

UTAH TRANSIT AUTHORITY POLICY

No. UTA.01.07

EQUAL EMPLOYMENT OPPORTUNITY

1) Purpose.

Utah Transit Authority ("Authority") is an Equal Opportunity employer. This policy outlines the approach UTA uses to create a workplace free of discrimination, harassment, or retaliation of any type and promotes equal employment opportunity through its employment practices. This policy described herein applies to all employees, independent contractors, visitors, passengers, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with UTA including contractors.

2) Definitions.

"Appeal" means the process by which a case is reviewed and parties request a formal change to an investigation outcome.

"Complaint" means a form of communication that expresses an objection to something that is unfair, unacceptable, or otherwise not up to normal standards.

"Complainant" means the party who makes the Complaint against another.

"Discrimination" means the unequal treatment of individuals with respect to the terms and conditions of their employment, based on their association in a Protected Category.

"Equal Opportunity" means that qualified individuals have a full and fair opportunity to compete for hiring and promotion following all statutes and regulations that prohibit employment Discrimination and provide employees and job applicants protections and remedies against employment Discrimination.

"Equal Employment Opportunity Program" means a comprehensive written document with detailed, results-oriented set of procedures designed to analyze relevant labor market data, as well as employment practices to identify possible barriers to participation of women and minorities in all levels of the workforce.

"EEO Officer" means the individual responsible for implementing the EEO Program and ensuring that policies and programs are carried out.

"Executive Director" means the senior-most executive over the agency reporting directly to the UTA Board of Trustees, who is also executive over the Executive Director department.

"Harassment" means unwelcomed visual, verbal, or physical conduct engaged in on account of a person's actual or perceived association with a Protected Category.

“Investigation” means a thorough search for facts, especially those that are hidden or need to be sorted out in a complex situation. The goal of an Investigation is usually to determine what, when, why and how something happened. Investigations are usually formal and official.

“Investigator” means someone who carries out Investigations, especially as part of their job to collect information by talking to witnesses and informants, collecting physical evidence, or searching records.

“Management” means directing and controlling a group of people or an organization to reach a goal. This includes individuals who are part of the leadership team such as managers, supervisors, directors, or executives.

“No Cause File” means a written file or document which remains confidential for recordkeeping purposes only with restricted access to individuals on a need-to-know basis or as requested by the Records Office.

“Protected Activity” means actions taken in good faith in furtherance and support of equal employment opportunity for all employees including but not limited to acting as a complainant, witness, advocate, investigator, or adjudicator.

“Protected Category” means a group of people who qualify under federal law to be protected from employment Discrimination based on race, color, religion, national origin, disability, age, pregnancy, sex, sexual orientation, gender identity, veteran status, status as a parent or genetic information.

“Religious Accommodation” means any adjustment to the work environment that will allow an employee or applicant to practice their religion.

“Retaliation” means a form of unlawful Discrimination or harmful action that occurs when an employer, person or a group takes adverse action against an employee, applicant or other covered individuals because they filed a charge, Complaint or grievance or is engaged in a Protected Activity including participation in an Investigation or lawsuit.

“Sexual Harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964.

“UTA” means Utah Transit Authority

3) Policy.

Utah Transit Authority prohibits any unlawful Discrimination, Harassment or Retaliation of any type in relation to Title VI and VII of the Civil Rights Act of 1964. UTA promotes equal employment opportunities through its employment practices to current employees as well as internal and external applicants without regard to race, color, religion, national origin, disability,

age, pregnancy, sex, sexual orientation, gender identity, veteran status, status as a parent, or genetic information. Utah Transit Authority shall be proactive in its pursuit of a successful Equal Employment Opportunity Program (“EEO”). In order to uphold this commitment, Utah Transit Authority has established an EEO Program to be implemented by its Equal Opportunity Officer. Furthermore, all Utah Transit Authority Management personnel shall share in the responsibility of Equal Employment Opportunity compliance.

A. Reporting.

If any individual believes that they have been subjected to any unlawful Discrimination, Harassment, or Retaliation, the employee should bring the claim to the attention of the employee's Executive, supervisor, manager, Civil Rights Office staff, People Office staff, EEO Officer at eeoofficer@rideuta.com, Internal Audit staff or UTA's anonymous reporting tool <https://www.lighthouse-services.com/rideuta-eeo> for Investigation as soon as possible. An individual bringing a Complaint under this policy shall make a written statement briefly summarizing the alleged unlawful Discrimination, Harassment, or Retaliation. Individuals may complete the written Complaint on behalf of the Complainant if necessary. Complaints will be forwarded to appropriate offices as necessary in accordance with UTA SOP's. The Complaint shall be placed in a temporary file until the Investigation is complete and shall not be placed in the personnel file. Management aware of a Complaint of Discrimination, Harassment or Retaliation must report it immediately to UTA Internal Audit to ensure proper and lawful handling of the matter.

