

# **Napa Valley Transportation Authority**

## **AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

**Napa, CA**

**Operated by  
Transdev Service, Inc.**



**2022**

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## INTRODUCTION

The Napa Valley Transportation Authority (NVTA) is a public agency created whose primary purpose is to provide and improve public transportation services for the Napa County area.

NVTA is governed by a 14-member appointed Board of Directors. The balances of individuals are employees of Transdev Services, Inc., (Transdev) a private corporation. These individuals carry out the day-to-day operations of the transit system. The NVTA Board has delegated the personnel management responsibilities, including the administration of the personnel policies, to Transdev Services. Such policies are reviewed by the Board and the Board retains oversight through contract provisions and reporting requirements.

The employees at Napa are employed by Transdev Services, Inc., (Transdev) a private corporation. These individuals carry out the day-to-day operations. The above agencies have delegated the personnel management responsibilities, including the administration of the personnel policies, to Transdev.

In order to maintain the oversight necessary to meet the fiduciary responsibilities involved in the EEO requirements of the Federal Transit Administration (FTA) contract, the responsibility of this program is delegated to the Transdev General Manager, Cheryl Drake.

The following Equal Employment Opportunity Program is for the benefit of all applicants and employees of Transdev. In this Program, Napa Fixed Route and Paratransit services and Transdev reaffirm their commitment to equal employment opportunity for all applicants and employees regardless of gender, race, sex, religion, color, creed, age, national origin, ancestry, genetic, marital status, citizenship status, veteran status, disability, sexual orientation or any other factor prohibited by applicable federal, state or local law.

Equal employment opportunity has been identified as a basic element in the operating philosophy of this organization. This EEO Plan is presented as a statement of commitment and as a guide for future action in meeting equal employment opportunity goals as required by the provisions in the grants contracts with the Federal Transit Administration.



## **STATEMENT OF POLICY**

Transdev Services, Inc. (Transdev) is a continuing Equal Opportunity Employer, committed to EEO for all persons, regardless of race, color, national origin, sex, creed, age or disability to create and maintain a qualified and diverse workforce. Transdev is committed to the development of specific goals and timetables in the event of any underutilization of its human resources. Transdev will afford equal employment opportunities to employees and applicants, and will not tolerate discrimination based on gender, race, sex, religion, color, creed, age, national origin, ancestry, marital status, citizenship status, veteran status, disability, sexual orientation, gender identity, pregnancy, genetic information or any other factor prohibited by applicable federal, state or local law.

This policy applies to all terms, conditions, employment practices and privileges of employment including recruitment, selection, on-boarding, initial periods of employment, job assignments, training and development, working conditions, promotion, transfer, compensation, benefits, educational assistance, layoff and recall, social and recreation programs, termination and separation and other terms and conditions of employment. Transdev is committed to providing reasonable accommodations to applicants and employees who need them because of a disability or to practice or observe their religion, absent undue hardship.

The responsibility for the implementation and monitoring of the EEO Program is assigned to Human Resources, specifically Xanadu Cain, Human Resources Generalist who reports directly to the General Manager. An Affirmative Action Program has also been developed and is available for review in Human Resources. The goals of this program are:

- To recruit, hire and promote qualified employees without regard to gender, race, sex, religion, color, creed, age, national origin, ancestry, sexual orientation, gender identity (transgender status), HIV status, marital or veteran status or disability or any other legally protected status.
- To base employment decisions on the principles of Equal Employment and Affirmative Action.
- To fill employment and promotional opportunities utilizing only job-related criteria.
- To administer personnel actions, such as compensation, benefits, transfers, layoffs, Company sponsored training programs and social and recreational programs on a non-discriminatory basis.



Implicit in our policy is the commitment of the Company to maintain a work environment that is safe, productive and free from harassment of any kind, including sexual harassment. The Company identifies itself as an Equal Opportunity Employer in advertising for employees, recruiting brochures, employee manuals, bulletin board postings of EEO and Unlawful Harassment policies and all day-to-day practices.

Moreover, we individually and collectively share the responsibility for understanding the great importance of pleasant working associations, and assuring that every employee is welcomed, accepted and rewarded according to his or her contribution toward the attainment of our goals and objectives.

Principal and direct responsibility for successful implementation of this policy in a uniform manner has been assigned to the Human Resources Department. Within their respective areas of responsibility, all managerial and supervisory personnel are accountable to ensure compliance with this policy. Questions, comments, concerns or to voice complaints regarding this Equal Employment Opportunity and Affirmative Action Policy should be directed to the Human Resources Representative.

The purpose of Transdev Service, Inc.'s ("Transdev") EEO/AA Plan is to formalize Transdev's commitment to diversity and equal employment opportunity. It demonstrates Transdev's efforts to monitor the composition of its EEO occupational categories and its overall workforce by racial, ethnic, and gender classifications. In addition, the plan demonstrates Transdev's efforts to identify and correct areas of underutilization. Transdev takes specific steps to eliminate unlawful discrimination, as well as the effects and appearance of unlawful discrimination. The affirmative action steps taken by Transdev ensures policies, practices, and programs facilitate non-discriminatory efforts to establish and maintain a workforce that reflects the availability of minority and female individuals ready, willing and able to work.

In developing and implementing the EEO/AAP, Transdev has been guided by its established policy of providing equal opportunity. Any placement goals that Transdev has established herein are not intended as rigid, inflexible quotas that must be met, but rather as targets reasonably attainable by applying every good faith effort in implementing this EEO/AAP. Nothing herein is intended to sanction the discriminatory treatment of any person. Indeed, all employment decisions at Transdev are made based on job-related criteria. Thus, this EEO/AAP has been developed in strict reliance upon the Guidelines on Affirmative Action issued by the Equal Employment Opportunity Commission.



