

RESOLUTION NO. 2013-95

AUTHORIZING AND APPROVING REVISIONS TO THE PERSONNEL  
POLICIES OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

WHEREAS, the Board of Trustees has been granted the power and authority, pursuant to Chapter 306 of the Ohio Revised Code, to manage and conduct the affairs of the Greater Cleveland Regional Transit Authority; and

WHEREAS, the Board of Trustees has from time to time adopted and amended the Personnel Policies of the Greater Cleveland Regional Transit Authority; and

WHEREAS, the Board of Trustees has determined that revisions to the Personnel Policies may be necessary to assure compliance with federal or state laws and the Bylaws of the Greater Cleveland Regional Transit Authority; and

WHEREAS, the General Manager/Secretary-Treasurer has the overall responsibility for overseeing the implementation of the Personnel Policies; and

WHEREAS, the General Manager/Secretary-Treasurer delegates the day-to-day responsibility of implementation to the Deputy General Manager of Human Resources; and

WHEREAS, pursuant to revisions of the Personnel Policies, the General Manager/Secretary-Treasurer has met with executive staff to determine that the revisions are in accordance with federal, state and local laws, rules and regulations.

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

Section 1. That the Personnel Policies for the Authority, as set forth in the Attachment which is fully incorporated herein be and are hereby adopted.

Section 2. That all other provisions of the Personnel Policies not expressly revised herein shall remain in full force and effect.

Section 3. That this resolution shall become effective immediately upon its adoption.

Attachment: Revised Personnel Policies Manual

Adopted: September 17, 2013

  
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President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer

## **100.01           DISCLAIMER**

The policies set forth and adopted within this Manual supersede previous written and unwritten Greater Cleveland Regional Transit Authority ("GCRTA" or "Authority") personnel policies. In the event of a conflict between the policies and procedures set forth in this Manual and the provisions set forth in the Authority's Collective Bargaining Agreements that exist between the GCRTA and the FOP and ATU respectively, the provisions set forth in the Collective Bargaining Agreements shall prevail for those employees covered under such agreements. In the event of any conflict between the GCRTA Bylaws and the policies set forth in this Manual, the Bylaws shall prevail.

This Manual covers only those policies relating to personnel management. The policies in this Manual are not intended to replace other operating manual policies issued to direct, organize, or implement specific business operations.

The policies and procedures in this Manual are not intended to be and shall not be considered contractual commitments of any kind by the Authority. They are intended to be guidelines to managers. The Authority expressly reserves the right to modify, suspend, revoke, change or supplement these policies at any time and issue new policies that are in the interest of the Authority. No policy is intended as a guarantee of continuity of benefits or rights. All non-bargaining employees at GCRTA are at will, and may be terminated with or without cause.

In the event of any conflicts between applicable federal, state or local laws, rules and regulations applicable to the GCRTA, the federal, state and local laws, rules and regulations shall prevail.

#### **100.04 EMPLOYEE RESPONSIBILITY FOR GCRTA PROPERTY**

GCRTA property and facilities are public property purchased with public funds and are intended solely for use in furtherance of the Authority's operations. No GCRTA employee is authorized to lend, borrow, take, use, sell, or otherwise dispose of GCRTA property or facilities for personal or private benefit or gain. GCRTA property or facilities include but are not limited to: all equipment, both revenue and non-revenue; tools; machinery; materials and supplies, office supplies, furniture; computers; fax machines; copy machines; phones; offices; mail room and mail services; electronic devices such as cell phones, iPads, pagers, etc; and scrapped items.

Any employee found loaning, borrowing, taking, or using GCRTA property, equipment, or facilities for his/her own personal or other private use, and any employee found misappropriating or misusing GCRTA property, will be subject to disciplinary action, up to and including termination.

### **300.05 RELOCATION ASSISTANCE**

It is the policy of the Greater Cleveland Regional Transit Authority to provide equitable reimbursement of relocation expenses to newly hired management and professional employees hired from outside the Greater Cleveland area.

This policy is established pursuant to Ohio R.C. 306.31, 306.34 and 306.35, and Article II, Section 8, Article IV, Sections 1, 3 and 8 and Article VIII, Sections 1, 4 and 7 of the Bylaws of the Authority.

To be eligible for relocation assistance, a new employee must meet the guidelines established by the Internal Revenue Service for the deduction of moving expenses on annual income taxes. Applicable taxes will be deducted from the employee's wages for any reimbursement made by the Authority that are not entitled to deduction based on the Internal Revenue Service Code. The position for the new employee must be at least Grade 28 or above under the Authority's job classification system in order to qualify for relocation expense payment.