B. Investigations.

All Complaints will be addressed promptly. Complaints involving Discrimination, Harassment or Retaliation will be investigated by UTA Internal Audit staff or another appropriately designated “Investigator”. After receipt of a Complaint, the “Investigator” will complete an Investigation and provide written summary of the outcome of the Investigation to the complaining individual (unless anonymous), the complaining individual's supervisor, Executive and subject of the Complaint. Any individual interested in filing an Appeal regarding the outcome of an Investigation may contact UTA Internal Audit to initiate this process. The individual's direct supervisor may meet with the affected individual as necessary to address the outcome of the Complaint. In the event the “Investigator” determines an individual violated this policy, the Complaint and the summary shall be placed in the violating individual's personnel file subject to the outcome of any ensuing Appeal. If the “Investigator” finds no policy violation, the Complaint and summary shall be placed in a “No Cause File” maintained for the sole purpose of recordkeeping. Contents of this file shall not be placed in the individual's personnel file and shall not be used in any future employment action or decision, subject to the outcome of any ensuing Appeal.

C. Retaliation.

Retaliation against an employee who brings a claim under this Policy in good faith or who participates as a witness or aids in the resolution of a Complaint is prohibited. Complaints of Retaliation will be properly investigated and any necessary and appropriate remedial action will be taken.

D. Religious Accommodations.

Individuals interested in requesting a “Religious Accommodation” for a religious reason must submit a written request. Individuals should contact their assigned Human Resources Business Partner (HRBP) to initiate the request. However, individuals may also contact their managers or supervisors to make the initial request. Management made aware of a religious accommodation should contact the appropriate HRBP. The People Office will work with the Civil Rights Compliance Department to determine the best course of action regarding the request absent undue hardship on the conduct of our business.

E. Policy Considerations.

While every definition listed above does not provide a complete list of what may constitute Discrimination, Harassment or Retaliation under the law, the Authority expects all employees to act professionally and treat each other with respect.

F. External Resources.

This policy is intended to provide an internal procedure for individuals to report, and for UTA to fully and fairly investigate, Complaints relating to possible violations of Title VI and VII of the 1964 Civil Rights Act, as amended and other applicable state and federal laws. This is not intended to replace in whole or part Complaint procedures available to individuals who wish to file a Complaint, including the procedures of the following:

State of Utah Labor Commission Anti-Discrimination & Labor Division 160 East 300 South, 3rd Floor Salt Lake City, Utah 84114-6600 Telephone (800-)222-1238 (Toll Free)	U.S. Equal Employment Opportunity Commission Regional Office 3300 North Central Ave. Ste 690 Phoenix, AZ 85012-2504 Telephone (800)-669-4000 TTY: (800)-669-6820	Federal Transit Administration Region VIII 1916 Stout Street Ste. 13-301 Denver, CO 80294 Telephone (303)-362-2400
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G. Review.

In compliance with Federal EEO guidelines, this policy will be updated every 4 years at the time of the Agency's EEO Program submission, or upon the naming of a new EEO Officer or Executive Director.

4) Cross References.

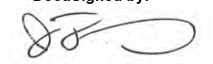
- UTA.01.02 - Americans with Disabilities Act (ADA) Compliance UTA Policy
- Title VI and Title VII of the Civil Rights Act of 1964
- FTA C 4702.1B - Title VI Requirements and Guidelines for Federal Transit Administration Recipients
- FTA C 4704.1A - Equal Employment Opportunity (EEO) Requirements and Guidelines for Federal Transit Administration Recipients

- Corporate Policy 6.1.1 - Employee Expectations
- HR.110 - Reasonable Accommodation Request Handling SOP
- AGCY.01.01 - Internal Investigations of Complaints Agency SOP

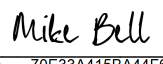
This UTA Policy was reviewed by UTA’s Chief Officers on 08/03/22, approved by the Board of Trustees on 11/09/2022 and approved by the Executive Director on 11/16/2022. This policy takes effect on the latter date.

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 Kim Shanklin, Chief People Officer
 Accountable Executive

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 Jay Fox
 Executive Director

Approved as to form and content:

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 Counsel for the Authority

History

Date	Action	Owner
12/2000	Harassment Policy 3.040 Adopted	
03/2001	Revised	
	Superseded by Corporate Policy U.2.5.2.1	
	Renumbered to 6.1.9	
12/2000	EEO Policy 3.030 Adopted	
	Superseded by Corporate Policy 5.2.1	
07/27/2007	EEO Policy and Harassment Policy Combined to 6.1.8	
11/23/2011	EEO Policy Revised to include references to Genetic Information Discrimination Act of 2008	
02/07/2012	EEO Policy Revised to reflect recommendations from FTA Compliance Review	
09/11/2012	Reporting Process Revised	
03/03/2015	Incorporated Harassment-Free Workplace SOP 6.1.9 and new prohibitions against Discrimination identified in UTA's Master Agreement with FTA.	
04/19/2016	Policy Revised to identify new Civil Rights Manager.	
09/27/2016	Requesting Process for Accommodations	

	Added	
11/16/2022	Rescinded – Corporate Policy 6.1.08 – Equal Employment Opportunity, Discrimination Anti-Discrimination, Harassment, and Retaliation Policies	Chief People Officer
11/09/2022	Board Approved – UTA.01.07 Equal Employment Opportunity	Chief People Officer
11/16/2022	Adopted – UTA.01.07 Equal Employment Opportunity	Chief People Officer