The majority of Transdev employees at Napa are Operators, Utility Workers and Maintenance Technicians who are represented by the Teamsters Local 315 and a labor contract primarily with a bona fide seniority system. The contract includes language to ensure that no aspect of the contract can create a form of discrimination and at each negotiation session, typically every three years, the language is reviewed for any potential discrimination or new legislation.

This EEO/AAP does not constitute an expressed or implied contract between Transdev and its employees, job applicants, or other persons. Nothing in this EEO/AAP provides any individual or group with a private right of action against Transdev.

Transdev prohibits retaliation against any individual who in good faith files a charge of discrimination, reports harassment or who assists, testifies, or participates in any equal employment proceeding. Any applicant or employee has a right to file a discrimination complaint. Retaliation against an individual who files a charge or complaint of discrimination, participates in an employment discrimination proceeding (such as an investigation or lawsuit), or otherwise engages in protected activity is strictly prohibited and will not be tolerated. In the event the complaint is related to the Human Resource function, applicants or employees may file their complaint with the Compliance Manager or Regional Director of Human Resources (Mickey Sidhu ; 630-943-9432) contact Transdev through the Transdev Ethics & Compliance Hotline at 1-866-850-3033 which is managed through Transdev's Legal department or contact Transdev online from our website at [www.transdevna.com](http://www.transdevna.com).

Transdev partnered with NAVEX Global to handle employee concerns through the Ethics & Compliance Hotline. The Ethics & Compliance Hotline is a tool to report possible unethical and unsafe behavior regarding harassment and retaliation, safety, fraud, or whistleblower issues. Transdev firmly believes that this method of reporting allows employees to express their concerns in a safe, non-retaliatory, and confidential manner in the effort of protecting their interest and the organization. The Ethics & Compliance Hotline is managed by our legal department, and as such, employees have the ability to ensure that their concerns are managed by either the Regional Director of Human Resources or a representative from the Legal Department to alleviate any conflict of interest.

- Employees may contact a toll-free number staffed by live operators 24-hours per day, 7 days per week, 365 days per year.
- There is a web reporting portal available 24-hours per day, 7 days per week, 365 days per year.



- The service has case management capabilities.
- It also has web-based reporting in 150 languages.
- In addition, there is a call-based ability to report in different languages.
- Posters are hung at within the Napa, Ca facility (and all locations throughout Transdev) notifying employees of the program.
- Additionally, wallet cards are distributed to all employees notifying them of the program.
- Each event is categorized, and investigations are begun.
- Finally, employees receive a timely update regarding the results of the investigation.

Employees and applicants are required to report any apparent discrimination or unlawful harassment and/or violations of the ADA. Transdev forbids any form of unlawful harassment for any circumstances as well as any harassment covered under the ADA affecting employees, passengers or others. Complaints are investigated in a prompt and thorough manner and handled as confidentially as possible.

Transdev is dedicated to this commitment, and we will maintain an environment free of unfair or illegal discrimination for all employees and applicants.



Cheryl Drake  
Transdev General Manager



Date

## **INTERNAL DISSEMINATION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY AND PROGRAMS**

Managers and supervisors will be fully informed internally of Transdev's policy by the following actions:

1. Written communication from the General Manager
2. The EEO Program will be referenced in personnel and operations manuals.
3. Meetings with manager and supervisors will be held at least semi-annually to discuss the program, its implementation and progress.
4. The Equal Employment Policy and Unlawful Harassment Policy shall be posted on each official company bulletin board and other conspicuous and accessible locations.
5. The EEO Policy and Unlawful Harassment Policy contain information on contacting the EEO Compliance Manager.
6. All managerial and supervisory personnel will be reminded that their progress in meeting equal employment opportunity goals is considered an important factor in their performance and will be considered in the performance appraisal process.
7. Providing and supporting career counseling for all employees.
8. Bulletin boards, forms, and advertising used by the organization shall be monitored to ensure that information on equal employment opportunity is included as appropriate and that such materials project the image of Transdev's a fair employer.
9. Labor organizations will be notified of the EEO Program and requested to cooperate in meeting the goals established.
10. Any labor contract will include non-discrimination clauses and language that ensures a labor contract does not conflict with any employment obligation of the employer. Transdev's Legal and Labor Relations departments review each contract in preparation for renewal or initial implementation to avoid any conflicts or potential discrimination.



11. Transdev staff will meet with the Authority at least semi-annually, or more frequently if desired by the Authority, to:
  - Review and identify resources in the local labor market which might improve the applicant flow for positions identified as underutilized.
  - Review recruitment outreach efforts by Transdev staff for positions identified as underutilized.
  - Records of such meetings, to include date, time, agenda, etc. will be maintained and retained.
12. Non-supervisory staff will be informed of Transdev's policy and program by actions such as:
  - Written Communications from the General Manager
  - Inclusion of the EEO Program in employee handbooks and labor contracts
  - Posting official EEO posters and policy statement on bulletin boards in conspicuous and accessible locations to include employee lounges and in the Human Resource office.
  - The EEO Program will be reviewed and discussed with all employees at least semi-annually at regularly scheduled meetings.
  - Meetings with persons with disabilities, minorities and females for program suggestions.
  - The organization's EEO Program, Equal Employment Opportunity Policy and Unlawful Harassment Policy are provided to all new employees during the new hire orientation process. Training on these policies is conducted at least annually.

