

04- LEGAL AFFAIRS DIVISION

OVERVIEW

To provide professional, cost-effective legal, safety, and risk management services. The Legal Affairs Division is comprised of the Legal, Safety, and Risk Management Departments. The Legal Department provides legal counsel and representation to the Board of Trustees and the Authority. Legal represents the GCRTA on major projects, personal injury, property damage, employment, labor, civil rights, debt collection, and contract matters. It also advises on procurement, general contract, real estate, personnel, liability, and labor matters. The Claims Section of the Legal Department properly evaluates all claims, focusing on a thorough and prompt investigation, compassion and fiscal responsibility. The Safety Department uses a Safety Management System to prevent employee injuries, protect passengers, preserve assets and property, and reduce the potential for environmental events. Safety also administers the Public Transportation Agency Safety Plan while being the delegated authority on behalf of ODOT to conduct accident investigations and safety assurance audits. The Risk Management Department provides Workers' Compensation, as well as insurance expertise for the Authority and manages the purchases of both liability and property insurance consistent with GCRTA's level of self-insurance.

CONNECTION TO STRATEGIC PLAN

The Legal Division works to ensure a safe, equitable environment for all customers and the greater community at large. Financial sustainability is obtained through budget adherence, controlling insurance premium costs, and managing claims (3rd party and Workers' Compensation). Employee perception of opportunity for growth and success, understanding the Authority's vision and direction, and clarity in connection between personal performance and organization success are also areas of focus within the Legal Division.

2021 ACCOMPLISHMENTS

- Provided efficient and cost-effective legal representation in all GCRTA litigation, transactional, and administrative matters.
- Provided legal information and guidance to the Authority on numerous matters related to the COVID-19 pandemic.
- Continued legal information program to apprise GCRTA departments of public sector legal issues that affect the Authority.
- Provided and facilitated advice on ethical issues and concerns.
- Supported construction projects and energy management initiatives.
- Continued a proactive approach to reducing bus and rail incidents.
- Continued enhancement of a safety culture within the Authority.
- Supported Investigated allegations of discrimination or non-compliance with equal opportunity policies and procedures.
- Worked to ensure compliance with all federal, state, and local legislation and regulations and served as a liaison between the Authority and regulatory agencies.

- Provided Risk Management expertise to Legal, Procurement & Engineering Departments for many significant construction and development projects and procurements, both for GCRTA and other entities such as ODOT.
- Negotiated the best terms and conditions available in the market place and most cost-effective renewal for property/casualty insurance programs for GCRTA.
- Implemented the 2021 Public Transportation Agency Safety Plan.

2022 PRIORITIES

- Provide efficient and cost-effective legal representation in all GCRTA litigation, transactional, and administrative matters.
- Continue to provide legal information and guidance to the Authority on matters related to the COVID-19 pandemic.
- Provide and facilitate advice on ethical issues and concerns.
- Continue legal information program to apprise GCRTA departments of public sector legal issues that affect the Authority.
- Continue enhancement of a safety culture within the Authority.
- Continue Transportation Safety Institute (TSI) certification and training of Safety Department personnel.
- Continue a proactive approach to reducing bus and rail incidents.
- Continue to ensure compliance with all Federal, State, and local legislation and regulations and serve as a liaison between the Authority and regulatory agencies.
- Continue to negotiate the best terms and conditions available in the marketplace and most cost-effective renewal of GCRTA insurance programs.
- Continue to update and improve our claims handling process.
- Continue to create a positive working environment that emphasizes teamwork and goal setting.
- Provide Risk Management expertise to Legal, Procurement & Engineering Departments for various authority-wide projects, leases, license agreements, and other procurements
- Create and implement the 2022 version of the Public Transportation Agency Safety Plan.

LIST OF DEPARTMENTS

Department Number	Department Name
15	Safety Department
21	Legal Department
22	Risk Management Department

LEGAL DIVISION



Success Outcomes	Metric	FY2022 Performance Goals	Objective	Definition
Customer Experience	Safety - Perception	25%	↓	The % decrease in complaints filed with the City of Cleveland Department of Public Health
	Safety - Actual	70%	↑	The % compliance with safety performance targets
	Internal Net Promoter Score	15	↑	The Net Promoter Score of Legal Affairs functions as rated by GCRTA employees
	Equal Opportunity Complaint Resolution - Perception	50%	↑	The % customer perception of satisfaction with complaint resolution by OEO
	Equal Opportunity Complaint Resolution - Actual	75%	↑	The % of actual customer complaint resolution by OEO
Community Value	Community Perception of Safety	50%	↑	The % of community who agree or strongly agree that GCRTA is safe