The CEO/General Manager may, in special circumstances, negotiate relocation assistance for perspective employees in a lower grade classification.

The Authority will pay for moving the new employee's household goods to a new residence in the Greater Cleveland area within a radius of 50 miles of downtown Cleveland, including packaging and crating expense, all transportation charges and reasonable insurance for household goods charges.

**300.08            TRANSITIONAL / ALTERNATIVE WORK**

A transitional/alternative work placement program may be offered to all full-time employees who may become disabled during employment with the Authority. Transitional work is temporary work tasks that fit the parameters of ability as determined by the employee's medical condition. Alternative work is the placement of a disabled employee in a new job classification due to permanent medical restrictions.

**300.09            PRE-TERMINATION MEETING**

In an effort to be fair and impartial when a non-probationary employee or an employee that has completed their orientation period is involved in misconduct that may result in termination, the employee may present information relative to the alleged misconduct at a pre-termination meeting. Management will hold this meeting prior to the issuance of any action that may result in termination.

Please contact the Labor and Employees Relations Department if you have any questions on conducting a pre-termination meeting.

**400.01**      **WORK WEEK AND HOURS** (*Outside Counsel Recommendations*)

The normal work week for full-time non-bargaining non-exempt Authority employees is 40 hours, generally five days per week, eight hours per day with a lunch period of uniform duration established by the department director. Lunch periods are unpaid and employees should be relieved from duty during this time.

A Flextime program allows an employee to choose, within specified limits, the daily hours of work preferred. Thus, employees in a particular department or section may have different starting and finishing times, but will work the same required number of hours per week.

A department head shall not approve flextime for employees in any department where it is determined that the normal operation of the Authority cannot be maintained.

**400.02            COMPENSATION** (*Outside Counsel Recommendations*)

Compensation practices shall comply with sound personnel management principles. Efforts shall be made to compensate employees fairly and equitably in accordance with applicable laws and regulations. Employees subject to collective bargaining agreements shall be compensated in accordance with the terms and conditions of those agreements.

In accordance with Article IV, Section 2 of the Greater Cleveland Regional Transit Authority Bylaws, the Board will set pay ranges for each grade of classified positions, as well as the pay ranges for all unclassified positions, subject to any legal or contractual limitation. The pay ranges will include both minimum and maximum compensation for each grade of classified positions and each unclassified position, with the maximum compensation for each being not less than 150 percent of the minimum.. The CEO, General Manager/Secretary-Treasurer will determine the compensation of each individual employee within the pay range determined by the Board for that grade or position.

Any employee promoted to a higher classification shall advance to the pay range designated for the classification at a rate within the range that reflects internal equity and/or market competitiveness as determined by the CEO, General Manager/Secretary-Treasurer.

If a new position is established, the Director of Human Resources shall develop a job description and job title, evaluate the position to designate the appropriate grade level and pay range, and assign a classification number.



**400.03 PAYROLL CHECKS** (*Outside Counsel Recommendations*)

The anticipated annual salary received by an exempt employee, as defined by FLSA, is divided into twenty-six equal parts. Exempt employees will receive the same, predetermined weekly salary for each week in which work is performed in accord with state and federal law. Payroll checks, therefore, cover a full two-week period, starting on Sunday morning of the first week and terminating on Saturday of the second week. Non-exempt employees will be paid their regular rate of pay for all hours up to 40 worked in each seven-day work period and time and a half their regular rate for overtime hours worked thereafter.

The GCRTA utilizes a direct deposit program and all employees are encouraged to avail themselves of this service.

**400.04 PAYROLL DEDUCTIONS** (*Outside Counsel Recommendations*)

There are two types of payroll deductions that the Authority shall be authorized to make from employee wages:

- (a) **Mandatory.** Mandatory payroll deductions are made for Federal, State and local withholding taxes; the Public Employees Retirement System (PERS); and all court-mandated deductions. Social Security tax is deducted for Medicare for employees hired after April 1, 1986.
- (b) **Voluntary.** Employees may authorize deductions from wages for such items as hospitalization insurance, life insurance, U.S. Savings Bonds, charity choice contributions, agency fee/union dues, credit union deductions, and deferred compensation contributions

For those employees subject to withholding payments mandated by the Court or the Child Support Enforcement Agency, the Authority is mandated by law to notify the Court or CSEA of any lump sum payment of one hundred fifty dollars (\$150.00) or more. The Authority is further mandated by law to hold said lump sum payment for thirty (30) days after the payment date and upon order of the Court or CSEA, to pay any specified amount of the lump sum payment to the Division of Child Support.

