	Male				Female			
Race/Ethnicity	White	Black / African American	Hispanic	Multi Racial	White	Black / African American	Hispanic	Other
Strong Letter	0.00%	1.20%	1.20%	0.00%	0.00%	1.81%	0.00%	0.00%
Written Reprimand	5.42%	91.57%	39.76%	0.00%	0.60%	140.96%	4.22%	1.20%
3-day suspension w/agreement	0.00%	0.60%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
5-day suspension	0.00%	9.04%	4.22%	0.00%	0.00%	6.63%	2.41%	0.00%
5-day suspension w/agreement	1.20%	7.23%	3.01%	0.00%	0.00%	13.86%	0.00%	0.00%
10-day suspension	0.00%	0.60%	3.01%	0.00%	0.00%	4.22%	0.00%	0.00%
10-day suspension w/agreement	0.00%	2.41%	3.61%	0.00%	0.00%	9.04%	0.60%	0.00%
15-day suspension	0.00%	1.20%	0.60%	0.00%	0.00%	0.60%	0.00%	0.00%
15-day suspension w/agreement	0.00%	4.82%	1.20%	0.00%	0.00%	0.00%	0.00%	0.00%
20-day suspension w/agreement	0.00%	1.20%	0.00%	0.00%	0.00%	1.81%	0.00%	0.00%
30-day suspension w/agreement	0.00%	1.20%	0.60%	0.00%	0.00%	0.60%	0.00%	0.00%
Total	19.28%	157.83%	86.14%	0.60%	0.60%	209.64%	15.66%	1.20%