



**MCDONOUGH COUNTY PUBLIC
TRANSPORTATION**

Equal Employment Opportunity (EEO) Plan

**CITY OF MACOMB
TRANSIT FACILITY
701 EAST PIERCE STREET
MACOMB, ILLINOIS 61455**

March 2021

PURPOSE OF PLAN

Since 1977, USDOT has required recipients and subrecipients of transit funding meeting certain criteria to establish Equal Employment Opportunity (EEO) Programs and to comply with applicable laws and regulations.

FTA is responsible for ensuring that its recipients do not engage in employment discrimination: A person may not be excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance under this chapter because of race, color, religion, national origin, sex, disability, or age (49 U.S.C. § 5332(b)).

This provision applies to employment opportunities and supplements employment protections found in Title VI of the Civil Rights Act of 1964 (Title VI). The Title VI regulations prohibiting employment discrimination are found at 49 CFR § 21.5(c) - Nondiscrimination in Federally Assisted Programs of the Department of Transportation. It is important to note that while Title VI and 49 CFR Part 21 only prohibit discrimination based on race, color, and national origin, Federal Transit Laws (49 U.S.C.

§ 5332) includes protections on the basis of religion, sex, disability, and age. In this context, the term 'sex' includes pregnancy, childbirth, or related medical conditions; gender identity; and sexual orientation.

Title VII of the Civil Rights Act of 1964 (Title VII), as amended by the Equal Employment Opportunity Act of 1972 and the Civil Rights Act of 1991, prohibits discrimination on the basis of race, color, religion, national origin, or sex in all institutions with 15 or more employees--including state and local governments and labor organizations. (42 U.S.C. §§ 2000e et seq.) Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) applies to private employers and state and local government employers with at least 15 employees, regardless of whether they receive federal financial assistance. It prohibits covered employers from discriminating on the basis of an applicant's or employee's genetic information (such as the results of genetic tests or family medical history), generally prohibits employers from acquiring genetic information of applicants and employees, and requires employers to keep genetic information confidential, with very limited exceptions. The U.S. Equal Employment Opportunity Commission (EEOC) is the enforcement authority for Title VII and provides official interpretation of employment laws that prohibit discrimination as outlined in 29 CFR Part 1600. EEOC enforces not only Title VII and GINA, but also the Equal Pay Act of 1963, the Age Discrimination in Employment Act of 1967, Title I of the Americans with Disabilities Act of 1990, Sections 501 and 505 of the Rehabilitation Act of 1973. FTA defers to the most current regulations and guidance issued by EEOC when making complaint and compliance determinations. EEOC regulations and guidance are incorporated by reference.

Agencies between 50 -99 transit-related employees are required to prepare and maintain an EEO Program that includes the Statement of Policy, dissemination plan, designation of personnel, assessment of employment practices, and a monitoring and reporting system. Smaller agencies will be required to provide the EEO Program to FTA if requested by the Office of Civil Rights or for any State Management Review or Triennial Review.

STATEMENT OF POLICY

McDonough County Public Transportation (MCPT) has a strong commitment to the community we serve and our employees. As an equal opportunity employer, we strive to have a workforce that reflects the community we serve. No person is unlawfully excluded from employment opportunities based on race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age, genetic information, disability, veteran status, or other protected class.

MCPT Equal Employment Opportunity (EEO) policy applies to all employment actions, including but not limited to, recruitment, hiring, selection for training, promotion, transfer, demotion, layoff, termination, rates of pay or other forms of compensation.

All applicants and employees have the right to file complaints alleging discrimination. Retaliation against an individual who files a charge or complaint of discrimination, participates in an employment discrimination proceeding (such as an investigation or lawsuit), or otherwise engages in protected activity is strictly prohibited and will not be tolerated.

MCPT is committed to providing reasonable accommodations to applicants and employees who need them because of a disability or to practice or observe their religion, absent undue hardship.