The GCRTA may otherwise deduct money from an exempt employee's salary for full day absences for personal reasons or as otherwise permitted by applicable federal and state law.

**400.05 OVERTIME** (*Outside Counsel Recommendations*)

Overtime is defined as hours worked beyond the normal work week. In accordance with the Fair Labor Standards Act, positions are classified as exempt or non-exempt from the wage and hour provisions based on the nature of the duties. Non-exempt positions are subject to a minimum wage and time and one-half rates of pay for hours worked beyond forty in one week. Typically, this includes clerical, technical, and unskilled positions. Exempt positions are not subject to the wage and hour provisions if the nature of the duties meets defined criteria. Typically, this includes executive, administrative, and professional positions. For those employees designated as eligible for overtime (non-exempt), additional time worked beyond the normal work week must be authorized by the immediate supervisor and approved by the department director. Employees will be paid for all hours actually worked, but employees who work overtime without prior authorization may be subject to disciplinary action.

For purposes of this section, the number of hours worked shall be deemed to include only hours actually worked.

Supervisors shall not authorize work in excess of forty hours for non-exempt employees unless an appropriation in the department budget is available for payment.

In lieu of overtime payment and for non-bargaining employees, a supervisor and a non-exempt employee may agree in advance to accrue compensatory time on a time and one-half basis. At no time will any non-exempt employee accrue more than forty hours of compensatory time. Accrued compensatory time off may be granted to the employee by his or her supervisor at a mutually convenient time.

Payment for accrued compensatory time not used upon termination of employment shall be calculated at the average regular rate of pay for the final three years of employment, or the final regular rate received by the employee, whichever is higher.

Employees in exempt positions, as defined in the Fair Labor Standards Act, will not receive compensation, either by payment of overtime or by compensatory time off, for additional time worked beyond the normal work week, except as stated in the Call-Out Policy.

**400.06 CALL-OUT FOR EXEMPT EMPLOYEES**

The salaries of exempt employees are based on compensation for performance of a job rather than performance on a time basis. In general, it is expected that an exempt employee will work overtime, when requested, without additional compensation in order to accomplish a specific assignment. However, it is recognized that business circumstances can arise which create a need for an employee to be called out in response to an emergency or other unusual or special circumstance. When such situations occur, eligible employees may receive call-out compensation.

**400.08 HEALTH CARE COVERAGE** (*Outside Counsel Recommendations*)

Health care benefits are available to all full-time Authority employees. Health care plans include medical, dental, vision, and life insurance coverage. These plans are provided by a number of insurance providers. Employees have an opportunity to select a plan that meets the medical needs of the employee and the employee's family where applicable. In the event that two GCRTA employees are married to one another, one of the employees must select family medical, dental, and vision coverage. In this instance, single coverage for medical, dental, and vision is prohibited.

Non-bargaining employees may enroll annually during the open enrollment period. Coverage for new non-bargaining employees commences at the beginning of the month following the effective date of employment.

**400.09****PRIOR SERVICE CREDIT**

A person employed by the Authority who is eligible under Ohio R.C. 9.44 shall have his or her prior service credit with a state or county agency and/or political subdivision within the state of Ohio counted for purposes of computing the accrual rate of vacation leave. For purposes of determining eligibility, the employee is responsible for obtaining written verification of the length of his or her service from the agency or municipality of former employment and to verify the completeness and accuracy of same. Prior service credit will be granted in one-year increments for a minimum of one or more years of employment with the former agency or political subdivision. This information shall then be submitted to the Human Resources Department. Employees requesting prior service credit from institutions and authorities not within the scope of the Ohio Revised Code are subject to the approval of the CEO/General Manager on a case-by-case basis.

Employees must meet the minimum vacation eligibility requirements to use earned hours, including those from prior service credit.

Questions concerning Prior Service Credit eligibility should be addressed to the Benefits Section of the Human Resources Department.

**400.10****OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM (OPERS)**

All employees of the Authority are required by State law to participate in the Ohio Public Employees Retirement System (OPERS). Employees hired after June 30, 1986, will be subject to the mandatory percentage of Medicare Tax. All OPERS contributions and Medicare tax withholding will be automatically deducted from the employees' wages.

**OPERS PICK-UP PLAN:**

Internal Revenue Service Law makes it possible for an employer to pay (pick-up) employee contributions for members of OPERS. This is a technique that enables employers to designate employee contributions picked up by the employer as employer contributions.

The Federal Law states that employer contributions to a qualified pension plan are non-taxable to the employee until such time as the contributions are received as a refund or as retirement benefits.