## **EXTERNAL DISSEMINATION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY AND PROGRAMS**

1. Transdev disseminates its EEO policy and program to applicants and candidates through the application process and recruitment activities, including employment agencies and public media sources. Employment agencies include unions, educational institutions, minority, and women's organizations; organizations that serve communities with disabilities; community action groups; training organizations. All resources which refer applicants to Transdev will be notified that Transdev is an EEO Employer.
2. Public media sources include radio and television stations, newspapers, magazines, and other publications will be utilized as needed, depending on the labor market selected to provide a qualified and diverse candidate pool. All recruitment advertisements include a statement that Transdev is an "EEO Employer".
3. Transdev online employment applications notify applicants that Transdev is an equal employment opportunity employer in compliance with state and federal nondiscrimination laws and regulations. The online system includes a confidential section for the applicant's voluntary submission of EEO information.
4. Contract proposals and bid specifications shall include the statement that the organization is an equal employment opportunity employer.
5. When employees are pictured in consumer advertising, both minority and non-minority males and females shall be shown.
6. A copy of the Plan will be provided to the local union leadership, if any unions might be introduced to this workforce in the future.
7. Will meet with all employees and affinity groups to seek input on program installation.



## **DESIGNATION OF EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES**

The General Manager of Transdev's Napa operation has the overall responsibility for Equal Employment Opportunity. The Human Resources Manager, who reports directly to the General Manager, is designated as the Equal Employment Opportunity (EEO) Officer. The direct oversight of the EEO Program by the General Manager ensures that responsibilities related to the EEO requirements of the FTA grant contract are met. The specific delineation of EEO responsibilities is detailed below:

### **General Manager**

1. Serves as the primary representative of Transdev and monitors the EEO Program through reports from Human Resources and requested additional information and ensures compliance with the fiduciary responsibilities involved in the EEO provisions of the FTA grant contract.
2. Reviews the EEO discrimination complaint process, ensuring that complaints are handled in accordance with this Program and general EEO guidelines.
3. Directs the performance of internal evaluations to determine progress in meeting goals, problem areas, and effectiveness of employment practices in ensuring equal employment opportunity.
4. Disseminates directives to management and staff, as necessary, to ensure compliance with the EEO Program.

### **Regional Human Resources Director**

1. Serves as the official liaison between the company, Federal, State and local governments, regulatory agencies, minority, disabled and women groups, and other community groups.
2. Responds to and coordinates company response to complaints from any individual or group that is received through the "Transdev Ethics & Compliance Hotline" (1-866-850-3033).
3. Is the next level resource for response if a complaint is directed at the on-site Human Resources Department at the Napa Project, and for appeal of local decisions involving equal employment opportunity claims.

## **Human Resources Generalist**

1. Provides for an uninhibited avenue for applicants and employees to file complaints or raise questions regarding discrimination because of race, religion, gender, national origin, ancestry, veteran's status, marital status, age, disability or sexual orientation. Ensures that the discrimination complaint process is followed and, as necessary, explains external appeal rights to the complainant, and conducts follow-up reviews to determine if required corrective actions have been taken.
2. Developing and recommending, with the support of Transdev's Corporate Human Resources, EEO Policy, a written EEO program for Transdev employees at the Napa Area and internal and external communication procedures.
3. Assisting management in collecting analyzing employment data, identifying problem areas, setting goals and timetables and developing programs to achieve goals.
4. Designing, implementing and monitoring internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed.
5. Reporting at least semiannually to the GM on each department's progress in relation to the agency's goals and on contractor and vendor compliance.
6. Serving as a liaison between the company, Federal, State and local governments, regulatory agencies, minority, disabled and women groups, and other community groups.
7. Assuring that current legal information affecting affirmative action is disseminated to responsible organizations, and other community groups.
8. Assisting in recruiting minority, disabled and women applicants and establishing outreach sources for use by hiring officials.
9. Concurring in all hires and promotions.
10. Supporting career counseling for all employees
11. Processing employment discrimination complaints
12. Investigates, either in response to a complaint, or at the direction of the General Manager, or at her own discretion, any personnel action affecting



employees or applicants for employment to ensure compliance with EEO guidelines and this program. The Human Resources Manager shall have the right to inspect any personnel files, departmental records, or other records as needed in conducting an investigation or monitoring personnel practices.

- 13.If a complaint is directed toward Human Resources at the agency, any individual or group will be referred to the Regional Director of Human Resources (Mickey Sidhu, 630-943-9432), or Transdev's Transportation Ethics & Compliance Hotline at 1-866-850-3033, also available online from our website at [www.Transdev.com](http://www.Transdev.com).
- 14.Serves as the Equal Employment Opportunity Officer and official liaison between Transdev, its funding client, and any government and/or regulatory agencies on matters concerning equal employment opportunity.
- 15.Disseminates information relative to the EEO program to management and staff. Provides technical assistance, information, and explanation of policies and procedures to supervisory personnel to assist them in resolving and avoiding complaints.
- 16.Disseminates information to any necessary external sources including but not limited to media publications, groups and the internet.
- 17.Assures that current legal information affecting affirmative action is disseminated to responsible officials.
- 18.Participates in on-going training in order to maintain current information regarding EEO requirements and concerns. Retains membership in related professional organization for the same reasons.
- 19.Named in all internal and external correspondence regarding the EEO Plan.

To ensure the achievement of the above, the Human Resource Manager/EEO Officer will demonstrate the following:

1. Sensitive to, and with an awareness of, the varied ways in which discrimination occurs.
2. Has a total commitment to EEO program goals and objectives
3. Knowledge of civil rights precepts, policies rules, regulations and guidelines.
4. Sufficient authority and ability to work and communicate with others to achieve EEO goals and objectives.