As MCPT's Interim Executive Director, I maintain overall responsibility and accountability for MCPT's compliance with its EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I will also serve as MCPT's EEO Officer. MCPT's monitoring will include the EEO program of the Transit Service Contractor hired by MCPT. Complaints may be filed with the Transit Service Contractor's EEO Officer or with the MCPT EEO Officer.

All MCPT management and supervisory personnel, however, share in the responsibility for implementing and monitoring MCPT EEO Policies and Programs within their respective areas and will be assigned specific tasks to ensure compliance is achieved. MCPT evaluates its managers' and supervisors' performance on their successful implementation of MCPT's policies and procedures, in the same way MCPT assesses their performance regarding other agency's goals.

If an employee or job applicant believes that they have been discriminated against or harassed, employees/applicants have a right to file a complaint with their respective EEO Officer:

Pete Hannen, Interim Transit Director
McDonough County Public Transportation
701 East Pierce
Macomb, IL 61454
mcpt@837ride.com;
309-837-7433

MCPT is committed to undertaking and developing a written nondiscrimination program that sets forth the policies, practices and procedures, with goals and timetables, to which the agency is committed and make the EEO Program available for inspection by any employee or applicant for employment upon request.

I am personally committed to a workplace that acts upon its daily responsibility to treat all applicants and employees with dignity and respect, as well as equitably under the guidelines of our EEO Policies and Programs

Pete Hannen
Interim Transit Director

Date

MCPT EEO PROGRAM

MCPT has established the following programs to comply with the Department of Transportation (DOT) EEO regulations.

DISSEMINATION PLAN

A. INTERNAL DISSEMINATION

1. EEO policy in employee handbooks.
2. Discussion at supervisory meetings at minimum semiannually to address the subject of recruitment, employment, training, promotion and transfer of employees.
3. Provide written communications from the Transit Director.
4. Posting of official EEO materials and the policy statement on employee bulletin boards for all employees to read and understand.
5. Presenting and discussing the EEO program as part of employee orientation and employee training programs.
6. Meeting with all employees and affinity groups to seek input on the program implementation.
7. Conducting EEO training for all new supervisors or managers within 90 days of their appointment, and additionally as needed.

B. EXTERNAL DISSEMINATION

1. Notification to recruitment sources and community groups.
2. Employment advertising includes EEO statement that the agency is an equal opportunity employer.
3. EEO policy posted on the website.
4. Statement that the agency is an equal opportunity employer included on employment application.
5. The dissemination of EEO policy is not limited to the above referenced items. As considered appropriate, utilizes whatever means necessary to convey the organization's commitment to equal employment opportunity.

DESIGNATION OF RESPONSIBILITIES

A. TRANSIT SERVICE CONTRACTOR

1. Adopt equal opportunity, affirmative action and human resources policies that are consistent with equal opportunity and affirmative action laws and regulations.
2. Issue administrative procedures that implement affirmative action and equal opportunity policy.
3. Establish management/ supervisor accountability; assess manager performance for engaging in nondiscriminatory employment practices and achieving affirmative action objectives in their departments.
4. Authorize hiring in accordance with affirmative action goals and equal employment opportunity principles.
5. Ensure that the work atmosphere and delivery of public services are free of discriminatory harassment and inappropriate behavior.
6. Reviewing the agency's nondiscrimination plan with all managers and supervisors to ensure that the policy is understood. Share policies with Transit Director/EEO Officer.

7. Periodically reviewing employment practices policies (e.g., hiring, promotions, training), complaint policies, reasonable accommodations policies, performance evaluations, and grievance procedures.
8. Reporting at least semiannually to the Transit Director/EEO Officer progress in relation to the agency's goals and on compliance.
9. Maintaining awareness of current EEO laws and regulations, and ensuring the laws and regulations affecting nondiscrimination are disseminated to responsible officials.
10. Investigating complaints of EEO discrimination.
11. Providing EEO training for employees and managers.
12. Auditing postings of the EEO policy statement to ensure compliance information is posted and up to date.
13. Concurring in the hiring and promotion process.

