

Equal Employment Opportunity Program (EEO)

EEO Complaints

Equal Employment Opportunity discrimination complaints may be filed on the basis of race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), age, national origin, disability, veteran status, or genetic information, or any other basis prohibited by local, state, or federal law, whether made in general, directed to an individual, or to a group of people regardless of whether or not the behavior was intended to harass. Types of complaints include unfair or inequitable treatment with regard to job retention, promotion, demotion, training opportunities, classification, pay, or other employee relations problems including harassment and retaliation by supervisors or other employees. A complaint must be submitted within 180 days from time of occurrence.

FTA requires applicants and recipients to adopt local procedures consistent with EEO statutes and regulations for the disposition of EEO complaints. FTA also encourages complainants to seek resolution locally and to file complaints with FTA only when dissatisfied with how the complaint was resolved or when the case is not being resolved in a timely manner.

For complaints other than discrimination and harassment, bargaining unit employees should follow the grievance procedures outlined in their union contract.

MAX has established a systematic and orderly method of hearing complaints arising out of violation of EEO statutes. The following procedural steps shall be utilized by those seeking recourse for any violation of the Equal Employment Opportunity Policy:

STEP 1—Anyone having an EEO complaint shall meet with the EEO Officer for a confidential consultation.

STEP 2—After consultation, the person bringing the complaint may decide to file a written complaint which shall be documented by the EEO Officer. A copy of the EEO complaint shall be issued to appropriate supervisory staff.

STEP 3—Once the written complaint is filed, the EEO Officer shall conduct an investigation and interview witnesses. This investigation shall be completed as soon as possible, and in a timely manner.

STEP 4—Once the investigation is completed, the EEO Officer shall schedule a meeting as soon as possible to attempt to resolve the complaint. Persons at the meeting shall include the person who made the complaint, the appropriate supervisory staff, and the Executive Director.

STEP 5—A summary of the meeting will be documented by the EEO Officer. A copy of this summary shall be distributed to all who attended the meeting.

STEP 6—If the complaint is not resolved at this level, the EEO Officer will schedule another meeting with all parties involved in an attempt to resolve the complaint.

STEP 7—The EEO Officer shall review the facts of the case and examine the entire record and make a decision which shall constitute the final decision in the matter. The decision will be communicated in writing to the individual making the complaint, the supervisory staff involved in the matter, and the Executive Director. Every effort will be to provide this written decision within 30 days from the date that the written complaint was filed, unless extenuating circumstances exist—such as additional time needed to obtain information which would provide for the most equitable handling of the case.

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Resolution of Complaint

The EEO Officer will seek to resolve the issue on the lowest level through mediation with the complainant, their department head, and Executive Director, if necessary. Should the findings—if any—show that a violation occurred, the EEO Officer may recommend disciplinary action, if warranted. If the complainant is represented and is not satisfied by the outcome of the mediation, he/she may also file a grievance through their respective union.

Although it is FTA's practice to encourage employees and applicants to resolve issues with local agencies when possible before filing a complaint, persons unsatisfied by the outcome of EEO mediation may file a complaint within 180 days from the date of the alleged discrimination with the U.S. Department of Transportation Office of Civil Rights, or the U.S. Equal Employment Opportunity Commission:

U.S. Department of Transportation

Attention: Office of Civil Rights

1200 New Jersey Avenue, S.E.

Washington, D.C. 20590

888-446-4511

<http://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/civil-rightsada>

U.S. Equal Employment Opportunity Commission

131 M Street NE

Washington, DC 20507

800-669-4000

<http://www.eeoc.gov>