Success Outcomes	Metric	FY2022		Definition
		Performance Goals	Objective	
Financial Sustainability	Claims Resolution Efficiency (3rd Party) - Actual	\$1.1M	↑	Total dollar amount of 3rd party claims delivered within budget
	Claims Resolution Efficiency (3rd Party) - Perception	50%	↑	The % of employees that agree or strongly agree that they are provided with tools that allow for maximum efficiency in 3rd party claims resolution
	Claims Resolution Efficiency (Workers' Compensation) - Actual	\$1.6M	↑	Total dollar amount of workers' compensation claims delivered within budget
	Claims Resolution Efficiency (Workers' Compensation) - Perception	50%	↑	The % of employees that agree or strongly agree that they are provided with tools that allow for maximum efficiency in workers' comp claims resolution
	Insurance Premium Costs	5	–	Achieve an average score of 5 by maintaining insurance premium costs at or below industry benchmarks across the three lines of coverage
	Budget Adherence	\$9M	–	Division functions delivered within budget
Employee Engagement	Employee Safety - Perception	50%	↑	The % of employees that agree or strongly agree that GCRTA provides a safe and secure place to work.
	Safety - Actual	6%	↓	The % decrease in number of employee injuries
	Division Employees Agree - Supervisor Invested in Growth and Success	5%	↑	The % of employees that agree or strongly agree that their Supervisor is invested in their growth and success.
	Division Employees - Understand Vision and Direction	10%	↑	The % of employees that agree or strongly agree that they understand the vision and direction of GCRTA.
	Division Employees - Understand How Performance Linked to Organization Success	20%	↑	The % of employees that agree or strongly agree that they understand how their performance contributes to organizational success.
	Workforce Net Promoter Score	5	↑	% Promoters minus % Detractors that recommend the Division as place to work

15- SAFETY DEPARTMENT

OVERVIEW

The Safety Department is to prevent collisions and injuries to the GCRTA passengers and employees, and to avoid damage to property. Provides leadership in promoting safety throughout the organization and to protecting the environment by providing guidance to RTA facilities about environmental compliance.

2021 ACCOMPLISHMENTS

- Implemented the 2021 Public Transportation Agency Safety Plan.
- Supported engineering design and construction projects.
- Updated Administrative Procedure AP 044, Strategic Framework for Reducing Bus and Rail Collisions.
- Continued enhancement of a safety culture within the Authority.
- Worked to ensure compliance with all Federal, State, and local legislation and regulations and served as a liaison between the Authority and regulatory agencies.
- Provided advice regarding pandemic actions for protection of employees and passengers.
- Updated Administrative Procedure AP 049, Hazardous Waste Regulations, to ensure systematic compliance with EPA requirements.
- Responded to and investigated accidents leading to corrective actions to prevent recurrence.

2022 PRIORITIES

- Create and publish the 2022 version of the Public Transportation Agency Safety Plan.
- Support construction projects and other activities that require implementation of the Safety Review Policy and Procedure.
- Continue enhancement of a safety culture within the Authority.
- Continue the professional development of the safety staff through completion of FTA required individualized training plans.
- Implementation of a Risky Operator identification and retrain process to reduce bus collision risk.
- Update of the Right of Way Worker Protection Plan.