## **All Supervisors, Managers and Executives**

1. Assist in identifying problem areas and establishing company and department goals and objectives.
2. Actively involved with local minority organizations, women's and disabled groups, community action organizations and community service programs.
3. Participates actively in periodic audits of all aspects of employment in order to identify and to remove barriers obstructing the achievement of specified goals and objectives.
4. Holds regular discussions with other managers, supervisors, and employees to assure the company's policies and procedures are being followed
5. Reviews 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.
6. Participates in the review and/or investigation of complaints alleging discrimination.
7. Conducts and supports career counseling for all employees; and
8. Participates in periodic audits to ensure that the work unit is in compliance. For example, EEO posters are properly displayed on official company bulletin boards.
9. Participates in periodic audits of all aspects of employment in order to identify and to remove barriers obstructing the achievement of specified goals and objectives.
10. Provides monthly employment data information regarding their department.
11. In conjunction with the EEO Officer, maintain and updating the personnel database for generating reports required for the nondiscrimination program.



## **Job Policies and Practices**

1. All written personnel policies apply to every employee on an equal basis regardless of the gender of the employee.
2. All employees have equal opportunity for any job for which they are qualified. Gender is not considered a bona fide occupational qualification for any job within the organization.
3. No distinction is made between the sexes with regard to opportunity, wages, hours, benefits, or other conditions of employment.
4. There is no distinction between the employment treatment and termination of a male or female based on marital status. Also, Transdev does not deny employment to females with children, nor does it terminate employees of one gender in a particular job classification upon reaching a certain age.
5. Transdev provides appropriate and comparable physical facilities for both male and female employees.
6. Transdev follows federal guidelines relative to employment; recognizing the existence of state "protective" laws.
7. No difference is made between males and females as to retirement age for any particular job.
8. Seniority lines and lists in the organization are not based upon gender.
9. No distinctions are based upon gender for those employees eligible for training.

## **Protected Characteristics**

Transdev has examined its policies and practices in light of any defined protected characteristic. Company policies, practices and procedures support the letter and spirit of the guidelines. Specifically:

1. Recruiting activities are conducted without regard to any protected characteristic.
2. As noted in the EEO policy statement, it is our policy to prohibit discrimination against applicants or employees based on any protected characteristic.
3. All employees have an equal opportunity to any job for which they are qualified. No protected characteristic is considered as part of the selection process. No information relative to any protected characteristic of any applicant or employee is solicited by the hiring manager.

4. No distinction is made based upon any protected characteristic with regard to employment opportunities, wages, hours or other conditions of work.
5. Seniority lines or lists are not based upon any protected characteristic.
6. Company training programs are conducted without regard to any protected characteristic.
7. Transdev will attempt to accommodate religious observances and practices of any employee or prospective employee unless this would cause undue business hardship.



# **EMPLOYMENT UTILIZATION ANALYSIS**

## **INTRODUCTION**

Transdev's utilization analysis is comprised of four parts. The Organizational Profile is a description of the workforce as offered by an EEO1 Report which is based on employment as of January 2022. The Job Group Analysis describes the composition and relationship of persons currently employed at Napa by Transdev. The Availability analysis provides a statistical profile of the Napa metropolitan area's Civilian Labor Force from which Transdev recruits its employees. The final element is a comparison of the current workforce profile compared with the availability of minorities and women in the area's labor market.

The purpose of a utilization analysis is to identify those job categories where there is an underutilization and/or concentration of minorities and women in relation to their availability in the relevant labor market. The utilization analysis is also used to set placement goals for groups that experienced underutilization. Transdev's utilization analysis complies with the FTA guidelines set forth in Circular 4704.1a to identify employees by sex and, race:

- White (not Hispanic or Latino)
- Black or African American (not Hispanic or Latino)
- Hispanic or Latino
- Native Hawaiian and Other Pacific Islander (not Hispanic or Latino)
- Asian
- Native American or American Indian
- Two or more Races
- Female
- Male

## **AVAILABILITY ANALYSIS**

Based on data from the 2014-2018 Census EEO Tabulation for the Napa Metropolitan Area, the local labor market was reviewed for data comparisons by minority and sex in the following numbers and percentages. The percentage of available minorities or women within a specific category varies depending upon the category of jobs being recruited.

Pursuant to applicable regulations, the availability analysis for each job group examines two potential areas of availability: (1) individual with the requisite skills outside the establishment (external availability); and (2) those within the establishment who are promotable, transferable, and/or trainable (internal availability).

Labor market estimates are derived from the U.S. Census Bureau's 2014-2018, EEO-4 Job Categories by Sex and Race/Ethnicity as recommended by the FTA Civil Rights Office. This information on general and detailed categories from the civilian labor market reflects the availability of persons in the labor market with the requisite skills for specific occupational categories. This usefulness of this data is limited by the fact that category definitions are not exactly matched with positions within the Transdev workforce but are the most accurate available and provide general information about the labor market. Transdev regularly recruits from the Napa MSA, with limited exceptions subject to the knowledge, skills and experience required.

The EEO-4 categories for which Transdev has employees are: First and Mid-Level Managers, Professionals, Administrative Support Workers, Skilled Craft and Service/Maintenance.

## **UTILIZATION ANALYSIS – 2022**

Transdev completed its Utilization Analysis with the use of the FTA Civil Rights Office's Utilization Chart. Transdev's representation of females and minorities continues to exceed the percentage of those in the available labor market in most of the job categories for which it has employees. As determined by the FTA's new methodology included in Circular 4704.1a, the Napa workforce shows following underutilizations:

Officials/Administrators – White: Female (1)  
Administrative Workers – White: Females (3)  
Services & Maintenance – Males: Hispanic (4),  
Females: White (6), Hispanic (8), Asian (2)

These identified shortfalls are explained in the Goals section of the Plan



## **GOALS AND TIMETABLES**

Transdev recognizes that goals and timetables can be an effective management tool to assist in the optimum utilization of human resources. Specific and detailed percentages and numerical goals with timetables will be set to correct any underutilization of specific classes of persons identified in the utilization.