#### **400.11           WORKERS' COMPENSATION**

Ohio worker's compensation laws cover Authority employees. If an employee suffers a job-related injury or illness while employed by the Authority the employee may qualify for benefits through workers' compensation. Employees cannot, however, receive workers' compensation and salary continuation or other paid time off benefits at the same time.

Should the employee suffer a job-related illness or injury that meets the requirements of Ohio workers' compensation laws, the employee will be eligible for reasonable medical, surgical, and hospital, medication and equipment expenses required for treatment. There is a death benefit payable to beneficiaries of employees whose death is the direct result of a job-related accident or illness.

Compensation is paid according to the laws in effect as of the date of the work-related injury, disability or death.



**400.12            UNEMPLOYMENT COMPENSATION**

Under Ohio law, when an Authority employee is laid off for lack of work or is otherwise separated from employment, the employee may be eligible for unemployment compensation. Such eligibility shall be determined solely by the Ohio Department of Job and Family Services (ODJFS). To determine eligibility an application must be filed with ODJFS.

The Labor and Employee Relations Department or its vendor will provide employee separation information to ODJFS. The Labor and Employee Relations Department may appeal an ODJFS benefit eligibility determination.

**400.13 TUITION REIMBURSEMENT**

Ongoing employment development is an important element in providing the best transit service to the citizens of the Greater Cleveland area. This includes the enhancement of existing internal employee development and training programs.

The Tuition Reimbursement Program (TRP) shall be available to all Greater Cleveland Regional Transit Authority (Authority) employees.

#### **400.14            PROFESSIONAL SOCIETY MEMBERSHIP**

The Authority encourages those employees who are employed in a professional capacity and who provide professional services to the Authority to become members of and participate in professional societies. To the extent that the Authority is legally permitted to do so, the Authority will reimburse payment of dues, licensure, registration, and/or membership fees in professional organizations for individual staff members upon prior approval by the employee's Deputy General Manager.

Payment for professional dues, licensure, registration and/or memberships shall not exceed five hundred dollars (\$500.00) per employee annually and shall be reimbursed to the employee upon submission of proof of payment by the employee.

This policy shall be applicable to those employees whose job descriptions require that they are licensed or registered by the State of Ohio or others whose membership in such organizations is work-related and in the best interests of the Authority, as determined by the Deputy General Manager of Human Resources and the CEO/General Manager.

**400.15 SERVICE RECOGNITION PROGRAM**

To commemorate an employee's anniversary date with a token of thanks for their service and commitment to the Authority, the Greater Cleveland Regional Transit Authority presents distinctive graduating lapel pins to its employees for years of service at five year increments (5, 10, 15, 20, 25, 30, 35 and 40).

#### **400.17 HOUSING ALLOWANCE**

It is the policy of the Greater Cleveland Regional Transit Authority to permit the General Manager, Secretary-Treasurer to negotiate a Housing Allowance for newly hired professionals and managerial exempt salaried employees who reside outside the Cleveland area and are subject to an employment contract or memorandum of employment with the Authority.

This policy is established pursuant to Ohio Revised Code §§ 306.31, 306.34 and 306.35 and Article II, Article IV, and Article VII of the Bylaws of the Authority. To be eligible for a monthly allowance, the position for the new employee must be at least Grade 28 or above according to the Authority's job classification system in order to qualify for a Housing Allowance.

The CEO/General Manager may, in special circumstances, negotiate a housing allowance for perspective employees in a lower grade classification.

The amount of Housing Allowance shall not exceed a maximum dollar amount of Two Thousand Dollars (\$2,000.00) per month and shall not exceed a period of thirty-six (36) months from the effective date of employment.

Payments for Housing Allowances authorized by this policy shall be made on a bi-weekly basis in accordance with established authority payroll procedures.

The employee is responsible for compliance with all applicable Federal, State and Local Tax laws.

If the employee decides to relocate to the Greater Cleveland area during the term of employment, the Housing Allowance shall end.

**500.01        HOLIDAYS**

All non-bargaining, regular full-time employees shall receive holiday pay for the following holidays: January 1, Martin Luther King Day; Presidents Day, Memorial Day, July 4, Labor Day, Thanksgiving Day, December 24 and December 25. In addition, all non-bargaining employees shall receive three personal days eachcalendar year after six months from their date of hire. Personal days and holidays must be used prior to the end of the calendar year and may not be carried beyond December 31. Generally, holidays falling on Saturday shall be observed on the Friday before and those holidays falling on Sunday shall be observed on the Monday following.

