

# LEGAL AFFAIRS DIVISION

## MISSION STATEMENT

The Mission of the Legal Affairs Division is to provide professional, cost-effective legal, safety, and risk management services, as well as ensure equal opportunity access and treatment to all stakeholders of the Authority.

## DIVISION OVERVIEW

The Legal Affairs Division is comprised of the Legal, Safety, and Risk Management Departments, and the Office of Equal Opportunity.

The Legal Department provides legal counsel and representation to the Board of Trustees and the Authority. Legal represents the GCRTA on major projects, personal injury, property damage, employment, labor, civil rights, debt collection, and contract matters. It also advises on procurement, general contract, real estate, personnel, liability, and labor matters. The Claims Section properly evaluates all claims, focusing on a thorough and prompt investigation, compassion and fiscal responsibility.

The Office of Equal Opportunity ensures EEO/ADA and workplace harassment policy compliance.

The Safety Department provides accident prevention, bus system safety, industrial safety, facilities, and rail system safety program.

The Risk Management Department provides Workers' Compensation, as well as insurance expertise for the Authority and manages the purchases of both liability and property insurance consistent with GCRTA's level of self-insurance.

## 2019 ACCOMPLISHMENTS

- Provided efficient and cost-effective legal representation in all GCRTA litigation, transactional, and administrative matters.
- Continued legal information program to apprise GCRTA departments of public sector legal issues that affect the Authority.
- Provided and facilitated advice on ethical issues and concerns.
- Supported construction projects and energy management initiatives.
- Continued a proactive approach to reducing bus and rail incidents.
- Won 2019 APTA Gold Award for bus security.
- Continued enhancement of a safety culture within the Authority.
- Managed the Authority's EEO/ADA programs to ensure compliance with Federal, State, and local laws regarding employment practices, facilities, and services.
- Investigated allegations of discrimination or non-compliance with equal opportunity policies and procedures.
- Supported the Authority's Affirmative Action Plan.
- Coordinated the Title VI Audit review conducted by FTA.
- Worked to ensure compliance with all Federal, State, and local legislation and regulations and served as a liaison between the Authority and regulatory agencies.
- Provided Risk Management expertise to Legal, Procurement & Engineering Departments for many significant construction and development projects and procurements, both for GCRTA and other entities such as ODOT.
- Negotiated the best terms and conditions available in the market place and most cost-effective renewal for property/casualty insurance programs for GCRTA.

## 2020 PRIORITIES

- Provide efficient and cost-effective legal representation in all GCRTA litigation, transactional, and administrative matters.
- Provide and facilitate advice on ethical issues and concerns.
- Continue legal information program to apprise GCRTA departments of public sector legal issues that affect the Authority.
- Support construction projects and energy management initiatives.
- Continue enhancement of a safety culture within the Authority.
- Continue Transportation Safety Institute (TSI) certification and training of Safety Department personnel.
- Continue a proactive approach to reducing bus and rail incidents.
- Continue the management of the Authority's EEO/ADA programs to ensure compliance with Federal, State, and local laws regarding employment practices, facilities, and services.
- Continue to investigate allegations of discrimination or non-compliance with equal opportunity policies and procedures.
- Continue to develop and monitor the Authority's Affirmative Action Plan.
- Continue to ensure compliance with all Federal, State, and local legislation and regulations and serve as a liaison between the Authority and regulatory agencies.
- Continue to negotiate the best terms and conditions available in the marketplace and most cost-effective renewal of GCRTA insurance programs.
- Continue to monitor data entry and reporting requirements.
- Continue to update and improve our claims handling process.
- Continue to review the claims process and procedures to produce best practices.
- Continue to create a positive working environment that emphasizes teamwork and goal setting.
- Provide Risk Management expertise to Legal, Procurement & Engineering Departments for various authority-wide projects, leases, license agreements, and other procurements.
- Finalize Risk Assessment exercises for cyber liability risk exposures for the Authority including completion of insurance application along with IT, other stakeholders and Casualty Insurance Broker.

## LIST OF DEPARTMENTS

Department Number	Department Name
15	Safety Department
21	Legal Department
	EEO/ADA
	Claims
22	Risk Management Department
	Workers' Compensation

# SAFETY DEPARTMENT

## MISSION STATEMENT

The mission of the Safety Department is to prevent collisions and injuries to the GCRTA passengers and employees, and to avoid damage to property. We are committed to providing leadership in promoting safety throughout the organization and to protecting the environment by providing guidance to our facilities about environmental compliance.