B. CITY COUNCIL

1. Adopt equal opportunity, affirmative action and human resources policies that are consistent with equal opportunity and affirmative action laws and regulations.
2. Hold City Administrator accountable for organizational achievement of equal opportunity and affirmative action goals.
3. Approve discrimination complaint settlements requiring City Council authorization.

C. CITY ADMINISTRATOR

1. Issue administrative procedures that implement affirmative action and equal opportunity policy.
2. Establish management/ supervisor accountability; assess manager performance for engaging in nondiscriminatory employment practices and achieving affirmative action objectives in their departments.
3. Authorize hiring in accordance with affirmative action goals and equal employment opportunity principles.
4. Ensure organization-wide consistency of corrective action when discrimination complaints are substantiated. Approve corrective action requiring City Administrator authorization; obtain City Council approval when board authorization is needed.
5. The City Administrator will review and decide appeals of complaint investigations relating to discriminatory reprisal.

D. TRANSIT DIRECTOR/TRANSIT EEO OFFICER

1. Ensure that the work atmosphere and delivery of public services are free of discriminatory harassment and inappropriate behavior.
2. Issue administrative procedures that implement affirmative action and equal opportunity policy.
3. Ensure consistency of corrective action when discrimination complaints are substantiated. Approve corrective action requiring Transit Director authorization; obtain City Administrator approval when needed.
4. Developing the EEO policy statement and written EEO Program with city staff. Seek input from Transit Service Contractor/EEO Officer.
5. Reviewing the agency's nondiscrimination plan with all managers and supervisors to ensure that the policy is understood.
6. Periodically reviewing employment practices policies (e.g., hiring, promotions, training), complaint policies, reasonable accommodations policies, performance evaluations, and grievance procedures.

7. Reporting at least semiannually to the City Administrator on department's progress in relation to the department's goals and on contractor compliance. Incorporate Transit Service Contractor information into reporting.
8. Serving as liaison between the agency; Federal, state, county, and local governments; regulatory agencies; and community groups representing minorities, women, persons with disabilities, and others.
9. Maintaining awareness of current EEO laws and regulations, and ensuring the laws and regulations affecting nondiscrimination are disseminated to responsible officials.
10. Investigating complaints of EEO discrimination.
11. Providing EEO training for employees and managers.
12. Auditing postings of the EEO policy statement to ensure compliance information is posted and up to date.
13. Concurring in the hiring and promotion process.

E. DEPARTMENT HEADS, MANAGERS, AND SUPERVISORS

1. Participate actively in periodic audits of all aspects of employment to identify and remove barriers obstructing the achievement of specified goals and objectives.
2. Hold regular discussions with other managers, supervisors, employees, and affinity groups to ensure agency policies and procedures are being followed.
3. In conjunction with the Transit Director/EEO Officer and Transit Service Contractor EEO Officer, maintaining and updating the personnel database for generating reports required for the nondiscrimination program.
4. Cooperating with the City Administrator, Transit Director/EEO Officer, or Transit Service Contractor EEO Officer in review of information and investigation of complaints.
5. Partner with the Transit Director/EEO Officer and Transit Service Contractor EEO to facilitate interactive processes for workplace adjustments and reasonable accommodations.

F. ALL EMPLOYEES

1. Cooperating with the City Administrator, Transit Director/EEO Officer, or Transit Service Contractor EEO Officer in review of information and investigation of complaints.
2. Participating actively in periodic audits of all aspects of employment to identify and remove barriers obstructing the achievement of specified goals and objectives.
3. Apply the principles of equal opportunity and diversity in their day-to-day work and work environment.

ASSESSMENT OF EMPLOYEES'S PRACTICES

A. JOB POSTING AND RECRUITMENT

1. Comprehensive posting and recruitment procedures are necessary to ensure that persons applying for positions reasonably reflect the community's population distribution.
2. MCPT gives first consideration for job openings to existing employees. This is accomplished through internal postings. Open positions are placed on designated bulletin boards at the Administration/ Operations offices. After the internal posting period expires and the position is not filled with a current employee, external applications are considered for the position.