The overall goal of Transdev is to employ minorities and females in all major job categories, and at all levels whenever possible, consistent with the percentage of minority and female population in the Napa MSA. This has been a trademark at Transdev demonstrated with its history of limited, if any, areas of minority or female underutilization representation found in its hiring and employment practices. This is reflected in a workforce with minority and female representation which has consistently exceeded the total available workforce. With the new methodology defined in Circular 4704.1a, Transdev has and will continue to engage in additional effort and resources in an effort to meet the new goals identified in the Utilization Analysis Chart. To be clear, these new goals are not the result of any change in Transdev's recruitment methods or employment practices. Nor are they the result of any reduction of females or minorities in Transdev's workforce. These new goals arise from the transition from EEO-1 job categories to EEO-4 job categories and the individualized minority groups created in Circular 4704.1a. Regardless of which categories are used or racial identification, Transdev remains committed to its history of Equal Employment to continue to attract and maintain a quality and diverse workforce.

In the development of placement goals, Transdev applied the following principles:

1. When the percentage of minorities or women employed in a particular job was less than would reasonably be expected given their availability percentage in that job group, Transdev established a percentage placement goal using statistically significant methods (the whole person rule). These goals take into account the availability of qualified persons in the local labor market and the anticipated employment opportunities with Transdev.
2. Placement goals are not quotas that must be met, nor are they to be considered as either a ceiling or a floor for the employment of particular groups. The placement goals are guideposts that may be used as a measure of Transdev's progress in remedying areas identified as underutilized.



3. In all employment decisions, Transdev makes selections in a nondiscriminatory manner. Placement goals do not provide a justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status, on the basis of any applicant's protected characteristic as defined by applicable unit of government.
4. Placement goals do not create set-asides for specific groups, nor are they intended to achieve proportional representation or equal results.
5. Placement goals are not used to supersede merit selection principles, nor do these placement goals require Transdev to hire a person who lacks the qualifications to perform the job successfully or hire a less-qualified person in preference to a more-qualified one.

Transdev believes that continued outreach and recruitment efforts designed to increase the diversity of qualified applicants increase the opportunities to meet the placement goals identified. These and other good faith efforts toward all aspects of the EEO Plan will be reviewed, and modified if needed, as Transdev pursues these goals.

The Utilization analysis conducted earlier in the Plan identified several areas where a shortfall of specific demographics might exist. In the following pages, each of these areas will be addressed and in some instances a Goal will be established while in others no specific action is forecasted.

### **Administrative Support goal**

In prior years this category had appropriate male and female representation and the current numbers reflect the new measure techniques included in the new Circular. If any effort to increase female representation is made, it will be focused on increasing the representation of white, females, however, there are limited expectations to create programs to increase female representation in any demographic group. The current employment numbers have pushed employers into a race to secure any candidate, it is Transdev's expectation to contact any applicant within 24 hours to schedule an appointment for an interview. Failure to participate in this immediate hiring has shown that the candidate will move onward toward other employers who are equally in pursuit of talent. This focus has impacted the value of participation in many of the traditional recruitment tools such as open houses and job fairs that might target specific demographics. Transdev is exploring economically



viable niche marketing of openings but has not found a vehicle that has shown results that boost applications these positions.

While there is a considerable underrepresentation of white females (3), Transdev has an overrepresentation of females employed in this category, with the overrepresentation focused in the minority groups. While not measured in this format in the prior EEO Plan, Transdev's employment records identify this is a sustained employment pattern. Without lessening its efforts to attract and retain qualified females, of any racial group, in this job category, this goal is considered to be modest concern due to the historical female overrepresentation.

Therefore, while respectful of the goals for statistical balance, it is not thought politically likely or compliant with other standards to make a significant recruitment effort to hire white females which could realistically only be achieved at the expense of minority females or any protected class. To do so would likely invite claims of racial discrimination with state or federal compliance agencies and be contrary to the Transdev's historical advocacy for minority hiring.

Regardless of future compliance or political issues, whenever an underrepresentation has been identified, Transdev has a strong record of setting, and the achieving goals. Transdev will continue its expansive recruitment efforts and will strive to meet every goal for female and minority hiring in the future.

Transdev will also maintain its participation in recruitment for former members of the military and for individuals with disabilities. Prior efforts in the past 3 years have been made to expand Transdev's on-line recruiting, interaction with agencies representing individuals with disabilities and military members who are in transition to the civilian workforce. In person outreach, i.e. boot-on-the-ground outreach will also maximized for any areas of underrepresentation. All assumptions and goals will be reviewed and revised as needed. Transdev has and will continue to actively pursue agencies that work specifically with disadvantaged groups to provide job/career information.

### **Service and Maintenance Workers**

The Utilization Chart identifies several areas of under representation in this category. A closer analysis shows that Transdev's efforts for a diverse workforce which includes an overrepresentation of minority males of (57.1%) may have contributed to specific areas of underrepresentation for Hispanic males (4).



Transdev's female representation is slightly less (30%) than the percentage of females in the available in the labor market (55%). This is evidenced in an underrepresentation of white females (6), Hispanic females (8) and Asian females (2). As experienced elsewhere, Transdev's diversity may be partially responsible as (7) Black females are employed whereas the labor market availability is surprisingly 1%. Again, this demonstrates a commitment to diversity and employment of minorities, just not in the specific categorical alignment. Transdev will continue to strive toward statistical balance in its recruiting and employment practices.

There are also two mitigating factors which will affect the progress in reducing the areas of underrepresentation in this category. First is the turnover in this position, which is high and is likely to remain at or near 50%. The second is the continued decline of available CDL qualified employees and the continued increase of CDL and other driving position in the Gig and Home delivery economies is unlikely to change. Recent analysis from Career Builder identified over 450,000 CDL openings nationwide, with only 170,000 candidates. This reduction in the number of available candidates with CDL's at the time of their application is equally applicable in the Napa area as Transdev has modified its hiring practices to allow for a conditional offer of employment and in-house CDL training for trainees to pursue the completion of CDL testing. This modification may also benefit minority applicants who could not attain a CDL on their own and could not afford the schooling. In short, Transdev will pursue the goal to increase Hispanic hires, of either gender, the current recruitment process already includes an expansive network to attract candidates regardless of any demographic.