## STRATEGIC PLAN CRITICAL ISSUES AND INDICATORS

Continued utilization of our Safety Management System (SMS) composed of the four pillars; Safety Management Policy, Safety Risk Management, Safety Assurance, and Safety Promotion. Key performance indicators include the preventable collision rate, the injury rate, and compliance with City, State and Federal regulatory inspections.

## 2019 ACCOMPLISHMENTS

- Completed draft Public Transportation Agency Safety Plan for ODOT and GCRTA approval.
- Updated the Safety Management System for 2020.
- Developed specific and measurable corrective actions stemming from investigations and audits.
- All Safety Staff completed required courses in the National Incident Management System.
- Assisted Transit Police with an update of the Emergency Operations Plan.
- Revised and published the Right-Of-Way Worker Protection Program in various formats for ease of use.
- Rebuilt the Safety page of the GCRTA intranet with procedures, analysis, and safety data sheets.
- Maintained environmental compliance related to all Underground Storage Tanks.

## 2020 PRIORITIES

- Approval of a new FTA required Public Transportation Agency Safety Plan.
- Manage the reduction of risk using Safety Management System principles.
- Continue fostering a positive safety culture within the Authority.
- Develop corrective actions and ensure effectiveness through assurance audits.
- Continue support of the ISO 14001 effort at Hayden, Central Bus, Triskett and the Main Office.
- Evaluation of Bus Operators to improve overall performance and reduce risk.
- Support of the new rail car purchase program.
- Continue professional development of the Safety Staff to maximize their consulting capabilities to the Authority.

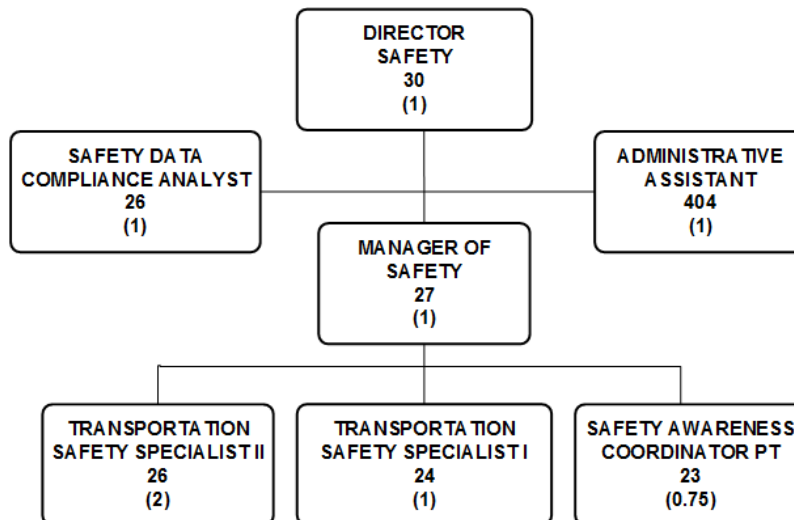
### SAFETY DEPARTMENT BUDGET

Object Class	Description	2018 Actual	2019 Actual	2020 Budget
501200	Hourly Employees Payroll	\$14,056	\$16,597	\$42,461
501300	Labor - Salaried Employees	417,290	370,870	406,977
501310	Overtime - Salaried Employees	1,945	3,420	0
502000	Fringe Benefits	170,797	149,109	168,857
503000	Services	137,451	159,609	65,300
503052	Other Maintenance Contracts	74,104	38,045	170,405
504000	Material & Supplies	9,702	7,394	28,950
509000	Miscellaneous Expenses	33,778	8,424	39,000
509022	Meals & Concessions	0	397	4,900
<b>Total</b>		<b>\$859,123</b>	<b>\$753,865</b>	<b>\$926,850</b>

### SAFETY DEPARTMENT STAFFING

Grade	Job Name	2018	2019	2020
04	0404 Administrative Assistant	1.0	1.0	1.0
23	1151 Safety Awareness Coordinator	0.75	0.75	0.75
24	1195 Transportation Safety Specialist I	1.0	1.0	1.0
25	1085 Business Analyst	1.0	1.0	-
26	0738 SMS & Safety Data Compliance Analyst	-	-	1.0
26	1196 Transportation Safety Specialist II	2.0	2.0	2.0
27	0782 Manager of Safety	1.0	1.0	1.0
30	1443 Director	1.0	1.0	1.0
<b>Total</b>		<b>7.75</b>	<b>7.75</b>	<b>7.75</b>

### SAFETY DEPARTMENT ORGANIZATION CHART



# LEGAL DEPARTMENT

## MISSION STATEMENT

The mission of the Legal Department is to provide comprehensive, effective legal and claims services to the Authority, as well as, ensuring equal opportunity of access and treatment to all stakeholders of the Authority. The Department represents the Authority in claims, lawsuits, administrative and arbitration hearings, preparing legal opinions and documents, providing advice in labor negotiations and ensuring compliance.