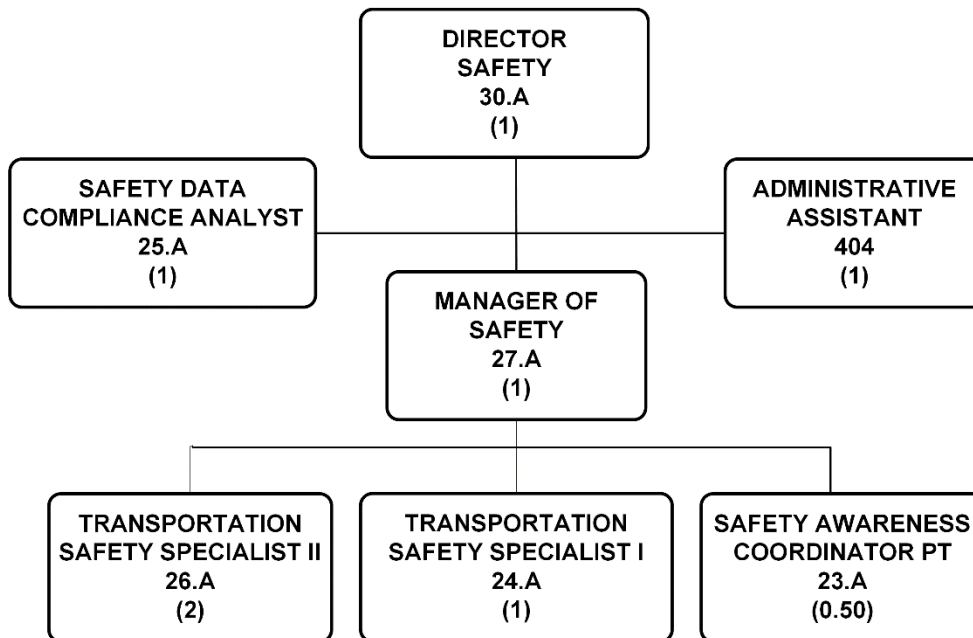
SAFETY DEPARTMENT BUDGET

Object Class	Description	2020 Actual	2021 – Q3 Estimate	2022 Budget
501300	Labor - Salaried Employees	404,454	380,356	514,280
501310	Overtime - Salaried Employees	1,732	4,831	2,000
502000	Fringe Benefits	155,302	154,580	188,304
503000	Services	136,042	171,082	204,010
503052	Other Maintenance Contracts	41,356	49,736	52,250
504000	Material & Supplies	17,470	10,837	20,000
509000	Miscellaneous Expenses	8,602	7,659	11,250
509022	Meals & Concessions	92	762	2,400
Total		765,050	779,843	994,494

SAFETY DEPARTMENT STAFFING

Grade	Job Name	2020	2021	2022
04	0404 Administrative Assistant	1.0	1.0	1.0
23	1151 Safety Awareness Coordinator	0.75	0.75	0.5
24	1195 Transportation Safety Specialist I	1.0	1.0	1.0
25	0738 Safety Data Compliance Specialist	1.0	1.0	1.0
26	1196 Transportation Safety Specialist II	2.0	2.0	2.0
27	0782 Manager of Safety	1.0	1.0	1.0
30	1443 Director	1.0	1.0	1.0
Total		7.75	7.75	7.5

SAFETY DEPARTMENT ORGANIZATION CHART



21- LEGAL DEPARTMENT

OVERVIEW

Provide comprehensive, effective legal and claims services to the Authority. The Department represents the Authority in claims, lawsuits, administrative and arbitration hearings, preparing legal opinions and documents, providing advice and ensuring compliance with Federal, State, and local laws.

2021 ACCOMPLISHMENTS

- Provided efficient and cost-effective legal representation in all GCRTA litigation, transactional, and administrative matters.
- Continued legal information program to apprise GCRTA departments of public sector legal issues that affect the Authority.
- Provided and facilitated advice on ethical issues and concerns.
- Advised and supported the Authority's EEO/ADA programs to ensure compliance with Federal, State, and local laws regarding employment practices, facilities, and services.
- Supported the investigations of allegations of discrimination or non-compliance with equal opportunity policies and procedures.
- Supported the Authority's Affirmative Action Plan.

2022 PRIORITIES

- Provide efficient and cost-effective legal representation in all GCRTA litigation, transactional, and administrative matters.
- Provide and facilitate advice on ethical issues and concerns.
- Continue legal information program to apprise GCRTA departments of public sector legal issues that affect the Authority.
- Support investigations of allegations of discrimination or non-compliance with equal opportunity policies and procedures.
- Continue to ensure compliance with all Federal, State, and local legislation and regulations and serve as a liaison between the Authority and regulatory agencies.
- Continue to update and improve GCRTA's claims handling process.
- Continue to monitor data entry and reporting requirements.
- Continue to review the claims process and procedures to produce best practices.