Regardless of future compliance or political issues, whenever an underrepresentation has been identified, Transdev has a strong record of setting, and the achieving goals. This success was the result of analysis of position vacancies and estimated turnover, along with any new positions authorized for the period of this Plan. This forecasting process is only an estimate, but the evidence is in the elimination of every goal established in any prior Plan. Said differently, Transdev has met every goal for female and minority hiring and is expected to continue such efforts and outreach in the future.

Transdev's expanded recruiting outreach will continue to focus on improving female and minority representation in each category for each of the next three years. Transdev will continue to expand its participation in recruitment for former members of the military and for individuals with disabilities. Continued efforts will be made to expand "boots on the ground" campaigns in addition to Transdev's on-line recruiting, interaction with agencies representing individuals with disabilities and military members who are in



transition to the civilian workforce. All assumptions and goals will be reviewed and revised as needed.

Transdev has developed liaisons with local businesses to increase awareness of career opportunities. Local organizations include the educational institutions employment assistance centers, California Department of Employment and Housing, Hire-a-Hero.com, DOD military Job Fairs, Vocational Rehabilitation Centers, Goodwill, and certain public media resources are notified of all position openings as they occur. Transdev has and will continue to actively pursue agencies that work specifically with disadvantaged groups to provide job/career information.

### **Assessment of Prior EEO Plan Goals**

In the development of this plan, prior EEO Plans from 2009, 2012, 2015, and 2018 developed and managed by Transdev for its Napa workforce were reviewed. Historically, Transdev's workforce representation equaled or exceeded the representation of minority and females in all categories. In consideration of these achievement there were no goals developed for any category.

This prior and sustained record was achieved by the application of multiple recruitment activities and non-discriminatory employment practices. As a result of these outcomes there was limited, if any, need to develop specific outreach or external "boots-on-the ground" campaigns for either females or minorities. This had equal impact on Transdev's interaction with its client (FTA grantee) as the purpose of reviewing progress toward goals seemed of little value when no goals were needed. Moving forward Transdev will strive for compliance with Circular 4704.1a and document whatever areas of underrepresentation are targeted for remediation.

## **ASSESSMENT OF PRESENT EMPLOYMENT PRACTICES**

The very nature of transportation requires Transdev to recruit personnel with varying levels of skill and ability. Recruitment of positions is done on a local, state and/or national basis, depending on the position.

### **Recruitment and Selection Process**

Transdev actively seeks minorities and women for existing and future employment. A variety of recruitment sources are utilized to include, but not limited to:

- California Employment Development Department
- Local Educational institutions employment assistance centers
- Public media resources
- Online military transition services
- Transdev also participates in job fairs in the community in addition to notifying minority/female agencies of job openings.
- Transdev's Website, in person outreach and technical outreach to minority, female, social service, military and disability agencies via Direct Employer. The website includes alternatives to the online application process for individuals with disabilities.

Department directors notify the Human Resources Department of any opening which occurs within their department. All openings are posted on Transdev's own website, [www.transdevna.com](http://www.transdevna.com), and additional recruitment resources which vary based on the position and availability. The majority of open positions are posted in-house in concurrence with outside recruitment. This encourages the company's philosophy to promote and recruit from within the organization.

Position openings may be advertised in local publications, news media resources, local social service agencies, training organizations, and websites designed for compliance and outreach, e.g. the CalJobs offices. Transdev utilizes Direct Employer, an online service which provides a single, one-stop access point to post jobs to thousands of job boards to improve our diversity focused candidate groups including college/university, including those with predominantly minority and/or female enrollment, veterans, diversity, and affirmative action locations. Job openings are posted for at least five business days, longer if necessary, depending on the position. Employment inquiries from interested parties are also forwarded to Human Resources from Transdev's customer service. Additionally, Transdev has undertaken, and plans to continue as available, special employment programs that involve



minorities and females. For example, summer jobs for underprivileged youths and a college internship program.

Depending on the position, an advertisement will be placed in the local newspaper, Career Builder, Indeed, Transit Times website and/or the APTA trade journal "Passenger Transport". While the position is open, individuals may apply online at our website. Individuals who express interest by other means, e.g. e-mailed to our office or on-site interest are directed to our website. At the completion of the application period, the profile of each applicant is reviewed and screened for appropriate qualifications.

Those applicants most appropriately qualified are scheduled for screening interviews with a member of Human Resource or the Safety Department. During the initial interview, applicants are given specific information regarding the position for which they applied. If there are any questions regarding their application and/or resume they are asked in the initial interview. For administrative positions, individuals are selected on the basis of their application, interview and reference checks. For those positions which require the operation of a company vehicle, a moving violation report is requested to review the applicant's driving record.

Screening interviews result in qualified candidates being scheduled for a second interview with the department manager, supervisor and/or director. These individuals select the most suitable individual(s) for the position.

Upon an offer of conditional employment, the applicant will then need to authorize and successfully complete a thorough background investigation which includes a pre-employment physical, drug screen, conviction record background check and reference verifications. Certain positions which require a commercial driver's license must satisfy the Department of Transportation's physical regulations, drug screens, MVR and reference checks.

Drug screens must be negative. If the drug screen result is positive, the applicant may only reapply after presenting documentation of an FTA recognized rehabilitation program.