## STRATEGIC PLAN CRITICAL ISSUES AND INDICATORS

Through legal counsel, EEO/ADA services, and claims processing, the Legal Department ensures the Authority can achieve the Vital Few Objective of Learning and Innovation through Improving Employee Development and VFO Fiscal Responsibility through Enhancing Fiscal Responsibility by providing comprehensive and effective services.

## 2019 ACCOMPLISHMENTS

- Provided legal service to the Authority including tort and contract claims; Workers' Compensation cases and associated lawsuits; Federal, State, and local administrative proceedings and hearings; grievance hearings, and labor negotiations.
- Conducted training sessions on significant legal topics affecting the Authority.
- Conducted investigations on all EEO and ADA allegations.
- Provided and facilitated advice on ethical issues and concerns.
- Provided legal support for all phases of development projects, land use, and acquisition.
- Provided legal support for the development, drafting, and revision of policies and procedures, including those for Procurement, contract, and personnel forms.
- Provided support for public records compliance.
- Provided support for update of GCRTA Board Code Book.
- Provided effective claims handling.

## 2020 PRIORITIES

- Provide legal service to the Authority including tort and contract claims; Workers' Compensation cases and associated lawsuits; Federal, State, and local administrative proceedings and hearings; grievance hearings, and labor negotiations.
- Conduct training sessions on significant legal topics affecting the Authority.
- Conduct investigations on all EEO and ADA allegations.
- Provide and facilitate advice on ethical issues and concerns.
- Provide legal support for all phases of development projects, land use, and acquisition.
- Provide legal support for the development, drafting, and revision of policies and procedures, including those for Procurement, contract, and personnel forms.
- Provide support for public records compliance.
- Provide support for update of GCRTA Board Code Book.
- Provide effective claims handling.