**500.02 VACATION**

Eligible non-bargaining employees shall accrue vacation according to the applicable accrual rates specified in the Per Pay Vacation Accrual Rate Schedule, below, beginning with their first pay after their date of hire. Vacation accrual credit shall be given when an employee is on active pay status, excluding overtime.

**Per Pay Vacation Accrual Rate Schedule:**

Total Years of Active Service with GCRTA + <u>Prior Service Credit</u>	Vacation Accrual Rate Per <u>Pay-Ending Period</u>	Maximum Number of Weeks Earned for 26 Pay <u>Periods</u>
Less than 1 year to less than 5 years	3.08 Hours	2 Weeks
5 years to less than 13 years	4.616 Hours	3 Weeks
13 years to less than 21 years	6.16 Hours	4 Weeks
21 years to less than 30 years	7.696 Hours	5 Weeks
30 years or more	9.232 Hours	6 Weeks

An employee on active pay status at the beginning of the bi-weekly pay period will receive the "per pay vacation accrual" for that pay. An employee who is receiving payment for an occupational injury or who is on extended disability is not in active pay status and is not entitled to earn time for vacation or to receive additional payment for vacation. An employee shall not earn or accrue vacation for any time not in active pay status.

The employee's rate of accrual shall be consistent with the employee's anniversary date and total years of active service with RTA, plus prior service credit.

Employees shall be able to use any vacation earned after six months from their date of hire or as determined by the CEO/General Manager. Employees shall be paid appropriate vacation hours as they correlate to their regular work schedule. The Department Director shall schedule vacation as necessary to minimize any disruption of service and to meet the operation needs of the department. The CEO/General Manager may revise vacation schedules whenever it is found to be in the best interest of the Authority.

The CEO/ General Manager, at his discretion, to attract highly qualified applicants, may offer a vacation accrual rate greater than the applicant's years of service would otherwise allow.

Increases in the per pay vacation accrual rate will be effective in the first full pay period following the employee's anniversary date of hire.

Vacation time may be accumulated to a maximum of four hundred (400) hours as of December 31 of any year. Accumulated vacation balances in excess of four hundred (400) hours as of December 31 of any year, will be lost. Upon prior approval of the CEO/General Manager in

situations involving extraordinary circumstances, payment or other equitable arrangements may be made to an employee for vacation balances in excess of 400 hours as of December 31.

Upon separation from employment, payment will be made at the current rate of pay for all unused vacation hours.

The CEO/General Manager shall implement administrative procedures, including procedures for employees who transfer to jobs that result in a change in their non-bargaining or bargaining status.



**500.07**      **MILITARY RESERVE** (*Outside Counsel Recommendations*)

All employees of the Authority who are members of the Ohio National Guard, the Ohio Defense Corps, the Naval Militia, or members of other reserve components of the Armed Forces of the United States, shall be entitled to a leave of absence from their respective duties without loss of pay for such time as they are in the military service on field training or active duty for a period not to exceed thirty-one days in any one calendar year. All other military leaves shall be handled in accord with the requirements of federal law.

**500.08 UNPAID LEAVES OF ABSENCE**

All non-bargaining employees may be eligible for an authorized unpaid leave of absence after one year of full-time employment.

An authorized leave of absence is a temporary separation from active pay status, authorized by the appropriate Department Director, and the affected Deputy General Manager, with the approval of the CEO/General Manager. An authorized unpaid leave of absence will not be granted to any employee seeking or engaging in other employment.

**500.09**      **FAMILY AND MEDICAL LEAVE** (*Outside Counsel Recommendations*)

The GCRTA will grant family and medical leave (FMLA) in accordance with the requirements of applicable state and federal law in effect at the time the leave is granted. No greater or lesser leave benefits will be granted than those set forth in such state or federal laws. In certain situations, the federal law requires that provisions of state law apply. In any case, employees will be eligible for the most generous benefits available under applicable law.

## **600.01 SMOKE-FREE WORKPLACE**

It is the policy of the Board of Trustees to create a tobacco smoke free workplace for employees of the Authority.

Smoking is prohibited in buses, Paratransit vehicles, HealthLine vehicles, rapid transit vehicles, all non-revenue vehicles, the rapid transit stations, bus loops and HealthLine stations where posted. Smoking is also prohibited in all employee work areas, conference rooms, indoor public meeting rooms, elevators, escalators, hallways, all restrooms, waiting areas and lobbies. Smoking is prohibited in all buildings that are owned, leased or rented by the Authority and on all Authority property, including outside the exit and entrance doors of Authority property. Smoking is strictly prohibited in areas where flammable or combustible materials are used or stored. Smoking is also prohibited on and in all GCRTA equipment and vehicles.