The Employment Practices Chart suggests that potential adverse impact is available for the Administrative, Skilled Craft, and Service & Maintenance category for both Males and Female White, Black, Hispanic, and Asian. In the These categories on the Chart have minor potential adverse impact in large part due to the limited numbers involved. There is no obvious disparity that shows any demographic discrimination or favoritism in these categories, which is consistent with Transdev's overall diversity in Napa. More complete information is available in the Employment Practices Chart.



## **Promotions**

Transdev encourages all employees to seek upward mobility, with opportunities at their existing location or at any of Transdev's operations in the USA or abroad. With the posting of virtually all positions on the website, and communication of same to all employees by postings and verbal communication, Transdev ensures that employees have full knowledge of lateral or upward mobility. In instances where progression through an existing Transdev job family will provide the most qualified candidate, certain positions will not be posted. Access to such opportunities is available through the traditional application via Transdev's website along with portal on Transdev's Intranet that is accessible only to existing employees when such qualifications merit. This process assures opportunity for employees while serving the interest of the agency by comparison of internal and external talent.

More complete information is available in the Employment Practices Chart. No evidence of discrimination is suggested by the Chart.

## **Compensation Administration**

All positions are classified according to similarities of responsibilities and qualifications. The purpose of this classification is to cluster similar positions in order to achieve equity within the position and pay equity in regard to wage structure.

In order to maintain a complete, accurate and equitable system, managers are requested to review and/or complete a position description survey as a position changes or departments are reorganized. Reclassification of a position may result if it is determined that changes in the job content are of such significance that a change in position class is warranted.

If an employee feels that the duties and responsibilities presently being performed are not accurately or completely described by the present position classification, this opinion should be brought to the attention of his/her supervisor. The employee may be requested to complete a new position description questionnaire, which will be reviewed and approved by his/her supervisor and department director. If the department director after reviewing the revised position description questionnaire believes that an evaluation of the position is warranted the department director notifies the Regional Director Human Resources, who will convene a Job Evaluation meeting with the appropriate persons.



If an employee feels that an evaluation of his/her position was unjustly denied by the department director, the employee may request a hearing with the Human Resources Coordinator and/or General Manager.

There is generally one type of pay increment that may be authorized for Transdev administrative personnel, and that is a merit increase based on individual performance as detailed on their performance review. A merit increase in recognition of successful performance of an employee is not automatically granted. Merit increments are awarded by the employee's appropriate functional manager or general manager.

Transdev maintains a compensation administration program, which provides for recognition of, and regard to, differences in individual ability and performance. The fact that an employee has continued to be employed by Transdev is not by itself justification for a salary adjustment. Performance is the key factor, not length of service. The salary and performance of each employee is reviewed at regular intervals. Adjustments are based on individual merit, proper differential with those supervised and equitable relationships with all other salaries within the system. Merit increase vary and are based upon economic conditions.

### **Employee Benefits**

The benefits available to all regular Transdev employees will vary depending upon position and potential of any negotiated union agreements. Benefits include health insurance, dental insurance, term life insurance, disability programs, paid holidays and sick days, vacation, EAP and a retirement plan.

All benefits are made available on a non-discriminatory basis shortly after their date of hire. Changes in group-based coverage are available to each during Annual Enrollment which occurs in the fall of each year.

### **Training**

The Safety and Training department coordinates internal and external training programs for Transdev employees. This area will also disseminate information on training activities to department heads for the employees under their supervision.

Transit Operators initially participate in Transdev's Operator Development Program which was developed by Transdev staff to ensure consistent training is presented to all new hires. After hire, all employees participate in refresher



courses on safe operation of their duties, disability sensitivity training and other compliance programs as required by the DOT or Transdev policy.

Managers, Professional and certain Administrative staff participate in the above training with Operators, with additional development programs to include but not limited to Communications, Conflict Resolution, Documentation and Progressive Discipline. Compliance training such as Unlawful Harassment Prevention, DOT Reasonable Suspicion, ADA, EEO and are also presented to leaders on a scheduled basis.

## **Disciplinary Practices**

Employees hired to fill a permanent full-time position serve a probationary period of six (6) months. The probationary period is a span of time during which an employee is evaluated by his or her supervisor on their performance of duties in their position. Those qualities, which comprise the overall makeup of the employee, include such things as competence, safety performance, attendance, reliability, customer service, trustworthiness, etc. If problems begin to occur, the department director and human resources will counsel the employee.

If at any time during the probationary period an employee is performing in an unsatisfactory manner, has been counseled on these deficiencies and given the opportunity to correct them, yet does not improve, the employee will be released without recourse. The reasons for separation will be submitted to the appropriate manager and will be placed in the employee's personnel file.

If the employee completes probation and becomes a regular member of the Transdev workforce and begins to perform in an unsatisfactory manner, he/she will be called in by the supervisor to discuss the job performance. A Performance Improvement Plan will be completed, signed by the supervisor and the employee and placed in the personnel file. The employee is given a specific period of time to improve his/her performance. If, at the end of this time no improvement is detected, the employee is dismissed. If an employee disagrees with the termination he/she may appeal through the human resources director and/or general manager.

Hourly employee's disciplinary and termination procedures are outlined in the Employee Handbook and work rules. These two documents describe the disciplinary actions to be taken when dealing with administrative leaves, suspension, loss of pay, verbal and written reprimands and terminations.

More complete information is available in the Employment Practices Chart. The overall terminations in the Chart suggest potential adverse impact for



Black employees, but overall there is not a significant indication of discrimination. Transdev continues to hire Black employees in numbers greater than their proportionate representation, dispelling any animus or discrimination based on race. The Chart also shows modest potential for disparate impact, in large part due to the limited number of events. The disciplinary events for suspensions indicated virtually all categories are subject to disparate impact, an outcome seemingly contrary with the term.

