

Minutes

RTA Committee of the Whole Meeting

9:55 a.m., Tuesday, April 2, 2024

Committee Members: Koomar (Chair), Welch (Vice Chair), Biasiotta, Love, Lucas, Mersmann, Pacetti, Sleasman, Weiss

Not present: McPherson

Staff: Birdsong Terry, Brooks Williams, Burney, Caver, Dangelo, Davidson, Fesler, Fields, Fleig, Ford, Freilich, Garofoli, Gautam, Gibson, Grubb, Haradem, Jupina, Laule, Marquit Renwald, McGervey, Mothes, Prebish, Reed, Rosenlieb, Rusnov, Schipper, Talley, Tarka, Thompson, Togher, Walker-Minor

Public: DCI consultants (virtual), Gibbons, Hagar, Loh, Russell

The meeting was called to order at 9:55 a.m. There were nine (9) committee members present.

Code Book Update

Dawn Tarka, Associate Counsel, gave the presentation.

The Board Policies ("Code Book") were codified in 1989 (Resolution 1989-176). Staff are reviewing and updating them to bring the policies in line with current operations. The policies are subject to review every 3 years. Today's discussion includes two provisions.

Section 460.06 Insurance Fund

The Insurance Fund is a fund where the Authority accumulates resources to protect against an extraordinary loss. It is not used to pay out day-to-day claims.

- Correct title of Director of Risk Management
- If Insurance Fund is used to pay a catastrophic loss, instead of the Board, the Secretary-Treasurer as an officer of the Board will determine schedule for replenishment of the fund

Chapter 464 Protection Against Internal Losses of Public Assets

It provides the Authority the ability to use mechanisms such as crime insurance, directors and officers liability insurance, bonding to protect the Authority's assets from acts by employees whose job responsibilities give them access to financial resources or to protect the Authority against fraud.

- Correct title of General Manager (previously the GM and S-T was one person)
- Edit to clarify language
- Change bonding requirement to Secretary-Treasurer and reference Bylaws
 - The ST gives the bond pursuant to ORC and Authority Bylaws.

Staff requests that the Committee of the Whole recommend these provisions to the Board of Trustees for approval. Mayor Weiss asked what the Insurance Fund is used for. Mr. Gautam said this fund is used for catastrophic events. The Board Policy is to maintain a minimum of \$5M in this reserve fund. This fund is made of subfunds. It currently has more than \$5M. Ms. Mersmann asked why Board approval was removed from the Insurance fund provision. Ms. Tarka said the process is more within the parameters of the S-T responsibilities, which serves as the DGM of Finance.

Mayor Koomar asked if this could still be communicated to the Board. Mr. Gautam said the catastrophic event expenditures would be reported to the Board. The provision is to replenish the fund to be back in

compliance with Board Policy to maintain the minimum amount. Mr. Sleasman is ok with the change but would like something added that advises the Board. Mr. Gautam added that Board policy requires any transfer of funds to be approved by the Board. Ms. Birdsong Terry suggested language be added to include Board notification.

It was moved by Mayor Weiss, seconded by Ms. Mersmann and approved to move the Insurance Fund provision with the proposed amendment to the full Board.

Mayor Koomar asked if Ohio Law in Section 464.02 refers to the ORC. Ms. Tarka said Ohio Law is broader than ORC. Ohio Law includes case law and regulations. Mayor Koomar asked for staff to explain the change to Section 464.02 (f). Ms. Tarka said historically the GM and S-T was the same person. When Ms. Birdson Terry was hired, the Board split the two positions. This left ambiguity in the Code. Upon legal review, the ORC provides that the S-T must provide a bond, not the GM. In keeping with the ORC provision, RTA's bylaws also provide that the S-T must provide a \$100,000 bond. To not have this provision conflict with the Bylaws, staff propose language that references the statutory requirement and the Bylaws that says the S-T will give the bond that is required by the Bylaws and ORC. Mayor Koomar asked if this language would remain if the ORC changed. Ms. Tarka confirmed but stated that the Bylaws would be amended.