No-Smoking area signs for interior use may be obtained from the Safety Department . Any employee who has questions about this policy may contact his/ her supervisor or the Safety Department.

It is the responsibility of all Deputy General Managers, Department Directors and all other supervisory personnel within the Authority to enforce this policy. Any violation of this policy may result in disciplinary action up to and including termination.

## **600.02 DRUG FREE WORKPLACE**

The Drug Free Workplace Act requires that grantees of Federal agencies certify that they will provide a drug free workplace. It applies to all employees within the Authority and contractors engaged in the performance of a grant or a cooperative agreement regardless if the functions are safety-sensitive or non-safety sensitive in nature. Accordingly, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited on Greater Cleveland Regional Transit Authority property. Furthermore, it is a violation of company rules as well as State and local laws. Any employee violating provisions of the Drug Free Workplace Act will be subject to immediate discharge and criminal prosecution.

Pursuant to the Drug Free Workplace Act, any employee convicted of a drug violation occurring in the GCRTA workplace and/or outside GCRTA workplace is required to notify his/her supervisor in writing no later than five (5) working days following his/her conviction. Compliance is required of all recipients of federal funding and is a prerequisite to continued employment with the Greater Cleveland Regional Transit Authority.

**600.03****SUBSTANCE ABUSE**

It is the policy of the Greater Cleveland Regional Transit Authority (GCRTA) to provide the safest possible transportation for the riding public and work environment for its employees. Toward that end the GCRTA has two substance abuse policies. One policy is for safety sensitive employees and one is for non-safety sensitive employees.

For Safety Sensitive employees the policy establishes guidelines and procedures for the administration of the Authority's Drug and Alcohol Testing Program in accordance with FTA requirements. Based on these requirements, the Authority requires all safety sensitive employees to submit to specific testing for the presence of drugs and/or alcohol. All employees must be free of drugs and/or alcohol when performing a safety sensitive function.

For Non-Safety Sensitive employees the policy requires such employees to submit to testing for the presence of drugs and/or alcohol at the time of a post-employment offer physical exam; any work related physical exam; when there is reasonable suspicion; and as a condition of discipline for previous offenses under the policy.

The Authority encourages participation in the Employee Assistance Program (EAP) for those employees who are plagued by problems associated with drugs or alcohol. Voluntary employee participation is confidential and will not adversely affect an employee's employment with the Authority.

For more information refer to the Substance Abuse Policy For Safety Sensitive Employees and Substance Abuse Policy For Non-Safety Sensitive Employees.

**600.04           EMPLOYEE ASSISTANCE PROGRAM**

The Authority provides an Employee Assistance Program (EAP) to all Authority employees. The EAP is a confidential, voluntary program, available to all employees, their family members and retirees for the purpose of helping to resolve personal and family problems that adversely affect life and work. The EAP is available twenty-four hours per day, seven days a week.

Participation in the EAP does not exempt employees from the standard administrative policies and procedures applicable to job performance requirements, or established disciplinary procedures. The voluntary participation in any offerings of the EAP program will not adversely affect an employee's employment.

Administrative oversight of the EAP Program is performed by the Benefits and Occupational Health sections.

Information regarding EAP services may be obtained from Occupational Health.

**600.05            INFECTIOUS DISEASE**

The Authority recognizes the impact of infectious diseases, including, but not limited to, Acquired Immune Deficiency Syndrome (AIDS), Methicillin Resistant Staph (MRSA), tuberculosis, and hepatitis. Infectious diseases pose significant legal, medical and social challenges. Consistent with State and Federal laws and requirements, the Authority will make every effort to educate, train and protect employees who may encounter the devastating effect of an infectious disease.

For more information refer to the Exposure Control Plan SOP.



**600.06**

**BIENNIAL PHYSICAL EXAMINATION REQUIREMENTS**

It is the policy of Greater Cleveland Regional Transit Authority (GCRTA) to perform biennial physical examinations in accordance with current Department of Transportation (DOT) regulations for all GCRTA bus and rail operators to assure that each vehicle operator is physically qualified to operate the train or bus.

## **600.07 SAFETY POLICY**

The Greater Cleveland Regional Transit Authority (GCRTA) was organized with the mission to provide safe, secure, reliable and effective transportation services to all users. Safety is a primary concern that affects all levels of GCRTA activities including operations, maintenance, planning, design, construction, procurement, testing and training for all modes of transportation. Therefore, all GCRTA personnel are charged with the responsibility of promoting the safety and security of passengers, employees, and the general public who come in contact with GCRTA transportation systems.