3. Advertisements, when warranted, are placed in the local newspapers, professional journals, and other online databases such as Indeed. Advertising states that MCPT or its contractor is an Equal Employment Opportunity Employer.
4. Applicants for employment are considered and placed without regard to race, sex, color, religion, national origin, ancestry, disability, height, weight, veteran status or age. Routinely, applications and supporting documents will be screened by department managers. Those applicants deemed most adequately suited for the position are either asked to submit additional supporting data and are further evaluated, or are asked to submit themselves for an interview.

B. SELECTION

1. MCPT's selection procedure is designed to ensure non-discrimination in hiring, transfers, and promotions. It is specifically concerned with preventing selections based on stereotypical characterizations, i.e., preference of supervisors, co-workers, and other non-merit factors such as marital status, handicap, etc.
2. Specific procedures have been designed to accomplish this goal, including the following:
 - a. The Pool of Candidates has been expanded through a comprehensive posting and recruitment process. Current employees and the general public are informed of employment opportunities through the above-mentioned job posting and recruitment procedures.
 - b. Issue administrative procedures that implement affirmative action and equal opportunity policy.
 - c. Establish management/ supervisor accountability; assess manager performance for engaging in nondiscriminatory employment practices and achieving affirmative action objectives in their areas.
 - d. Authorize hiring in accordance with affirmative action goals and equal employment opportunity principles.
 - e. Ensure organization-wide consistency of corrective action when discrimination complaints are substantiated. Approve corrective action requiring City Administrator authorization; obtain City Council approval when such authorization is needed.
 - f. Appoint the EEO Officer and require the EEO Officer to report directly to the City Administrator.
 - g. The City Administrator will review and decide appeals of complaint investigations relating to discriminatory reprisal

C. TESTING

Tests can be conducted as part of the selection process. Tests are designed to assess the knowledge, skills, abilities and personal characteristics of individual applicants. Test must be validated with supporting documentation showing their job-relatedness. At this time MCPT does not use any written, formal, or scored tests in the employment selection.

D. MEDICAL EXAMINATIONS

If MCPT requires medical examinations or inquiries as part of our selection process, all exams or inquiries as part of our selection process, all exams or inquiries will be conducted after a conditional offer of employment. Only job-related medical examinations and inquiries will be conducted, and the results of these examinations or

inquiries will not be used to screen out qualified individuals with disabilities. Information obtained in response to such inquiries or examinations will be kept confidential except that (a) Office of Equal Opportunity, Occupational Health, and officials of state or federal agencies investigating compliance will be informed if they request such information and (b) supervisors and managers may be informed regarding restrictions on the work or duties of individuals with disabilities and regarding accommodations.

E. PROMOTIONS

Promotion will be proposed in accordance with applicable rules, on a nondiscriminatory basis. The procedure used in selecting persons for promotion will be evaluated periodically to ensure that they are realistic and relevant. Any employee who feels he or she has not been accorded fair and impartial treatment regarding employment will be offered an opportunity to discuss this problem.

Potential Lines of Progression

Within the organization, there are potential lines of progression. These potential lines of progression are intended only as a guide for reasonable and possible promotion sequences. They in no way limit MCPT's ability to promote individuals demonstrating skills and capabilities to a job classification outside of the written lines of progression.

In nearly every position there are three factors, which enhance promotion and advancement:

Lateral Moves— and employee may have to move horizontally across the organizational chart to a position of equal standing to obtain a well-rounded background to move up vertically.

Education— Any employee who fulfills the educational requirements for any open position can enter a higher-level job in their present department or move to a different division.

Experience— Experience alone may be sufficient to qualify for a lateral move or advancement. This experience may have been gained while working for MCPT or in outside jobs.

F. TRAINING

Training is open and encouraged for all employees.

1. Training programs shall be designed to upgrade the skills of employees so that they can improve performance in their present position.
2. On-the-job training will be designed so that employees have an opportunity to acquire skills needed to qualify for a better position with MCPT or the Transit Service Contractor.
3. During yearly reviews, each employee and their manager identify training goals for the upcoming year.

G. COMPENSATION AND BENEFITS

Employee compensation and benefits are as set forth in the Employee Personnel Manual for the City of Macomb, as may be amended from time to time. As set forth in Code 400 of the Manual, the matrix system includes all employee positions except those in collective bargaining units, contract employees, elected officials and seasonal workers. Each position is assigned a pay grade from 12-32 and each pay grade includes 6 steps. An employee advances across steps on their anniversary date in accordance with the policy.

H. CORRECTIVE ACTION AND TERMINATION PRACTICE

Discipline is address in the Employee Personnel Manual for the City of Macomb. The specific policy and procedure for disciplinary action is contained in Code 302 and sets forth that discipline is not primarily intended to be punitive, but to maintain the efficiency and integrity of the City.

I. STATISTICAL IMPACT OF EMPLOYMENT PRACTICES ON MINORITIES AND WOMEN

MCPT is in the process of updating this plan and is working on this report.

J. INDIVIDUALS WITH DISABILITIES AND VETERANS

MCPT is in the process of updating this plan and is working on this report.

MONITORING AND REPORTING PLAN

A. MONITORING

The Transit Director/EEO Officer will have quarterly check-ins with the City Administrator discussing EEO matters, including discrimination complaints and results, hiring, promotions, and disciplinary actions. In addition, the Transit Director/EEO Officer will communicate with management annually to discuss the EEO Program and its implementation, goals and statistics. Following the conclusion of these annual meetings, the Transit Director/EEO Officer will update the City Council with outcomes.

B. REPORTING

1. As needed provide comprehensive break-down of workforce composition and salary.
2. Disciplinary Actions—Provides data on suspensions, demotions, and other disciplinary actions.
3. Termination— Provides data on terminations.
4. Complaint Monitoring—Report showing the number and nature of complaints filed with the Transit Director/EEO Officer, as well as charges filed with enforcement agencies. This report will describe tracking of complaints, monitoring of trends, timeliness of investigations, and resolutions.
5. Applicant Flow—Statistical count of applicants by race, sex and disability.
6. Interview Report— Provides statistical data on minorities, women and persons with disabilities inter- viewed for hire or promotion (requested from contractor).
7. Annual leadership meeting to review the status of EEO goals, timetables, and monitoring efforts.

C. COMPLAINT PROCESS

1. Any employee or applicant or other person alleging to be subjected to discrimination, unfair practice, or retaliation on the basis of any of the protected classifications noted in the EEO Policy may file a written complaint within 180 days of the alleged violation to the Transit Director/EEO Officer by writing 701 East Pierce Street, Macomb, IL 61455 or through email at mcpt@837ride.com. Upon filing the complaint of alleged discrimination, the Transit Director/EEO Officer will proceed with an investigation to determine if there has been a violation of this policy.
2. If an employee or applicant does not want to bring a complaint to the Transit Director/EEO Officer, then the employee or applicant should contact the City Administrator concerning the complaint. The City Administrator can be contacted through by writing City of Macomb, 232 East Jackson Street, Macomb, IL 61455 or calling 309-837-0501. The City Administrator will communicate and provide the results of his or her investigation to the Transit Director/EEO Officer.
3. If a conflict of interest, or an appearance of a conflict of interest were to occur, in order to maintain the integrity of the investigation the Transit Director/EEO Officer will recuse themselves from the investigation. The City Administrator will designate someone to investigate the incident.
4. Confidentiality will be maintained to the extent practical to conduct a full investigation to make a determination. All employees are required to fully cooperate during the course of an investigation.
5. If it is determined that a violation of this Policy has occurred, MCPT will take immediate action to remedy the situation. Any employee who is found to have violated this policy may be subject to disciplinary action, up to and including termination.

This EEO plan document was prepared using an example provided by Minnesota's SouthWest Transit. MCPT wishes to give full credit and appreciation to the staff of the SouthWest Transit for their work in completing the original *Equal Employment Opportunity Plan, FTA 2019-2022* document, available at <https://swtransit.org/cms-files/eoo-plan-5-30.pdf>.