### **Shift and Worksite Assignment**

Practices in this area vary with different categories of employment, and by department. General offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday. Administrative employees work varying schedules with hours of work aligned with hours of service. Certain work schedules may be assigned or chosen on the basis of seniority.

### **Layoff and Recall**

Any decision for layoff for employees not covered by a labor agreement would include a review of the competencies demanded of each position and the reviewed competencies of each individual. Once the organizational needs have been determined, these competencies will be considered to identify employees for any reduction in force.

## **INTERNAL MONITORING AND EVALUATION OF THE EEO PROGRAM**

The EEO Officer has the responsibility for developing and preparing the formal documents of the AAP. The EEO Officer is responsible for the effective implementation of the EEO Plan; however, responsibility is likewise vested with each department manager and supervisor. Transdev's audit and reporting system is designed to:

- Measure the effectiveness of the AAP/EEO program.
- Document personnel activities.
- Identify problem areas where remedial action is needed.
- Determine the degree to which Transdev AAP goals and objectives have been obtained.

The following personnel activities are reviewed to ensure non-discrimination and equal employment opportunity for all individuals without regard to their gender, race, sex, religion, color, creed, age, national origin, ancestry, marital status, citizenship status, veteran status, disability, sexual orientation or any other factor prohibited by applicable federal, state or local law:

- Recruitment, advertising, and job application procedures.
- Hiring, promotion, transfers, upgrading, award of tenure, layoff, recall from layoff.
- Rates of pay and any other forms of compensation including fringe benefits.
- Job assignments, job classifications, job descriptions, and seniority lists.
- Sick leave, leaves of absence, or any other leave.
- Training, apprenticeships, attendance at professional meetings and conferences.
- Disciplinary actions, terminations, suspensions, and demotions.
- EEO complaints.
- Any other term, condition, or privilege of employment.

The following documents are maintained as a component of Transdev's internal audit process:

1. An applicant flow log showing the date of application, position applied for, applicants name, referral source/ race, sex, veteran status/ interview status and action taken for all individuals applying for job opportunities is tracked within Transdev's ATS system (iCIMS);
1. Summary data of external job offers and hires, promotions, resignations, terminations, and layoffs by job group and by sex and minority group identification;



2. Summary data of applicant flow by identifying, at least, total applicants, total minority applicants, and total female applicants for each job group;
3. Maintenance of employment applications (not to exceed one year); and
4. Records pertaining to Transdev's compensation system (maintained by payroll department).
5. As maintained by the Corporate Applicant Tracking System (ATS), applicant flow information is collected and reported. Transdev uses the iCIMS ATS.

#### **Methods to monitor the EEO components in this section**

Transdev's audit system includes periodic reports which document Transdev's efforts to achieve EEO responsibilities. Department Managers and Supervisors are asked to report any current or foreseeable EEO problems and are asked to outline their suggestions or recommendations for solutions. If problems arise, the Department Manager is to report such concerns to the EEO Office. During the reporting period, the following will occur on an annual basis.

1. The EEO Officer will discuss any problems relating to significant rejections, EEO charges, etc. with the General Manager; and
2. The EEO Officer will report the status of Transdev's AAP goals and objectives to the General Manager. The EEO Officer will recommend remedial actions for the effective implementation of the EEO Plan.
3. Analysis of dissemination methods to ensure that applicants and employees are aware of the Plan. In the event applicants are insufficient or on limited diversity, the EEO Officer will review with the Regional HR Director, Transdev's Corporate Talent Acquisition department or other resources in an effort to improve the quality and/or quantity.
4. The EEO Officer will review the Utilization Analysis outcomes to identify if the position is identified as an area of underrepresentation, what, if any, special recruitment efforts may be utilized.
5. If any goals are established for addressing any underrepresentation, the EEO Office will assess if the recruiting and selection procedures in effect

are effective in achievement of the goal. If progress is not sufficient to meet the established goal(s), the EEO Officer, in conjunction with the Regional HR Director will identify the barriers that might exist in meeting the established goals.

The EEO Officer will meet on at least an annual basis with the General Manager, and any recommended top management, to review the effectiveness of the Plan and submit recommendations, as necessary, regarding changes or improvements. The EEO Office is empowered to then develop and implement any changes to practice or policy needed within the Company to more effectively address/implement the goals, guidelines, and commitments set forth in the Plan.

Procedures for review of Sub-recipients and contractors

### **Procedures for review of union contracts**

The labor agreements negotiated between the Teamsters and Transdev include bona fide seniority systems and specific language that nothing contained in the contracts will be in violation of any federal, state or local employment rules or regulations. Transdev's HR, Legal and Labor department's review each contract prior to any contract renewals, which typically occur every 3 years to further ensure that the labor contract does not produce any discriminatory impact.

### **Procedures for Complaints**

The EEO Officer is responsible for managing the EEO compliance functions for Transdev's Napa location. Transdev Services, Inc. has developed and implemented policies and procedures for addressing complaints of discrimination:

- Transdev Unlawful Harassment Policy
- Equal Employment Policy
- Transdev Business Code of Conduct Policy
- Due Process Policy

Additionally, internal information on discrimination complaints received by Transdev's maintained by the Regional Director Human Resources. All applications are initially made online and demographic information is monitored via an on-line Applicant Tracking System. The information is periodically reviewed for departmental trends and to identify any problem



areas of need. The information is provided to the General Manager for consideration.

Turnover activity by race and gender has been tracked and is available for analysis as needed. All the systems serve as means to self-audit and monitor Transdev's performance and progress in meeting its EEO goals and objectives. They also serve to identify problem areas and develop customized solutions/responses to areas of need.

### **Discrimination Complaints Filed**

Since the filing of the prior in 2019 -2021, Transdev has received only two complaints from any state or federal compliance agencies regarding its employment practices. Each of the complaints was dismissed. More information is available on the EEO Complaint Log