All employees and contractors of the GCRTA are expected to conduct their duties in a safe manner, aimed at preventing or minimizing injuries and property damage, throughout GCRTA's operations. The safety and security of our customers and our employees are GCRTA's greatest responsibility.

Each employee must operate safely, use equipment, tools and materials properly and be totally familiar with work rules and procedures for his/her areas of responsibility. Each employee shall take active part in the identification and reporting of hazards. Supervisors shall actively participate in the assessment and resolution of hazards and shall fully cooperate with the Safety Staff to eliminate or control hazards in all areas of GCRTA transportation systems.

GCRTA Management will provide leadership in promoting safety throughout the organization. The CEO/General Manager and the executive staff will be continually and directly involved in formulating, reviewing and revising the Safety Policy and safety goals and objectives. GCRTA Management will provide the authority, support and resources to establish and maintain high safety standards in operations, maintenance and training throughout the GCRTA.

GCRTA Management will commemorate an employee's, or a district's, commitment and achievements in Safety at GCRTA by providing recognition programs.

Every GCRTA employee and contractor shall comply with the provisions of the System Safety Program Plan and shall fully cooperate with the Safety Office staff in achieving GCRTA's safety goals and objectives.

For more information, refer to RTA Safety Rules.

## **600.10 HAZARDOUS WASTE**

The Authority has established a Hazardous Waste policy in accordance with the Resource Conservation Recovery Act. . This policy requires procedures be in place at GCRTA to ensure the Authority is in compliance with hazardous waste regulations set forth by Federal, State and Local agencies.

Any GCRTA employee who generates, handles, stores or in any way comes in contact with a hazardous waste while in the employ of the GCRTA shall comply with the hazardous waste procedures. Department Managers are to make special note of their duties as established herein. Failure to comply with the respective environmental regulation could result in personal civil and criminal liability as well as disciplinary action up to and including termination.

For more information, refer to the Hazardous Waste Procedures & Inspections SOP, Hazardous Waste Transportation "Buddy System" SOP, Universal Waste SOP and Waste Removal SOP.

700.03      ELECTRONIC MAIL RECORDS

THIS POLICY WAS COMBINED WITH 700.04

#### 700.04

#### COMPLIANCE WITH RECORDS RETENTION SCHEDULE

All GCRTA records shall be maintained and retained in compliance with the internal operating needs of the Authority and local, state, and federal law.

The Records Retention Schedule was developed to maintain lawful, consistent and effective record-keeping practices throughout the Authority. A "record" is defined as any document, device, or item, regardless of physical form or characteristic, including an electronic record that is created, received by, or comes under the jurisdiction of the Authority, and which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

Before disposing of any RTA record, employees must ensure that destruction is permitted by the established Records Retention Schedule and follow the Records Retention Procedure.

GCRTA shall have the right to access, and employees shall provide prompt access to, all records, regardless of their location and irrespective of whether they were created by or stored on non-GCRTA devices (e.g., business and/or personal computers; stationary and/or portable devices; storage media, including; local drives, network drives, CD, DVD, Tape, and/or other storage facilities not owned by RTA).

The Records Manager will coordinate an annual meeting of the Executive Records Management Committee to consider requests to modify records retention schedules, disposal of records included on the records retention schedules, and one time disposal of records. Other meetings of the Executive Records Management Committee will be scheduled as needed.

The GCRTA Records Manager can provide assistance with any questions regarding the maintenance and destruction of records.

For more information, refer to the Records Management Guide.

## **800.01            Acceptable Use of GCRTA Technology Assets Policy (NEW)**

The GCRTA recognizes that the use of technology is essential to operating a successful transit authority. All users of GCRTA technology assets must abide by Information Technology procedures in order to ensure the integrity, security, and availability of GCRTA technology assets.

GCRTA technology assets include but are not limited to, computing devices (servers, PCs, laptops), peripherals devices (printers, scanners, multi-functional printers, faxes, cameras), communication devices (routers, switches, PBXs, desk phones, mobile phones, probes, smart devices), software (operating systems, firmware, applications, productivity tools) and data. The procedures, Section 1500, define the acceptable use of any GCRTA-Owned, leased or licensed technologies.

Users are responsible for all activities performed with their personal user IDs. Users must report any use by anyone that may violate GCRTA Policies or be a threat to the GCRTA systems immediately to his or her supervisor or the Information Technology Department. Violations of this policy or the accompanying procedures may result in discipline up to and including discharge.