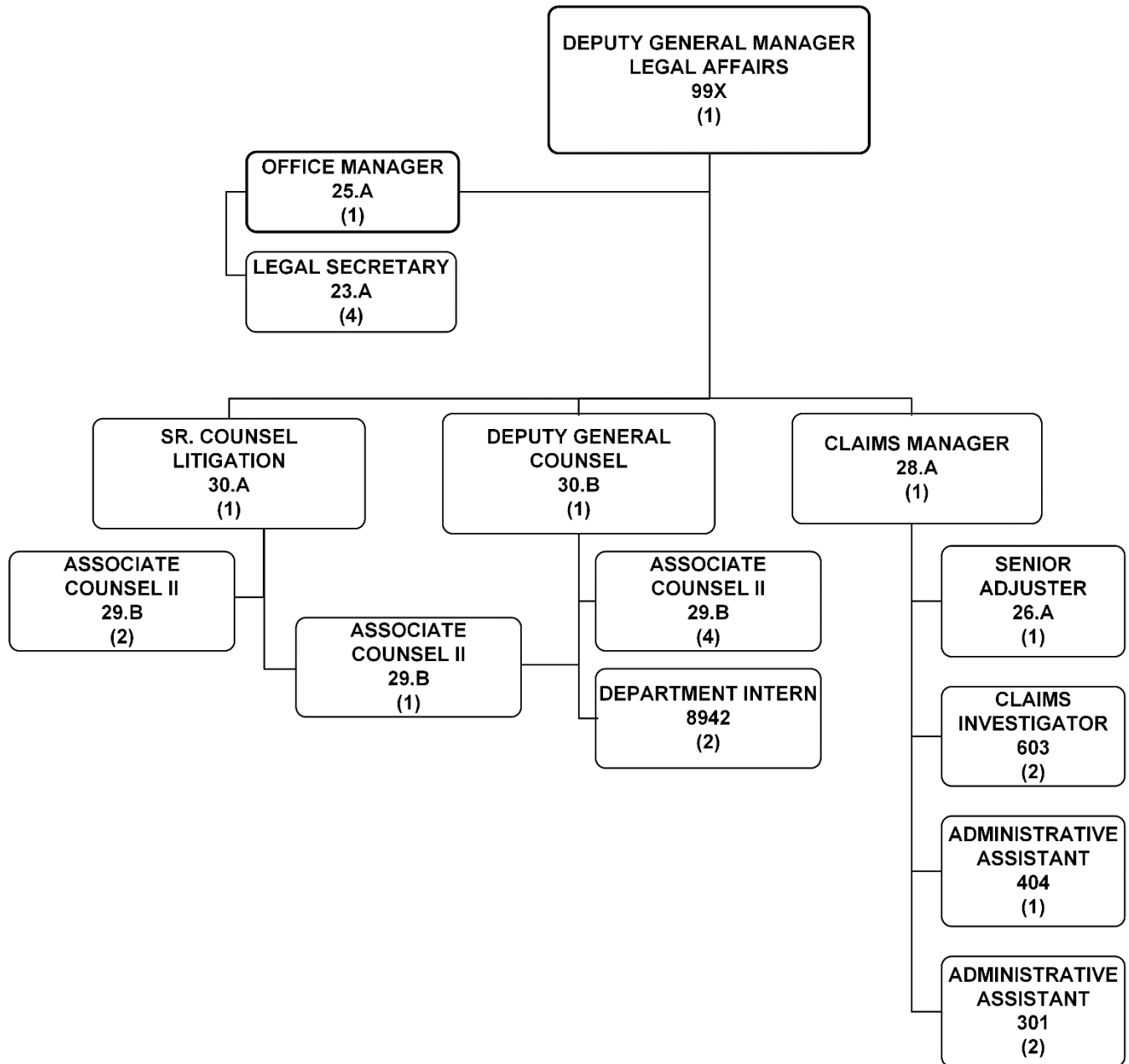
LEGAL DEPARTMENT BUDGET

Object Class	Description	2020 Actual	2021 – Q3 Estimate	2022 Budget
501300	Labor - Salaried Employees	1,805,855	1,719,150	1,914,829
501310	Overtime - Salaried Employees	1,326	1,186	1,500
502000	Fringe Benefits	684,869	660,223	640,238
503000	Services	396,782	341,903	569,600
503049	Temporary Help	62,051	139,218	50,000
504000	Material & Supplies	5,161	4,532	8,000
506040	Liabilities & Property Claims	672,301	743,492	1,000,000
509000	Miscellaneous Expenses	13,642	11,563	19,250
509022	Meals & Concessions	61	100	1,000
512000	Leases & Rentals	21,235	(1,021)	-
Total		3,663,284	3,620,347	4,204,417

LEGAL DEPARTMENT STAFFING

Grade	Job Name	2020	2021	2022
01	8942 Legal Intern	1.0	1.0	2.0
03	0301 Administrative Assistant	2.0	2.0	2.0
04	0404 Administrative Assistant	1.0	1.0	1.0
06	0603 Claims Investigator	2.0	2.0	2.0
23	0724 Legal Secretary	4.0	4.0	4.0
25	1675 Office Manager	1.0	1.0	1.0
	1720 OEO & ADA Specialist	1.0	-	-
26	0876 Senior Adjuster	1.0	1.0	1.0
28	0773 Manager Claims	1.0	1.0	1.0
29	0880 Senior Manager/Office of Equal Opportunity	1.0	-	-
	1440 Associate Counsel II	6.0	7.0	7.0
30	1446 Senior Counsel – Litigation	1.0	1.0	1.0
	1680 Deputy General Counsel – Administrative, Labor & Transactional Law	1.0	1.0	1.0
99	9951 DGM Legal Affairs/Director of Legal	1.0	1.0	1.0
Total		24.0	23.0	24.0

LEGAL DEPARTMENT ORGANIZATION CHART



22- RISK MANAGEMENT DEPARTMENT

OVERVIEW

The Risk Management Department is to protect the assets of the Authority from catastrophic losses through risk identification and analysis, risk avoidance, mitigation, and risk transfer. The Department is also responsible for managing the Authority's Workers' Compensation program, Short-Term Disability claims, property and casualty insurance and self-insurance programs.