Mayor Koomar asked about the change to review the Authority's Internal Loss Protection coverage from yearly to every three years in Section 464.03. Mr. Gautam said the valuation and determination of the amount of the policies we need to carry is a detailed and involved process. An annual review creates an additional burden on the work. The review can be conducted sooner if the situation warrants. Ms. Birdsong Terry suggested language be added that a review can happen prior to three years if warranted. Judy Lincoln will be present at the April Board meeting to provide further details. Mayor Koomar asked why the amendment language in accordance with the Bylaws in Section 464.03 was removed. Ms. Tarka said it clarifies the language. This was written to provide for the review of the Internal Loss Protection. The word amendment is typically used to change the Code, but that is not what this is referring to.

It was moved by Ms. Mersmann, seconded by Mr. Love and approved to move the Protection Against Internal Losses of Public Assets provision with the proposed amendment to the full Board.

Title VII Program

Felicia Brooks Williams, Senior Manager of OEO, ADA and DEI along Talent Acquisition Managers Ida Ford and Alroy Gibson, gave the presentation. DCI Consultants who helped prepared the AA goals were virtual. This is an update on the Title VII Program establishing the GCRTA 2024-2027 Affirmative Action Goals for Equal Employment Opportunity.

What is Title VII Civil Rights Act of 1964?

Title VII of the Civil Rights of 1964 is a federal employment law that prohibits employment discrimination based on protected classes: race, color, religion, sex (including pregnancy), and national origin.

What does the requirement mean to GCRTA?

As a federal grant recipient, GCRTA is not to discriminate against any employee or applicant because of protected class. GCRTA must comply with equal opportunity laws and develop a EEO plan and set AA goals. They perform this exercise to determine if there are any areas of underutilization in the Authority's workforce specifically in the female and minority populations. Considering the female population, all races and nationalities are included. Federal Transit Administration (FTA) requires submission of a written affirmative action plan every four years. The plan is due May 1, 2024. The written plan must include conducting a utilization analysis and establishing goals to correct any underutilization.

Why is this important to GCRTA?

- We strive to attract, develop, motivate and retain a diverse workforce.
- Good business practice to have a diverse workforce.
- Failure to comply may result in the suspension or termination of federal financial assistance.

Affirmative Action/EEO Plan

The written plan must include the following components:

- Statement of Policy
- Dissemination Plan
- Designation of Personnel Responsibility
- Utilization Analysis
- Goals and Timetables
- Assessment of Employee Practices
- Monitoring and Reporting Plan

How are Goals Formulated?

Goals are formulated by conducting a utilization analysis which consist of a three-step process:

- 1) Reviewing GCRTA's Workforce snapshot by EEO job categories
- 2) Compare workforce snapshot by EEO job categories to the availability in the relevant labor market to identify underutilization.
- 3) Based on the analysis the affirmative action goals are established.

Affirmative action goals assist the hiring managers and the Talent Acquisition Department in targeting the recruitment of females and/or minorities for underutilized job categories.

The GCRTA workforce as of December 31, 2023 consist of:

- 66% males
- 34% females
- 37% Black males
- 27% White males
- 2% Hispanic males
- Less than 1% Asian American India or two or more races
- 27% Black females
- 5% White females
- Les than 1% Hispanic Asian American India or two or more races

EEO Job Categories

The EEO Job Categories are defined by the federal government and include:

- Official / Administrator - Chief Executive Officer, General Manager, Deputy General Manager, Executive Director, Director
- Professional - Manager, Engineer, Lieutenant, Associate Counsel, Senior Auditor
- Technician - Systems Administrator, Construction Inspector, Database Administrator
- Protective Services - Patrol Officer, Security Guard
- Administrative Support - Dispatcher, Customer Service Representative, Station Attendant, Claims Investigator
- Skilled Craft - Equipment Servicer, Track Maintainer, Welder, Vehicle Maintenance Instructor
- Service Maintenance - Operator, Laborer, Hostler, Janitor, Paratransit Operator, Operating Instructor

They consider the demographics of the relevant geographic labor market. One labor market is Cuyahoga County and the surrounding counties. Currently, 81% of GCRTA employees reside in Cuyahoga County. The relevant geographic labor market is defined as the area from which GCRTA usually seeks works to fill positions. The exception is an executive level position where candidates are sought throughout the U.S.