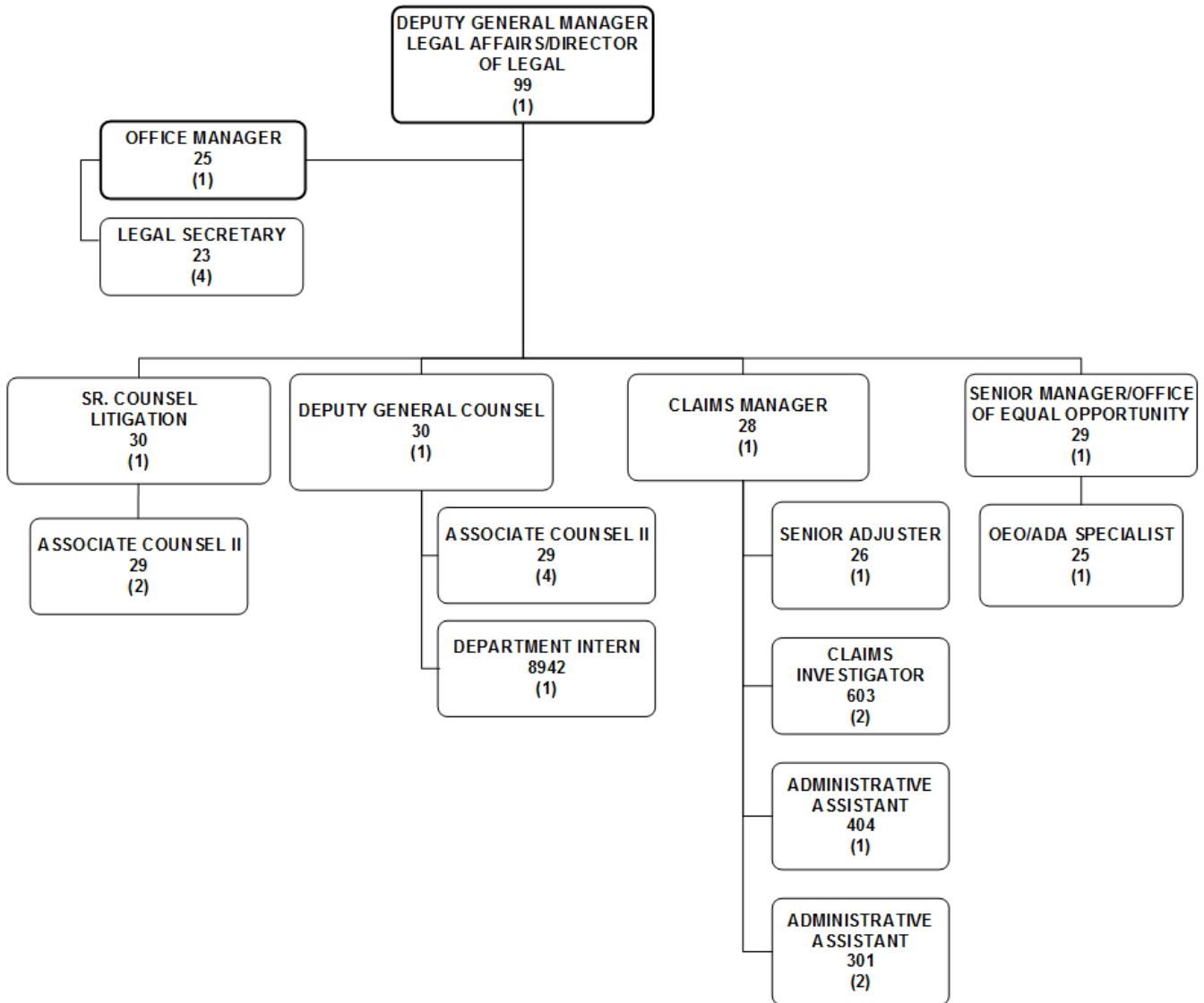
## LEGAL DEPARTMENT BUDGET

Object Class	Description	2018 Actual	2019 Actual	2020 Budget
501200	Hourly Employees Payroll	\$20,304	\$12,559	\$70,720
501210	Hourly Overtime	29	0	0
501300	Labor - Salaried Employees	1,798,296	1,703,776	1,844,291
501310	Overtime - Salaried Employees	2,280	2,331	1,500
502000	Fringe Benefits	686,698	621,421	754,534
503000	Services	615,057	786,185	650,000
503049	Temporary Help	33,670	68,754	50,000
504000	Material & Supplies	4,510	7,783	8,450
506040	Liabilities & Property Claims	1,028,210	826,787	1,100,000
509000	Miscellaneous Expenses	19,929	20,682	12,700
509022	Meals & Concessions	295	144	2,500
512000	Leases & Rentals	22,079	20,152	30,760
<b>Total</b>		<b>\$4,231,357</b>	<b>\$4,070,574</b>	<b>\$4,525,455</b>

## LEGAL DEPARTMENT STAFFING

Grade	Job Name	2018	2019	2020
01	8942 Legal Intern	1.0	1.0	1.0
03	0301 Administrative Assistant	2.0	2.0	2.0
04	0404 Administrative Assistant	1.0	1.0	1.0
06	0603 Claims Investigator	2.0	2.0	2.0
23	0724 Legal Secretary	4.0	4.0	4.0
25	1675 Office Manager	1.0	1.0	1.0
25	1720 OEO & ADA Specialist	1.0	1.0	1.0
26	0876 Senior Adjuster	1.0	1.0	1.0
28	0773 Manager Claims	1.0	1.0	1.0
29	0880 Senior Manager/Office of Equal Opportunity	1.0	1.0	1.0
29	1440 Associate Counsel II	6.0	6.0	6.0
30	1446 Senior Counsel – Litigation	-	-	1.0
30	1618 Deputy General Counsel – Litigation	1.0	1.0	-
30	1680 Deputy General Counsel – Administrative, Labor & Transactional Law	1.0	1.0	1.0
99	9951 DGM Legal Affairs/Director of Legal	1.0	1.0	1.0
<b>Total</b>		<b>24.0</b>	<b>24.0</b>	<b>24.0</b>

**LEGAL DEPARTMENT ORGANIZATION CHART**



# RISK MANAGEMENT DEPARTMENT

## MISSION STATEMENT

The mission of the Risk Management Department is to protect the assets of the Authority from catastrophic losses through risk identification and analysis, risk avoidance, mitigation, and risk transfer. The Department is also responsible for managing the Authority's property and casualty insurance and self-insurance programs, and Workers' Compensation.

## STRATEGIC PLAN CRITICAL ISSUES AND INDICATORS

Through risk identification, analysis, mitigation and transfer, the Risk Management Department ensures the fiscal ability of the Authority to continue to function; protecting the Authority's assets even in the event of catastrophic loss; thus contributing to the Vital Few Objective of Enhancing Fiscal Responsibility. The Risk Management Department also has responsibility for a number of areas which allow for achievement of/contribution to another of the Authority's VFOs: Increase Revenue and Reduce Expenses.

## 2019 ACCOMPLISHMENTS

- Worked with COO and Operating Districts to develop a monthly "snapshot" of both employee injury and collision data for each district.
- Retained Property Insurance Broker for first time in 10 years to assist in full marketing effort of the property insurance program given the very difficult insurance market conditions.
- Suggested seeking potential recovery from our property insurance policy for damages sustained on the S-Curve Retaining Wall. After review of policy terms and conditions partial coverage found and negotiating claim. C
- Collaborated with Internal Audit to finalize the crime claim filed in 2015 for event at Paratransit and recovered \$133,000.
- Provided Risk Management expertise to Legal, Procurement, and Engineering Departments for many significant construction and development projects and procurements, both for GCRTA and other entities such as ODOT.
- Provided superior claims management services for workers' compensation and short term disability claims for GCRTA. Monitored performance measurements and reported out to stakeholders on continued improvement in the frequency and cost of workplace injuries and non-occupational disability claims.
- Negotiated the best terms and conditions available in the market place and most cost effective renewal for property/casualty insurance programs for GCRTA.

## 2020 PRIORITIES

- Provide Risk Management expertise to Legal, Procurement, and Engineering Departments for various authority-wide projects, leases, license agreements, and other procurements.
- Coordinate with stakeholders to develop, pilot, and implement electronic event reporting for both workers' compensation and third-party liability claims.
- Complete negotiation of 3 year maintenance and services contract for the Riskmaster software; evaluate upgrade to latest version and implementation of payment update system.
- Continue to provide strong management of workers' compensation claims and litigation, containing the costs to GCRTA, involving the districts as active stakeholders and returning employees to work as soon as possible.
- Negotiate the best terms and conditions available in the market place and most cost effective renewal for property/casualty insurance programs for GCRTA.
- Finalize Risk Assessment exercises for cyber liability risk exposures for the Authority including completion of insurance application along with IT, other stakeholders and Casualty Insurance Broker.



- Finalize settlement of property insurance claim for S-Curve Retaining Wall Property loss.
- Coordinate installation of and conversion to High-Density Filing System in RM Department.

### RISK MANAGEMENT DEPARTMENT BUDGET

Object Class	Description	2018 Actual	2019 Actual	2020 Budget
501300	Labor - Salaried Employees	\$420,466	\$505,187	\$566,989
501310	Overtime - Salaried Employees	497	244	0
502000	Fringe Benefits	167,135	195,764	201,270
502071	W/C – Injuries & Damages	882,803	759,880	1,057,000
502082	W/C – Medical Payments	438,345	386,202	625,000
503000	Services	276,751	351,021	319,500
503030	W/C Administration Fee	320,812	273,312	309,100
503049	Temporary Help	70,834	12,837	20,000
504000	Material & Supplies	2,705	3,078	4,200
506000	Casualty & Liability Costs	375,729	391,021	404,376
506010	Physical Damage Insurance	543,515	1,519,915	823,830
506200	W/C – Settlement & Lawsuit Expense	53,908	22,442	115,000
509000	Miscellaneous Expenses	3,368	1,628	5,285
<b>Total</b>		<b>\$3,556,868</b>	<b>\$4,422,531</b>	<b>\$4,451,550</b>

### RISK MANAGEMENT DEPARTMENT STAFFING

Grade	Job Name	2018	2019	2020
03	0322 Workers' Comp Clerk	1.0	1.0	1.0
23	0757 Administrative Assistant	1.0	1.0	1.0
25	0885 Risk Analyst I	1.0	1.0	1.0
26	0905 Risk Analyst II	1.0	1.0	1.0
	1165 Workers' Comp/Dis Claim Examiner	3.0	3.0	3.0
30	0771 Director	1.0	1.0	1.0
<b>Total</b>	<b>Total</b>	<b>8.0</b>	<b>8.0</b>	<b>8.0</b>

### RISK MANAGEMENT DEPARTMENT ORGANIZATION CHART