2021 ACCOMPLISHMENTS

- Completed settlement negotiations with crime insurance carrier to settle the Compound Drug Claim for \$1.9 million. Collaborated with Internal Audit for past five years to accomplish this goal.
- Provided superior claims management services for workers' compensation and short term disability claims for GCRTA. GCRTA's status as a self-inured employer for WC in the state of Ohio vs paying into the State Fund creates a savings of approximately \$2 million annually.
- Completed successful hiring of Risk Analyst II to fill position vacated earlier in 2021.
- Collected \$1,159,000 from FM Global, property insurance carrier, in payment of the damages to the two railcars that collided on January 26, 2020. After substantial work with many internal stakeholders, obtained Cyber Liability insurance coverage for GCRTA for the first time.
- Negotiated final proposal for upgrade of Risk Management Information System (RMIS); collaborated with newly structured Department of Innovation and Technology.
- Provided Risk Management expertise to Legal, Procurement, and Engineering Departments for many significant construction and development projects and procurements; e.g., key member of team that negotiated with Norfolk Southern re: contract for emergency bridge repairs to the Waterfront Line.
- Negotiated the best terms and conditions available in the marketplace and most cost effective renewal for property/casualty insurance programs for GCRTA in an extremely difficult insurance market.
- Participated in team appointed to conduct the Railcar Replacement Project; assisted with analysis of contract language and necessary insurance and bonding requirements.

2022 PRIORITIES

- Continue to provide strong management of workers' compensation claims and litigation, containing the costs to GCRTA, involving the districts as active stakeholders and returning employees to work as soon as possible.
- Complete on-boarding of Risk Analyst II.
- Provide Risk Management expertise to Legal, Procurement, and Engineering Departments for various authority-wide projects, leases, license agreements, and other procurements.
- Coordinate with stakeholders to develop, pilot, and implement electronic event reporting for both workers' compensation and third-party liability claims.
- Complete upgrade to the latest version of the RiskMaster software, including implementation of the system add-on that is the framework for electronic event reporting.
- Negotiate the best terms and conditions available in the marketplace and most cost effective renewal for property/casualty insurance programs for GCRTA.
- Finalize settlement of property insurance claim for Rail Car collision loss.

RISK MANAGEMENT DEPARTMENT BUDGET

Object Class	Description	2020 Actual	2021 – Q3 Estimate	2022 Budget
501300	Labor - Salaried Employees	567,447	524,858	594,673
501310	Overtime - Salaried Employees	101	116	-
502000	Fringe Benefits	218,840	201,751	215,825
502071	W/C – Injuries & Damages	661,008	914,484	900,000
502082	W/C – Medical Payments	280,921	297,061	480,000
503000	Services	352,162	415,257	329,300
503030	W/C Administration Fee	301,936	259,183	270,000
504000	Material & Supplies	2,446	3,302	4,000
506000	Casualty & Liability Costs	414,872	721,856	727,177
506010	Physical Damage Insurance	0 ¹	1,182,542	1,352,000
506200	W/C – Settlement & Lawsuit Expense	107,390	60,742	100,000
509000	Miscellaneous Expenses	1,040	3,812	5,300
Total		2,908,163	4,584,964	4,978,275

¹ Due to an accounting error, 2020 premium (\$825,930) was paid in FY19 (at the end of 2019).

RISK MANAGEMENT DEPARTMENT STAFFING

Grade	Job Name	2020	2021	2022
03	0322 Workers' Comp Clerk	1.0	1.0	1.0
23	0757 Administrative Assistant	1.0	1.0	1.0
25	0885 Risk Analyst I	1.0	1.0	1.0
26	0905 Risk Analyst II	1.0	1.0	1.0
	1165 Workers' Comp/Dis Claim Examiner	3.0	3.0	3.0
30	0771 Director	1.0	1.0	1.0
Total		8.0	8.0	8.0

RISK MANAGEMENT DEPARTMENT ORGANIZATION CHART