800.01      COPYING COMPUTER SOFTWARE

COMBINED INTO NEW POLICY 800.01

**800.02      USE OF ELECTRONIC MAIL MESSAGE SYSTEM (E-MAIL), BULLETIN  
BOARDS, SHARED FOLDERS AND WEB PAGES**

**COMBINED INTO NEW POLICY 800.01**



**800.03      USE OF INTERNET AND THE GCRTA INTRANET**

**COMBINED INTO NEW POLICY 800.01**

**900.01            COMPLYING WITH SUBPOENAS AND SUMMONSES SERVED UPON THE  
GCRTA**

It is the policy of GCRTA to instruct any employee, upon receipt of any subpoena or summons involving the GCRTA's business, either by U.S. mail or messenger, to deliver the same directly to the DGM-Legal Affairs or his/her designee. This policy is to assure timely and complete compliance with all subpoenas and summonses, and to protect the interests of the Authority and its employees.

All subpoenas and summonses referred to the Legal Department will be handled in accordance with their internal procedures.

**900.02 INDEMNIFICATION POLICIES**

The CEO/General Manager is authorized by Resolution of the Board of Trustees to prepare and to implement indemnification policies and procedures for the Authority in conformity with the Bylaws and the Ohio Revised Code, and to make such changes thereafter as may be necessary from time to time to conform to the policies and programs of the Board of Trustees and changes in applicable law.

The CEO/General Manager is authorized by Resolution of the Board of Trustees to conduct an investigation and review of each indemnification claim submitted to the Authority and to communicate with the Board of Trustees or issue such report and make such recommendations to the Board of Trustees as may be necessary for its action.

The Board of Trustees shall make the final determination of all indemnification claims submitted to the Authority, except as outlined in the Bylaws.

Refer to procedures set forth in Section 629.02 of the Policies and Procedures of the Board of Trustees of the Greater Cleveland Regional Transit Authority.

**900.03            LEGAL DEFENSE AND INDEMNIFICATION OF EMPLOYEES INVOLVED IN COLLISIONS**

The GCRTA has established a policy for addressing the issues of use of non-Authority-owned vehicles by Authority employees, accident reporting, legal defense, legal liability, insurance requirements, and insurance cost.

This policy is to assure employees who use their vehicles for Authority business of the legal protection afforded them by the Authority.

The Authority shall provide counsel for the legal defense of an employee who is sued for damages for alleged negligence as the result of his/her use of a non-Authority-owned vehicle, provided that the employee's allegedly negligent act or omission occurred while the employee was acting both in good faith and not manifestly outside the scope of employment or official responsibilities. By such use, the employee consents to the Authority's selecting legal counsel of its choice for any such litigation.

The Authority shall indemnify an employee for any settlement that its legal counsel negotiates on behalf of the employee in such litigation and/or for any judgment rendered against the employee in such litigation in which it provides a defense, unless the finder of fact in such actions determines that the employee's acts or omissions were manifestly outside the scope of the employee's employment or official responsibilities, or the employee's acts or omissions were with malicious purpose, in bad faith, or in a wanton or reckless manner.

The GCRTA will continue to defend and indemnify employees who are operating GCRTA owned vehicles in accordance with applicable local and state laws.



Greater Cleveland Regional Transit Authority  
**STAFF SUMMARY AND COMMENTS**

TITLE/DESCRIPTION:  AMENDING THE PERSONNEL POLICIES OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY	Resolution No.: 2013- 95
	Date: September 12, 2013
	Initiator: Human Resources Division
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: This action will approve revisions to the Personnel Policies of the Greater Cleveland Regional Transit Authority.
- 2.0 DESCRIPTION/JUSTIFICATION: The Board of Trustees has determined that revisions to the Personnel Policies may be necessary to assure compliance with federal or state laws and the Bylaws of the Greater Cleveland Regional Transit Authority.
- 3.0 PROCUREMENT BACKGROUND: Does not apply.
- 4.0 DBE/AFFIRMATIVE ACTION BACKGROUND: Does not apply.
- 5.0 POLICY IMPACT: Staff has evaluated the impact of these policies at GCRTA and has determined that it is necessary to update the Personnel Policies to comply with federal or state laws and current advancements in technology and other personnel related developments.
- 6.0 ECONOMIC IMPACT: Does not apply.
- 7.0 ALTERNATIVES: Disapprove the revisions to the Personnel Policies. This option would not allow the General Manager/Secretary-Treasurer to revise the Personnel Policies to comply with federal, state and local laws, rules and regulations and current personnel related developments.
- 8.0 RECOMMENDATION: These revisions were reviewed by the Committee of the Whole at their September 3, 2013 meeting and recommended to the Board of Trustees for approval. It is recommended that the Board of Trustees approve the revisions to RTA Personnel Policies.
- 9.0 ATTACHMENTS: None.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer