

Resolution No. 1993-190

A RESOLUTION ADOPTING THE TRIENNIAL UPDATE OF THE
AFFIRMATIVE ACTION PLAN FOR THE GREATER CLEVELAND
REGIONAL TRANSIT AUTHORITY

WHEREAS, the Civil Rights Act of 1964, as Amended, provides: Section 601. "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"; and

WHEREAS, the Mass Transit System Transfer Agreement and the Bylaws of the Greater Cleveland Regional Transit Authority both provide that the Authority shall take affirmative action to insure that there is no discrimination in employment and in contractual business relationships; and

WHEREAS, on February 22, 1977, the Board of Trustees of the Greater Cleveland Regional Transit Authority adopted an affirmative action plan for the Authority (Resolution No. 1977-67) which was amended on September 5, 1978 by Resolution No. 1978-252; and

WHEREAS, on July 26, 1988, the U. S. Department of Transportation, Federal Transportation Administration published Circular 4704.1, entitled Equal Employment Opportunity Program Guidelines For Grant Recipients, Circular 4702.1, dated May 26, 1988, entitled Title VI Program Guidelines For Federal Transportation Administration Recipients; and

WHEREAS, it became necessary to update the Affirmative Action Plan, Part I, that was adopted on September 5, 1978 in order that the Authority may more fully comply with the requirements and guidelines published in the aforesaid circulars, by including employment statistics and action program information; and

WHEREAS, each applicant, recipient, or subrecipient meeting the Equal Employment Opportunity Circular threshold requirements shall submit to the Federal Transportation Administration an updated Equal Employment Opportunity submission on a triennial basis or as major changes occur in the work force or employment conditions.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority:

Section 1. That the Affirmative Action Plan for the Greater Cleveland Regional Transit Authority adopted September 5, 1978 (Resolution No. 1978-252) be and is hereby updated.

Section 2. That the Affirmative Action Plan for the Greater Cleveland Regional Transit Authority, as updated, a copy of which is attached hereto and is incorporated fully herein and made a part of this

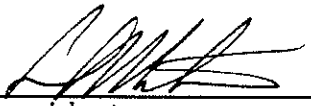
RESOLUTION NO. 1993-190

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Resolution, be and is hereby adopted as a policy of the Greater Cleveland Regional Transit Authority.

Section 3. That this resolution is effective immediately upon its adoption.

Adopted: November 16, 1993



President

Attest:



General Manager/Secretary-Treasurer

Attachment: Updated Affirmative Action Plan

TRIENNIAL UPDATE
OF THE
AFFIRMATIVE ACTION PLAN

for the
Greater Cleveland Regional Transit Authority
Cleveland, Ohio

November, 1993

INTRODUCTION

This Affirmative Action Program (AAP) of the Greater Cleveland Regional Transit Authority (RTA) has been developed pursuant to the Federal Transportation Administration's Circular 4704.1 (UMTA C 4704.1).

The purpose of the AAP is to ensure that applicants are employed and that employees are treated during employment without regard to race, color, religion, sex, national origin or ancestry, age, handicap, or status as a veteran of the Vietnam era. The provisions of this Program, therefore, impact upon all of RTA's personnel policies and procedures and upon all departments within the Authority's organization.

In the context of the Affirmative Action Program, the term "minority" means: Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaskan Native. The phrase "protected class" is used to mean: minorities; women, regardless of race or ethnicity; handicapped persons; and veterans of the Vietnam era.

It must be pointed out that the numerical goals which are set forth in this Program have been established as realistic targets against which the Authority can measure progress in implementing its EEO policy. The goals are not rigid and inflexible quotas and will not be used to discriminate against any person or group of persons.



Ronald J. Tober
general manager &
secretary-~~1989~~ November, 1993

Policy Statement

The Affirmative Action Program for equal employment opportunity is the Greater Cleveland Regional Transit Authority's written commitment to ensure equality of opportunity in its own employment practices as well as those of vendors, contractors, and suppliers.

Specifically, it is the policy of RTA that all terms and conditions of employment, including, but not necessarily limited to, recruitment, appointment, promotion, compensation, benefits, transfers, training, and educational opportunities will be administered without regard to race, color, religion, sex, national origin or ancestry, age, or handicap/disability, provided said handicap/disability does not inhibit essential job performance. Further, it is RTA's intent to comply with appropriate federal and state laws, rules, and regulations and to give special attention to increasing the participation of minorities, women, handicapped/disabled persons, and Vietnam-era veterans in all facets of the Authority's activities.

The Affirmative Action Plan details action programs which will be undertaken to not only ensure equal employment opportunity but to seek out, employ, and promote members of protected classes who are not sufficiently represented in the RTA work force. The ultimate goal will, of course, be parity, i.e., representation of minorities and women at all levels in the work force commensurate with their availability in the appropriate external labor market. However, interim numerical goals will be set and periodic evaluations of progress will be carried out.

In the area of contracting for goods and services, RTA requires all contractors, vendors, and suppliers to comply with appropriate federal and state laws, rules and regulations and the equal employment policies of the Authority. This includes the submission of an affidavit by the supplier that the supplier does not and will not discriminate in its employment practices because of race, color, religion, sex, national origin or ancestry, age, handicapped/disabled, or status as a Vietnam-era veteran.

Executive Order 11246 requires that contractors must agree not to discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin.

41 CFR Part 60-2-Affirmative Action Guidelines, requires that certain contractors and subcontractors develop a written affirmative action compliance program. Part 60-60 of this same regulation - Contractor Evaluation Procedures for Contractors for Suppliers and Services - establishes standardized contractor evaluation procedures in the conduct of compliance reviews which includes a desk audit of the contractors affirmative action program, an on-site review of those matters which are not fully or satisfactorily addressed in the affirmative action program, and an off-site analysis of information supplied by the contractor pursuant to the on-site review.

Direct responsibility for development and implementation of the Authority's Affirmative Action Program lies with the Director, Office of Equal Opportunity, who reports to the General Manager. However, all administrative personnel and supervisors are expected to cooperate in this effort, and their performance relative to ensuring equal employment opportunity and affirmative action will be evaluated just as their performance of other responsibilities is evaluated. In addition, the Director of the Office of Equal Opportunity is directly responsible for the implementation of the policies of the Authority regarding affirmative action as it relates to third party contractors.

The Greater Cleveland Regional Transit Authority, which serves a large and diverse community, expects to take a leadership role among urban mass transit agencies in aggressively pursuing an effective affirmative action program.

Ronald J. Tober,
General Manager
Secretary Treasurer

November, 1993

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Ronald J. Tober,
General Manager
Secretary Treasurer

RESPONSIBILITY

GENERAL MANAGER

The General Manager has the overall responsibility for overseeing the development and implementation of the Affirmative Action Program.

DIRECTOR, OFFICE OF EQUAL OPPORTUNITY

The equal opportunity officer for the Greater Cleveland Regional Transit Authority is the Director, Office of Equal Opportunity who reports directly to the General Manager. The Director's responsibilities fall into two (2) general areas: first, equal employment opportunity and second, contract compliance.

Among the duties of the Director, Office of Equal Opportunity are:

1. to develop, monitor implementation of, and provide continuing evaluation of the RTA Equal Opportunity Program. This will include maintaining relevant statistics on minorities and women in the external labor force and within RTA. In developing the AAP, the Director Office of Equal Opportunity will coordinate with other staff members as necessary;
2. to provide assistance to department and divisions in resolving specific problems related to implementation of the AAP and achievement of stated goals and timetables;
3. to advise the General Manager, Assistant General Manager-Legal, Assistant General Manager-Human Resources and other appropriate personnel of the most recent laws, regulations, and guidelines from federal and state agencies as they affect equal employment opportunity and affirmative action within RTA;
4. to maintain liaison with the appropriate enforcement agencies at the Federal and state levels and to ensure timely submission of civil rights and equal employment opportunity reports required by the U.S. Department of Transportation, Equal Employment Opportunity Commission, Office of Federal Contract Compliance programs, and others;
5. to maintain liaison with minority and women's organizations, agencies concerned with employment of the handicapped/disabled, and other community groups;
6. to consult with and provide assistance to Personnel Services regarding all aspects of personnel procedures and employee relations practices, including those which appear neutral but, in fact, may have a disparate impact on minorities, women, and handicapped/disabled employees and applicants for employment;

7. to participate in orientation of new employees and other employee relations workshops for the purpose of explaining RTA's equal employment opportunity policy and affirmative action efforts and to counsel all employees on matters related to equal employment opportunity;
8. to review appointment, promotions, terminations and other data pertinent to effective implementation of RTA's Affirmative Action Plan;
9. to advise prospective contractors and others on necessary steps to bring them into compliance with RTA's requirements regarding equal employment opportunity;
10. to provide for and conduct compliance reviews deemed necessary to ensure effective program implementation; and
11. to report periodically to the General Manager on progress being made in the implementation of the Affirmative Action Plan and to recommend program modifications.

SUPERVISORS

All administrative and supervisory personnel share the responsibility for ensuring the effectiveness of the Authority's Affirmative Action Plan and are evaluated on their performance in this area. They are expected to give their full cooperation and active support of the Affirmative Action Program to the General Manager and the Director, Office of Equal Opportunity. Among the specific requirements of administrative and supervisory personnel are:

1. to assist in identifying qualified minority, female, handicapped/disabled, and Vietnam-era veteran candidates for vacancies or new positions in the RTA work force;
2. to ensure equal employment opportunity for all employees and applicants for employment under his/her direct or indirect supervision with regard to training, work assignments, promotions, transfers, classification, compensation, assignment of overtime and additional duties, and all other terms and conditions of employment;
3. to establish employment goals and timetables in the form prescribed by the Director, Office of Equal Opportunity and to prepare quarterly reviews of his/her unit's performance against established goals and make recommendations for revisions of the Affirmative Action Plan; and
4. to ensure that grievance procedures are strictly adhered to without retaliation against any person filing a grievance or a formal discrimination complaint or against any person giving testimony or aiding in the resolution of such a complaint.

AFFIRMATIVE ACTION COMMITTEE

The Affirmative Action Committee, appointed by the General Manager, consists of the Deputy General Manager, the Assistant General Managers, the Office of Equal Opportunity Director, and others deemed appropriate by the General Manager.

The Committee's activities will include:

1. reviewing all employee relations policies and procedures, prior to their approval, adoption, or publication of same, to ensure that they provide for equal treatment of all employees and comply with the equal employment opportunity policy and affirmative action programs of the Authority;
2. monitoring formal and informal personnel practices to ensure that equal treatment is, in fact, afforded to all employees of the Authority without regard to race, color, religion, sex, national origin or ancestry, age, handicap, or status as a Vietnam-era veteran;
3. making recommendations to the General Manager for modifications of RTA's policies and practices in order to enhance affirmative action and equal opportunity efforts; and
4. reviewing quarterly department/division reports on goals and timetables and recommending approval and/or revisions to the General Manager.

This Committee will meet no less than semi-annually, and the Director, Office of Equal Opportunity will record and maintain a file of all proceedings.

DISSEMINATION

Internal dissemination of information regarding the equal employment opportunity policy and affirmative action efforts is necessary so that employees, applicants, and others understand RTA's activities in these areas. Similarly, dissemination of information concerning equal employment opportunity and affirmative action to the general public is important in eliciting the support and cooperation of appropriate external audiences.

Among the methods which will be used to communicate RTA's stance on these matters to various audiences are the following:

INTERNAL

1. The General Manager's policy statement on equal employment opportunity and other pertinent information about the Affirmative Action Plan will be included periodically in employee newsletters.

2. The policy statement, EEO grievances procedure, and other information about affirmative action activities will be included in the employee handbook.
3. All administrative personnel and supervisors will be kept up-to-date on the Authority's efforts to ensure equal employment opportunity by written communications from the General Manager and/or the Director, Office of Equal Opportunity. In addition, as the need arises, meetings will be held with groups of these personnel to discuss implementation of the equal opportunity and affirmative action programs.
4. The Affirmative Action Plan will be available for review in the RTA employment office and the Office of Equal Opportunity.
5. Equal employment opportunity posters supplied by the Equal Employment Opportunity Commission and other federal and state agencies will be displayed in all facilities operated by RTA.
6. Information on the Affirmative Action Plan will be incorporated into all employee orientation sessions.

EXTERNAL

1. All recruitment sources will be informed, in writing, of RTA's equal employment opportunity policy.
2. All advertisements of job openings and all announcements of upcoming examinations will include the phrase, "An Equal Opportunity Employer".
3. Pertinent information regarding the Affirmative Action Plan, programs instituted as a result of it, and progress made in implementation will be made available to print and electronic media, especially those most likely to reach minorities and women.

ASSESSMENT OF PRESENT EMPLOYMENT PRACTICES

All personnel activities are carried out in accordance with the Personnel Policies and Procedures Manual adopted by the Board of Trustees of the Greater Cleveland Regional Transit Authority. A copy of this Manual is included in Appendix A. The provisions of the Personnel Policies and Procedures Manual are applied equally throughout the system, thus eliminating opportunities for disparate treatment.

Under the Personnel Policies and Procedures Manual, all positions, except those requiring a high degree of expertise in a particular field and those which are filled directly by the Board of Trustees, are filled through competitive examinations. These examinations are of two (2) types: appointment and promotional.

Job announcements are distributed widely in the community, including being sent to numerous organizations which might be expected to refer minorities, women, the handicapped/disabled, and Vietnam-era Veterans. In addition, announcements of these examinations are placed in the Plain Dealer, the daily newspaper in the Cleveland area, as well as the Call & Post, a weekly newspaper directed to the minority community, as well as the El Nuevo Dia, a newspaper directed to the Hispanic community.

Job announcements are also distributed throughout the Authority so that current employees have the opportunity to apply for any job for which they may qualify.

Written tests which are administered by RTA include standardized psychological, aptitude, and skills tests purchased from external sources, when applicable, and specified job-related examinations developed by staff of RTA's Personnel Services Department.

All applicants who are being considered for positions with RTA are interviewed by staff of the Personnel Services Department. Those who have applied for highly skilled jobs or administrative positions are also interviewed by the appropriate supervisory or management personnel.

During 1992, 32 appointment bulletins were posted. Also in 1992, 30 promotional bulletins were posted. The following results were achieved:

New Hires - Total 61

14 White Males
5 White Females
24 Black Males
14 Black Females
3 Hispanic Males
0 Hispanic Females
1 Asian/Pacific Islanders Males
0 Asian/Pacific Islanders Females

Promotions - Total 59

20 White Males
6 White Females
21 Black Males
11 Black Females
1 Hispanic Males
0 Hispanic Females
2 Asian/Pacific Islanders Males
0 Asian/Pacific Islanders Females

Transfers - Total 270

50 White Males
11 White Females
128 Black Males
73 Black Females
4 Hispanic Males
1 Hispanic Females
2 Asian/Pacific Islanders Males
0 Asian/Pacific Islanders Females
1 Native American Males

Temporaries - Total 31

3 White Males
2 White Females
16 Black Males
5 Black Females
3 Hispanic Males
0 Hispanic Females
2 Asian/Pacific Islanders Males
0 Asian/Pacific Islanders Females

Demotions - Total 106

18 White Males
3 White Females
32 Black Males
52 Black Females
1 Hispanic Males
0 Hispanic Females
0 Asian/Pacific Islanders Males
0 Asian/Pacific Islanders Females

Discharges - Total 106

12 White Males
2 White Females
61 Black Males
30 Black Females
0 Hispanic Males
3 Hispanic Females
0 Asian/Pacific Islanders Males
0 Asian/Pacific Islanders Females

Resignations - Total 90

27 White Males
8 White Females
38 Black Males
15 Black Females
1 Hispanic Males
0 Hispanic Females
1 Asian/Pacific Islanders Males
0 Asian/Pacific Islanders Females

Records supporting the foregoing analyses are available in the Office of Equal Opportunity.

In accordance with the Personnel Services' Pay Plan, RTA has a Pay Plan for hourly and salaried employees in Grades 1 through 6, which is modified periodically per labor contract requirements. RTA also has a separate Pay Plan for Transit Police. Copies of these current Pay Plans which were in effect for 1992 are included in Appendix B. Individuals in Grade 7 and above are subject to a performance and salary review program which was instituted by the Board of Trustees in 1989.

It is the opinion of RTA management that the foregoing information indicates that the Authority's Equal Employment Opportunity Policy has been effective and that personnel practices are free of discriminatory impact. Nevertheless, additional efforts must be made to include more minorities and women in the work force, especially in those areas where underutilization has been identified. The action programs described in another section of this document are designed for that purpose.

ACTION PROGRAMS

RECRUITMENT

THE ISSUE

Recruitment is the primary way in which affirmative action goals can be met because effective recruitment will increase the number of protected class persons available to fill vacancies.

THE GOAL

RTA plans to expand its recruitment efforts so as to maximize the opportunities for receiving applications from qualified minorities, women, and handicapped individuals for positions throughout the system.

THE PROGRAM

Recruitment efforts will include but not be limited to:

1. Notices of job opportunities with the Authority sent to the agencies and individuals listed in Appendix D. This mailing list has been developed specifically to inform more protected class persons of job opportunities with RTA, and it is revised and updated on an ongoing basis.
2. Vacancies are advertised in media which are most likely to reach minority and female audiences.
3. To assure that the standards required in all job announcements are not exclusionary for minorities and women and members of the protected class, the Authority is reviewing and rewriting job descriptions to assure that the standards are job related.
4. Personnel are encouraged to participate in career day programs at secondary schools, junior colleges, and universities.
5. Outreach or specialized recruitment is used for positions where an under utilization goal is established. For example, contact with Hard Hatted Women for laborer positions traditionally held by white males.

Any other recruitment efforts planned by the Personnel Services will be subject to review by the Director, Office of Equal Opportunity who may make recommendations designed to enhance the likelihood of achieving affirmative action goals.

RESPONSIBILITY

Personnel Services is responsible for carrying out recruitment programs, with the assistance of the Office of Equal Opportunity.

TARGET DATE

Upon the approval of the Affirmative Action Plan by the Board of Trustees

PERSONNEL POLICIES AND PROCEDURES

THE ISSUE

There was a comprehensive review of RTA personnel policies and procedures in 1989. The Personnel Policies and Procedures Manual went into effect in 1990. This Manual was revised in 1992.

THE GOAL

RTA staff and the Board of Trustees will review all personnel policies and procedures for the purpose of insuring compliance with equal employment opportunity laws and regulations and identifying any changes which may be necessary to enhance the Authority's Equal Opportunity Programs.

THE PROGRAM

Among the items which were thoroughly reviewed and changed, were:

1. Merit System Rules (replaced by Personnel Policies and Procedures Manual).
2. Application forms as well as forms used by interviewers and doctors who perform required physical examinations and the salary and performance review form.
3. Test, especially documentation of validity of tests which are purchased from external sources.
4. Employee Performance and Work Code.
5. Contract with Fraternal Order of Police (FOP) and Amalgamated Transit Union (ATU).

RESPONSIBILITY

The Human Resources Committee of the Board of Trustees will coordinate the review of personnel policies and procedures with assistance from the Assistant General Manager of Human Resources and Director, Office of Equal Opportunity. Where required, the Board of Trustees will act on recommended changes.

TARGET DATE

Review completed and necessary changes made by February, 1994.

SKILLS INVENTORY

THE ISSUE

Employees should be encouraged to compete for promotions, and/or training opportunities. This is of particular concern for minorities and women because they are more likely to be concentrated in entry level positions and/or traditional positions with lower pay rates.

THE GOAL

RTA will establish and maintain a computerized skills inventory which will serve as a means of internal recruitment.

THE PROGRAM

Authority employees will be requested to participate in a survey to determine what special skills each has, what formal education and training each has pursued, and what career interests each has. Skills may or may not be utilized in the person's current job and may have been acquired through civic and volunteer activities as well as through previous job experience or training.

This data will be computerized and will be used by Personnel Services to identify persons who could benefit from particular training programs or who should be encouraged to take promotional examinations. Personnel Services will participate in career counseling for such individuals.

Information on new employees will be added to the skills inventory at the time of hire, and data on all personnel will be updated annually.

THE RESPONSIBILITY

Personnel Services will develop and maintain the skills inventory.

TARGET DATE

A complete, computerized skills inventory will be operable within the next four (4) years.

EEO TRAINING

THE ISSUE

Although 308 management personnel, supervisors and nonsupervisors received EEO training in 1992, the continual changes in federal and state laws and regulations and case law necessitate additional training on an annual basis. In addition, other personnel who should receive such training can be identified.

THE GOAL

Training in equal employment opportunity will be provided for at least two hundred (200) employees annually.

THE PROGRAM

Management personnel and supervisors will receive an annual refresher course in equal employment opportunity which will include a review of the revised Affirmative Action Plan, an update on pertinent federal and state laws and regulations, and a discussion of the effects of major case law in the field.

All staff of Personnel Services will receive introductory EEO training and annual refresher courses.

Other EEO training programs will be instituted as the need arises.

RESPONSIBILITY

The Director, Office of Equal Opportunity, in cooperation with the Training Department, will plan and carry out the EEO training.

TARGET DATE

The refresher course for management and supervisory personnel and the introductory training for staff of Personnel Services will be given before December 31, 1993.

COUNSELLING AND COMPLAINT PROCEDURES

THE ISSUE

Every employee retains the right to file an external complaint alleging discrimination. However, an effective internal complaint procedure can lead to prompt, fair, and impartial resolution of problem situations and can provide a means of identifying areas where corrective action is needed.

THE GOAL

RTA will continue to expand its existing internal complaint procedure through the designation of Affirmative Action Counsellors in each department.

THE PROGRAM

Affirmative Action Counsellors (at least one in each department) are selected and receive special training which prepares them for handling routine questions regarding equal employment opportunity and minor problem situations.

Complaints which cannot be resolved by the Affirmative Action Counsellors are referred to the Director, Office of Equal Opportunity.

Employees who believe they have been discriminated against on the basis of race, color, religion, sex, national origin or ancestry, age, handicap or status as a Vietnam era veteran are encouraged to consult with the Director, Office of Equal Opportunity in an effort to resolve the matter informally. Such consultation should take place within thirty (30) calendar days of the date of the alleged discriminatory act, unless the discrimination is continuing in which case the complainant should consult the Director, Office of Equal Opportunity as soon as possible.

In processing an informal complaint, the Director, Office of Equal Opportunity will:

1. Not reveal the identity of the complainant without the authorization of said individual.
2. Assure that the complainant is aware of his/her right to representation of his/her choice at all stages of the complaint process.
3. Make necessary inquiries to seek a resolution of the matter.
4. Have access to officials at all levels.
5. Discuss with the appropriate official(s) the findings and his/her recommendations for resolution of the problem.
6. Process the complaint within ten (10) working days after the matter is brought to his/her attention.

When the informal complaint procedure is unsuccessful or inappropriate, employees shall be referred to the appropriate grievance procedures provided in the Conditions of Employment (a negotiated agreement between Local 268 of the Amalgamated Transit Union and RTA) and the complaint procedure in the Personnel Policies and Procedures Manual prior to filing a formal complaint with the Equal Employment Opportunity Commission, the Ohio Civil Rights Commission and/or RTA's Office of Equal Opportunity.

Management and supervisory personnel will provide the Director, Office of Equal Opportunity with complete cooperation in investigating and resolving informal and formal EEO complaints.

With regard to all discrimination complaints, the Director, Office of Equal Opportunity will:

1. Assure that appropriate follow-up is carried out after complaints are settled so as to forestall or correct any harassment or retaliatory actions against the complainant or any employee who assisted in the resolution of the problem.
2. Make periodic checks to assure that agreed upon corrective action has been taken and/or is continuing.
3. Analyze all allegations of discrimination in order to identify conditions and circumstances that may exist beyond the individual case which require further investigation.
4. Recommend corrective actions (including disciplinary action when appropriate) where an investigation reveals discriminatory action(s) by a supervisor.

RESPONSIBILITY

The Director, Office of Equal Opportunity is responsible for implementing the complaint procedure. He/she, with input from appropriate supervisory personnel, selects the departmental Affirmative Action Counsellors and trains them.

TARGET DATE

The complaint procedure is in place and is used as needed. The Affirmative Action Counsellors have been selected and trained.

INTERNAL AUDIT AND REPORTING

The Director, Office of Equal Opportunity has developed a new record-keeping system which will document various personnel activities and their impact on affirmative action. This system, which will be implemented upon the approval of the Affirmative Action Plan by the Board of Trustees, will include collection of data on recruitment efforts, applicant flow, transfers, promotions, disciplinary actions, terminations, and participation in training programs. In cooperation with Human Resources, the Director, Office of Equal Opportunity has developed the necessary forms for data collection, and most information will ultimately be computerized for retrieval purposes.

Supervisory personnel are required to submit to the Director, Office of Equal Opportunity a quarterly review of each department's performance, measured against established goals. In addition, supervisors may recommend modifications in the Affirmative Action Plan. This information, together with other data collected, is used by the Director, Office of Equal Opportunity to prepare a quarterly report for the General Manager. The report includes detailed information on progress made toward attainment of goals, problems identified, and recommendations for modifications in RTA personnel practices and/or the Affirmative Action Plan.

The entire Affirmative Action Plan is reviewed annually with necessary revisions made at that time.

The Director, Office of Equal Opportunity also insures that record-keeping systems provide the information required by government regulatory agencies. He/she is responsible for the compilation and timely submission of reports required by such agencies.

Minutes

RTA Board of Trustees
9:05 A.M., October 26, 1993

President Martin called to order a meeting of the Board of Trustees of the Greater Cleveland Regional Transit Authority at 9:05 A.M., Tuesday, October 26, 1993 in the Board Room of the Authority, 615 Superior Avenue, W., Cleveland, Ohio.

The Secretary called the roll and reported that the following Trustees were present: Anderson, Dickard, Dixon, Kavalec, Martin, Molina, Rollins, Ruzic and Wright. Also present were: Bailey, Barnes, Covington, Fike (League of Women Voters), Krecic, Parkes, Raidl, Roche, Shapiro, Stanford, Szmagala, Thomas, Tober, Walker, Yannitello, York and Zingale.

The Secretary reported that notice of this meeting of the Board of Trustees had been posted more than twenty-four hours in advance of the meeting, that the usual notification had been given the news media and other interested persons, and that all requirements of the Ohio Revised Code and the Rules and Bylaws of the Board regarding notice of meeting had been complied with.

The adoption of the minutes of the Board meeting of September 21, 1993, was moved by Mr. Dickard, seconded by Mr. Molina and approved by unanimous vote.

The Chair called for public comment on agenda items, but none were forthcoming.

Finance Committee

No report.

Legal Committee

No report.

Marketing & Communications Committee

No report.

Operations Committee

No report.

Human Resources Committee

No report.

Citizens Advisory Committee

No report.

The Board then considered the following resolutions:

- A. 1993-160 - AUTHORIZING A CONTRACT WITH ALL ERECTION & CRANE RENTAL CORPORATION FOR THE FURNISHING OF TWO (2) SELF-PROPELLED SCISSOR LIFT AERIAL WORK PLATFORMS AS SPECIFIED - \$28,258.00 - CAPITAL GRANT: OH-03-0054 (\$22,606.40 IN FEDERAL FUNDS WHICH REPRESENTS 80% OF THE TOTAL COST), the adoption of which was moved by Mrs. Wright, seconded by Mr. Dickard and approved by unanimous vote.
- B. 1993-161 - AUTHORIZING A CONTRACT WITH THE FLXIBLE CORPORATION FOR THE FURNISHING OF AIR SPRING ASSEMBLIES FOR GMC, RTS AND FLXIBLE METRO BUS FLEETS AS REQUIRED FOR A PERIOD OF ONE (1) YEAR FOR AN ESTIMATED EXPENDITURE OF \$51,950.00 (GENERAL FUND, INVENTORY DEPARTMENT BUDGET), the adoption of which was moved by Mrs. Wright, seconded by Mr. Anderson and approved by unanimous vote.
- C. 1993-162 - AUTHORIZING A CONTRACT WITH NORTH SHORE ENGINEERING, INC. FOR THE FURNISHING OF ARCHITECT/ENGINEERING SERVICES FOR PROJECT 27C/D/E - REHABILITATION OF THREE TRANSIT TRACK BRIDGES OVER EAST 92ND STREET, MADISON AVENUE AND GRAND AVENUE IN AN AMOUNT NOT TO EXCEED \$303,268.15 - CAPITAL GRANT OH-03-0118 \$242,614.52 IN FEDERAL FUNDS WHICH REPRESENT 80% OF THE TOTAL), the adoption of which was moved by Mrs. Wright, seconded by Mr. Dickard and approved by unanimous vote.
- D. 1993-163 - AUTHORIZING A CONTRACT WITH MULTISYSTEMS, INCORPORATED FOR THE FURNISHING AND INSTALLATION OF COMPUTER SOFTWARE AND HARDWARE TO PROVIDE AN AUTOMATED CUSTOMER INFORMATION SYSTEM AND AMERICANS WITH DISABILITIES ACT RELATED SYSTEM AT A TOTAL PRICE NOT TO EXCEED \$1,169,918.00 (\$877,438.50 IN FEDERAL FUNDS WHICH REPRESENTS 75% OF THE TOTAL COST - CAPITAL GRANT OH-03-0113), the adoption of which was moved by Mrs. Wright, seconded by Mr. Molina and approved by unanimous vote.
- E. 1993-164 - AUTHORIZING A CONTRACT WITH MULTISYSTEMS, INCORPORATED FOR THE FURNISHING OF AN AUTOMATED DISPATCH AND PAYROLL INTERFACE SOFTWARE SYSTEM AT A TOTAL PRICE OF TWO HUNDRED FORTY-THREE THOUSAND SEVEN HUNDRED SIXTY-ONE & 00/100 DOLLARS (\$243,761.00), RTA CAPITAL FUND - DATA SYSTEMS DEPARTMENT BUDGET, the adoption of which was moved by Mr. Dickard, seconded by Mrs. Wright and approved by unanimous vote.
- F. 1993-165 - AUTHORIZING A CONTRACT WITH ANDREWS RECORDS MANAGEMENT, INC. TO PROVIDE OFF-SITE RECORDS STORAGE, AS REQUIRED, FOR A PERIOD OF THREE (3) YEARS FOR AN AMOUNT NOT TO EXCEED \$150,000.00 WITH AN OPTION FOR AN ADDITIONAL EIGHTEEN (18) MONTHS (GENERAL FUND - EXECUTIVE DEPARTMENT), the adoption of which was moved by Mrs. Wright, seconded by Mr. Molina and approved by unanimous vote.
- G. 1993-166 - AUTHORIZING A SOLE SOURCE CONTRACT WITH GFI GENFARE FOR THE FURNISHING OF REPAIR PARTS FOR THE AUTHORITY'S REVENUE COLLECTION SYSTEM (\$60,000.00 - GENERAL FUND) - REVENUE DEPARTMENT BUDGET, the adoption of which was moved by Mr. Anderson, seconded by Mr. Dickard and approved by unanimous vote.

- H. 1993-167 - RATIFYING A CHANGE TO CONTRACT 5790 WITH THE GOODYEAR TIRE AND RUBBER COMPANY FOR THE PROVISION OF TIRES AND SERVICE, TO PROVIDE AN INCREASE IN THE CONTRACT AMOUNT OF AN ADDITIONAL \$119,543.56 AND TO PROVIDE RATIFICATION OF PAYMENT FOR OUTSTANDING INVOICES (GENERAL FUND - BUS EQUIPMENT DEPARTMENT BUDGET), the adoption of which was moved by Mrs. Rollins, seconded by Mr. Molina and approved by unanimous vote.
- I. 1993-168 - AUTHORIZING AN AMENDMENT TO CONTRACT 89010 WITH PETER MULLER-MUNK ASSOC. FOR PROFESSIONAL SERVICES FOR SAFETY SIGNAGE AND GRAPHICS DESIGN (PROJECT 10) \$153,400.00 -- CAPITAL GRANTS: OH-90-X170, \$85,000.00; OH-03-0118, \$21,900.00; OH-03-0113 \$12,400.00; OH-03-0104, \$12,000.00; \$22,100.00 RTA CAPITAL FUND (\$111,470.00 IN FEDERAL FUNDS WHICH REPRESENTS 73% OF THE TOTAL PROJECT COST), the adoption of which was moved by Mr. Molina, seconded by Mr. Dixon and approved by unanimous vote.
- J. 1993-169 - AUTHORIZING A CHANGE ORDER TO CONTRACT WITH URS CONSULTANTS, INC. FOR THE DESIGN OF THE GCRTA PASSENGER ACCESSWAY TO GATEWAY IN THE AMOUNT OF \$103,360.00, CAPITAL GRANT OH-90-X170 \$52,900.00 (\$47,081.00 IN FEDERAL FUNDS WHICH REPRESENTS APPROXIMATELY 46% OF THE TOTAL) AND \$50,460.00 IN LOCAL MATCH, the adoption of which was moved by Mrs. Wright, seconded by Mr. Dickard and approved by unanimous vote.
- K. 1993-170 - AUTHORIZING A CHANGE ORDER TO CONTRACT NO. 93035 WITH NATIONAL ENGINEERING AND CONTRACTING COMPANY FOR THE CONSTRUCTION OF THE GCRTA PASSENGER ACCESSWAY TO GATEWAY IN THE AMOUNT OF \$570,516.60, CAPITAL GRANT OH-90-X170 \$195,772.00 (\$154,464.11 IN FEDERAL FUNDS WHICH REPRESENTS APPROXIMATELY 27% OF THE TOTAL COST) AND \$374,744.60 LOCAL MATCH, the adoption of which was moved by Mr. Dickard, seconded by Mr. Ruzic and approved by unanimous vote.
- L. 1993-171 - AUTHORIZING AN AMENDMENT TO CONTRACT 92112 WITH ATLAS RAILROAD CONSTRUCTION COMPANY TO PROVIDE TRACKWORK TO REHABILITATE THE WESTSIDE PORTION OF THE RED LINE RAPID TRANSIT W. 117TH STREET TO THE AIRPORT BY INCREASING THE SCOPE OF WORK TO INCLUDE BROOKPARK YARD MODIFICATIONS IN AN AMOUNT NOT TO EXCEED \$150,529.19 - CAPITAL GRANT OH-03-0104 (\$112,896.89 IN FEDERAL FUNDS WHICH REPRESENTS 75% OF THE TOTAL), the adoption of which was moved by Mrs. Wright, seconded by Mr. Dickard and approved by unanimous vote.
- M. 1993-172 - AUTHORIZING AN AMENDMENT TO RESOLUTION NO. 1992-89 TO REVISE THE FUNDING SOURCE FOR THE DESIGN SERVICES FOR THE REHABILITATION OF THE AIRPORT RAPID TRANSIT STATION, \$127,992.00 - CAPITAL GRANTS OH-90-0068, \$105,432.29 AND OH-03-0118 - \$22,559.71 (\$102,393.60 IN FEDERAL FUNDS WHICH REPRESENTS. 80% OF THE TOTAL). This resolution was withdrawn at the request of staff and will be modified and brought to the Board at another time.

- N. 1993-173 - A RESOLUTION TO MAKE AMENDED APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY DURING 1993 AND TO AMEND RESOLUTION NO. 1992-243, the adoption of which was moved by Mrs. Rollins, seconded by Mr. Molina and approved by unanimous vote.

General Manager's/Secretary-Treasurer's Report

Mr. Tober called the Trustees' attention to the Revenue Reports contained in the package, beginning with XIV-A, showing the status of things as of the end of September. The most important thing to note is that Sales Tax revenues continue to be down from what had been forecast in the budget. Year to date versus the budget, we are a little over \$3 million below the budget or about 3.85% down. As of the end of September, we were about ten weeks behind in receipt of automobile Sales Tax proceeds. The County's problems regarding automobile license processing earlier in the year have not yet been fully resolved. One week's receipts are worth approximately \$250,000; therefore, the ten weeks at the end of September were worth about \$2.5 million. Had we been caught up at that point in time, the underage at the end of September would have been approximately \$500,000.00. Since the end of September and with the October payment, they have slipped another two weeks. Now we are nearly 13 weeks behind.

Staff has been told by the Clerk's office that, with our November check, we should receive a total of ten weeks -- four which would be regular and six catch-up. However, they are expecting that by the end of the year we will still be six weeks behind, which would amount to approximately \$1.5 million.

Messrs. Tober and Roche have discussed this matter at some length, since this shortage is causing difficulty for the Authority. As a result of the problem with them, we have been down \$2 to \$2.5 million per year from where we should have been, which amounts to approximately \$90,000 to \$100,000 lost interest income and he was concerned that we may find ourselves permanently behind in the payments. Mr. Tober thought it may be time for the Board to consider adopting some sort of action, formally expressing our dismay to the County Clerk's office. Staff will prepare such a resolution for the next Board meeting.

Mr. Ruzic suggested that a letter be sent to the Clerk's office, informing them that the Board will pass a resolution regarding this situation at the November Board meeting. He also suggested that the State of Ohio be copied, since the State was the originator of the problem.

Mr. Martin thought that would be good and he suggested that the language be toned down when these items are drafted.

Miss Kavalec asked whether the Authority had any other recourse or remedy which could be taken to solve this problem. Mr. Martin said he did not believe that there was anything in the law which would penalize an agency for slow action. We would probably have to take them to court.

Mr. Dickard noted that municipal governments can request tax advances prior to the first of the year and he wondered whether the Authority could make a request for an advance on the funds which are owed to GCRTA. The Trustees agreed that it was a good idea to ask for a percentage of these funds.

Mr. Tober asked Mr. Opett for comments and he said that the only possible legal action would be some type of mandamus action to compel the disbursement of funds; however, this would create an adversarial situation and we would probably not get an immediate reaction from the court. Mr. Martin was not in favor of formal legal action. Mr. Roche said that the advance of funds usually involved property taxes, but this was an interesting prospect. Mr. Tober said that staff would prepare a resolution for the next Board meeting.

The September ridership picture was a bit better than recent months, since average daily ridership was down only 3.8% (8,434 passengers) versus 5% to 7% seen in prior months. Total system ridership decreased 3.6% or 189,991 passengers when compared to September of last year. Bus ridership decreased 4.9% or 226,515 passengers, while rail ridership increased 6.9% or 41,412 passengers compared to September 1992. Blue/Green Line ridership increased 9.6% while Red Line ridership increased 5.0%. CRT ridership decreased 14.4% from September 1992.

Both September 1993 and September 1992 had 22 weekdays, 4 Saturdays and 4 Sundays. The percent change in average daily ridership is slightly smaller than the percent change in total ridership because actual ridership data taken in November 1992 showed that weekday ridership now represents a slightly higher percentage of a full week's ridership than it did last year.

Other factors continue to influence ridership. The major long term influence is the number of residents employed. The number of employed residents of Cuyahoga County during August 1993 was 686,700, down 1.5% from 697,300 last August. The City of Cleveland, which provides the majority of trips in the system, had 198,800 employed residents in August 1993, down 12.2% from 226,300 last August. September employment data was not yet available.

September weather probably decreased ridership slightly. The average temperature for September 1993 was 1.1 degrees lower with 2.7 inches more rainfall than the previous September.

The budgeting forecast which was made before the February fare increase took place predicted a total of 57.7 million rides for 1993, including 43.71 million in the first nine months. Actual year-to-date ridership at the end of September was 45.26 million, which is about 1.6 million rides ahead of the prediction. It is estimated that September's pass promotion added approximately 130,000 rides.

Mr. Tober noted that he had distributed a proposed schedule for Finance Committee meetings during November and December for review of the 1994 operating and capital budgets. The next Committee meetings are scheduled for November 9th, delayed one week due to election day. A special Finance Committee meeting has been scheduled for November 16th following the Board meeting, November 30th, December 7th (regular Committee meeting date) and December 14th.

Mr. Martin requested that the Trustees discuss moving the December Board meeting to December 14th rather than the presently-scheduled 21st. Mrs. Rollins moved that the Board meeting be scheduled on December 14th, seconded by Mrs. Wright and approved by unanimous vote.

Old Business

There was no old business to come before the Board at this time.

New Business

There was no new business to come before the Board at this time.

The Chair called for questions or comments from the audience, but none were forthcoming.


President Martin announced that the next regular meeting of the Board of Trustees would be held at 9:00 A.M. on Tuesday, November 16, 1993, in the Board Room on the 11th floor of the Frank J. Lausche State Office Building, 615 Superior Avenue, West, Cleveland, Ohio.

The meeting was adjourned at 10:02 A.M.

President



Attest:


General Manager/Secretary-Treasurer