What do the Goals require?

- Require GCRTA to put forth every good faith effort to achieve the goals that it has set, through recruitment and outreach
- Do not require that any specific position be filled by a person of a particular race or gender
- Goals are not quotas, set asides or preferences. As always, the best qualified candidate gets the job

Affirmative Action Goals for 2020-2023 Progress Report

EEO Job Category	Total Goals	Total Progress (20-24)	Remaining Parity for Males	Remaining Parity for Females
Officials & Administrators	2	2	0	0
Professionals	50	42	0	8 White
Technicians	26	5	0	20 White, 1 Hispanic/Latin
Protective Service	13	8	0	5 White
Administrative Support	51	8	0	43 White
Semi-Skilled Craft	31	9	1 Asian	16 White, 5 Black
Service Maintenance	327	46	5 Hispanic, 7 Asian	244 White, 18 Hispanic/Latin, 7 Asian
TOTAL	500	120	13	367

Talent Acquisition - Challenges – Efforts – Wins

CHALLENGES

Pandemic Impact
 Shortage of Drivers
 Marketplace Competition
 Increase of Overtime
 Burn Out | Team Fatigue
 Young Team

EFFORTS

Talent Acquisition & Operations Collaboration
 Staff Investment
 Local/Regional Partnerships:

Workforce Development
 GCRTA Awareness Campaign
 Applicant Tracking System

WINS

#Diverse Community Events - over 80
 Operator Deficit Lowered - from 148 to 98
 Overtime Minimized
 Operator Training/Mentoring
 Wage Progression Approved
 Referral Bonus Program
 463 Total #New Hires - 2023

Ms. Terry added that staff did more than was required and that her peers were surprised she served in a Civil Rights Officer position. RTA have received several awards and acknowledged over the years for best in class for workforce diversity and diversity in senior management.

Initiatives

DEI Program initiatives enhances diversity, creates inclusion and belonging. The program includes four employee resources groups: Elevating Women Together (EWT), Latinos Unidos, Pride and Veterans. DEI Learning Series empowers, educate and engage our employees as it relates to DEI +B training and events.

Proposed Affirmative Action 2024-2027 Goals

EEO Job Category	Total Goals	Remaining Parity for Males	Remaining Parity for Females
Officials & Administrators	2	0	2 White
Professionals	60	3 Asian	55 White, 1 Hispanic/Latin, 1 Asian
Technicians	22	0	20 White, 2 Hispanic/Latin
Protective Service	10	8 Black	2 White
Administrative Support	46	0	45 White, 1 Asian
Semi-Skilled Craft	46	12 Hispanic/Latin, 2 Asian, 3 Multi Races	18 White, 8 Black, 1 Hispanic/Latin, 2 Asian
Service Maintenance	307	25 Hispanic/Latin, 9 Asian, 8 Multi Races	229 White, 1 American Indian, 24 Hispanic/Latin, 10 Asian, 1 Multi Races
TOTAL	493	70	423

These goals were prepared by DCI Consultants for RTA.

Staff requests that the Committee of the Whole recommend the proposed goals to the full Board for approval at its April 16, 2024, meeting. Ms. Pacetti asked how DCI came to the recommendations. DCI said it goes back to how RTA establishes requirements from the FTA. Areas of improvements were identified. DCI also uses FTA's requirements and tools. They look at the workforce, the incumbency and compare that to what data would suggest about what diversity should be in place in recruitment areas. They compare the representation in those counties to representation in RTA.

Ms. Welch asked what action is being taken to retain young professionals. Staff mentioned the bus mentoring program and referral bonus program. Future action includes a survey for young professionals to gauge their experiences and expectations. Staff is working with marketing to create a video to show the breath of positions available at RTA. They are looking at how people come to RTA from high school. They are working with the ACE mentoring program for skilled crafts, trades and engineering.

It was moved by Rev. Lucas, seconded by Mr. Sleasman and approved to move this to the full Board.

The meeting was adjourned at 10:50 a.m.


 Rajan D. Gautam
 Secretary/Treasurer


 Theresa A. Burrage
 Executive Assistant