

# 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.

## 2018 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 2018 APTA Gold Award for bus safety
- 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
- Supported and enhanced the skills of the Claims employees through training opportunities

## 2019 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 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 Safety Department's Mission is to lead a proactive approach in decreasing On-the-Job injuries and preventable collisions. The safety of our passengers, our employees, and the general public is always our top priority.

## STRATEGIC PLAN CRITICAL ISSUES AND INDICATORS

Implementation of Safety policies, procedures, and training ensures the Authority can achieve the Vital Few Objective of Learning & Innovation to Achieve a Safety Culture. Through these practices and development of corrective actions, the Vital Few Objective of Voice of the Customer of Enhancing the Customer Experience can be achieved.

## 2018 ACCOMPLISHMENTS

- Performed off-shift inspections for a more comprehensive view of bus and rail safety evaluations
- Continued enhancement of a safety culture within the Authority
- Developed corrective actions from audits and incidents
- Assisted with implementation of ISO 14001 at Hayden and Triskett Districts
- Determined areas for improvement in bus and audit bus similarly to rail
- Continued participation of Safety and Security Certification of Rail Transit projects
- Conducted Emergency Preparedness Exercise at Campus – E. 34<sup>th</sup> RTS
- Won 2018 APTA Gold Award for Bus Safety

## 2019 PRIORITIES

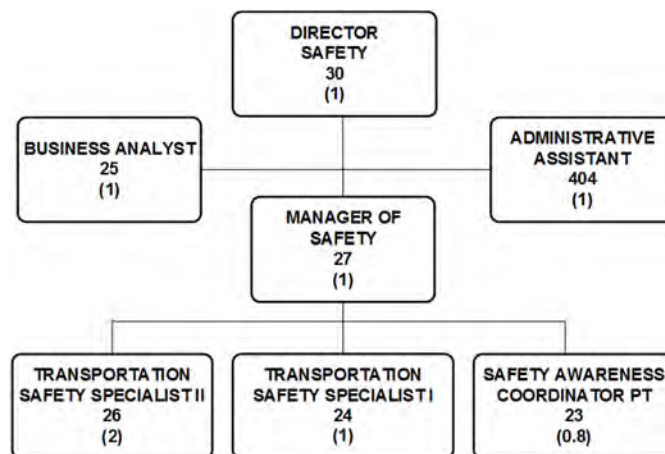
- Continue enhancement of a safety culture within the Authority
- Develop corrective actions from audits and incidents
- Continue assistance with ISO 14001 at Hayden and Triskett Districts
- Identify areas of improvement with bus and bus audits
- Continue performing off-shift inspections of bus and rail safety evaluations
- Continue participation of Safety and Security Certification of Rail Transit projects
- Continue TSI certification and training of Safety Department personnel
- Conduct both Bus and Rail Emergency Preparedness Exercises.
- Develop and publish FTA required Agency Safety Plan with emphasis on SMS

## SAFETY DEPARTMENT BUDGET

Object Class	Description	2017 Actual	2018 Actual	2019 Amended Budget
501200	Hourly Employees Payroll	15,679	14,056	40,558
501210	Overtime – Hourly Employees	0	0	0
501300	Labor - Salaried Employees	467,328	417,290	449,452
501310	Overtime - Salaried Employees	3,497	1,945	0
502000	Fringe Benefits	195,219	170,797	175,512
503000	Services	142,697	137,451	62,500
503049	Temporary Help	0	0	0
503052	Other Maintenance Contracts	58,440	74,104	195,200
504000	Material & Supplies	19,672	9,702	27,500
509000	Miscellaneous Expenses	18,598	33,778	87,500
509022	Meals & Concessions	237	0	4,900
<b>Total</b>		<b>921,368</b>	<b>859,123</b>	<b>1,043,122</b>

## SAFETY DEPARTMENT STAFFING

Grade	Job Name	2016	2017	2018	2019
04	0404 Administrative Assistant	1.0	1.0	1.0	1.0
23	1151 Safety Awareness Coordinator PT	0.5	0.8	0.8	0.8
24	1195 Transportation Safety Specialist I	0.0	1.0	1.0	1.0
25	Business Analyst	1.0	1.0	1.0	1.0
26	1196 Transportation Safety Specialist II	2.0	2.0	2.0	2.0
27	0872 Manager of Safety	1.0	1.0	1.0	1.0
30	1443 Director	1.0	1.0	1.0	1.0
<b>Total</b>		<b>7.5</b>	<b>7.8</b>	<b>7.8</b>	<b>7.8</b>



# 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.

## 2018 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

## 2019 PRIORITIES

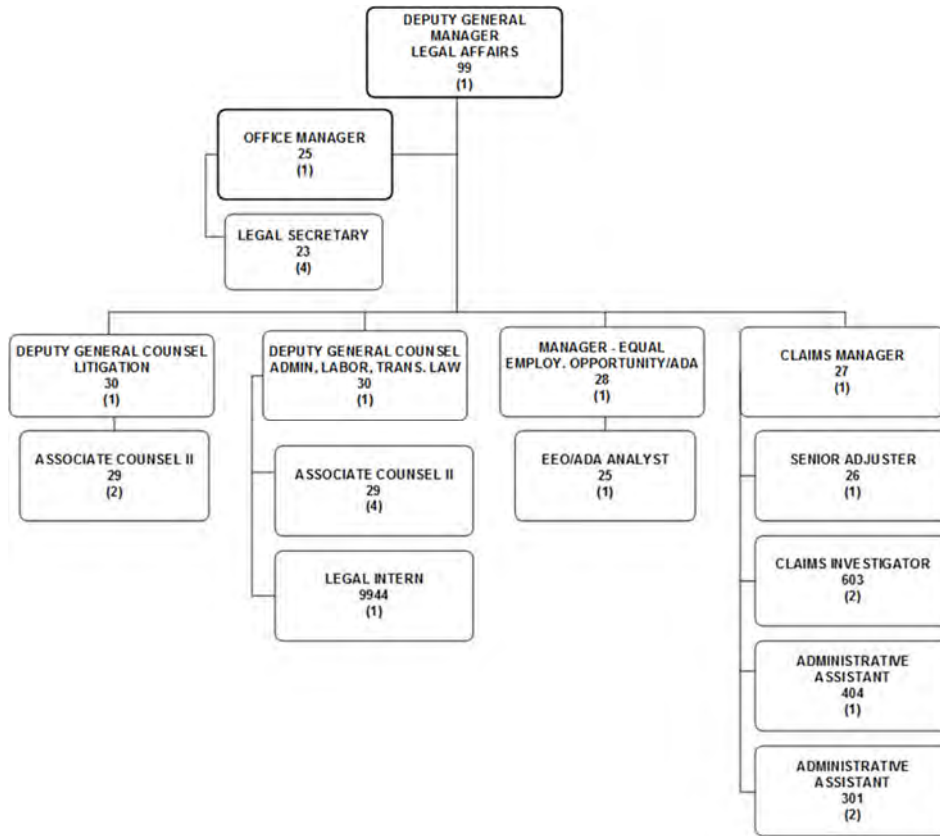
- Provide legal service to the Authority including tort and contract claims; Workers' Compensation cases and associated lawsuits; Federal, State, and local administrative proceedings and hearings; grievance hearings, and labor negotiations
- Conduct training sessions on significant legal topics affecting 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	2017 Actual	2018 Actual	2019 Amended Budget
<b>501200</b>	Hourly Employees Payroll	26,023	20,304	35,855
<b>501210</b>	Hourly Overtime	0	29	0
<b>501300</b>	Labor - Salaried Employees	1,744,449	1,798,296	1,821,046
<b>501310</b>	Overtime - Salaried Employees	1,765	2,280	1,500
<b>502000</b>	Fringe Benefits	672,712	686,698	744,984
<b>503000</b>	Services	509,292	615,057	381,000
<b>503049</b>	Temporary Help	33,477	33,670	40,000
<b>504000</b>	Material & Supplies	5,046	4,510	8,450
<b>506040</b>	Liabilities & Property Claims	1,054,133	1,028,210	1,175,000
<b>509000</b>	Miscellaneous Expenses	27,964	19,929	12,700
<b>509022</b>	Meals & Concessions	345	295	2,500
<b>512000</b>	Leases & Rentals	31,905	22,079	53,760
<b>Total</b>		<b>4,107,111</b>	<b>4,231,357</b>	<b>4,276,795</b>

**LEGAL DEPARTMENT STAFFING**

Grade	Job Name	2016	2017	2019	2019
<b>01</b>	9944 Legal Intern	1.0	1.0	1.0	1.0
<b>03</b>	0301 Administrative Assistant	2.0	2.0	2.0	2.0
<b>04</b>	0404 Administrative Assistant	1.0	1.0	1.0	1.0
<b>06</b>	0603 Claims Investigator	2.0	2.0	2.0	2.0
<b>23</b>	0724 Legal Secretary	4.0	4.0	4.0	4.0
<b>25</b>	1675 Office Manager	1.0	1.0	1.0	1.0
<b>25</b>	1720 EEO & ADA Specialist	1.0	1.0	1.0	1.0
<b>26</b>	0876 Senior Adjuster	1.0	1.0	1.0	1.0
<b>28</b>	0773 Manager Claims	1.0	1.0	1.0	1.0
<b>29B</b>	0880 Senior Manager/Office of Equal Opportunity	1.0	1.0	1.0	1.0
<b>29B</b>	1440 Associate Counsel II	6.0	6.0	6.0	6.0
<b>30B</b>	1618 Deputy General Counsel – Litigation	1.0	1.0	1.0	1.0
<b>30B</b>	1680 Deputy General Counsel – Administrative, Labor & Transactional Law	1.0	1.0	1.0	1.0
<b>99</b>	9951 DGM Legal Affairs/Director of Legal	1.0	1.0	1.0	1.0
<b>Total</b>		<b>24.0</b>	<b>24.0</b>	<b>24.0</b>	<b>24.0</b>



# 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.

## 2018 ACCOMPLISHMENTS

- 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.
- Worked with Operating Districts to establish access to the event level collision and workplace injury data using the Risk Management Information System (RMIS).
- Successful property insurance renewal with FM Global prefaced by a thorough capture of updated replacement values for all GCRTA real and personal property. Shared with Asset Management for their provision to NOACA.
- Adjusted a property insurance claim with FM Global for a substation fire loss resulting in a partial recovery of \$213,316 for GCRTA after the deductible. Further recovery where applicable is a 2019 priority.

## 2019 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.
- 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.
- Work with Human Resources to successfully hire and on-board two new employees to fill two vacancies in the Risk Management Department; Workers' Comp/Dis Claim Examiner and Worker's Comp Clerk.
- Finalize submission of property insurance claim for a substation fire loss to achieve a full and final recovery.

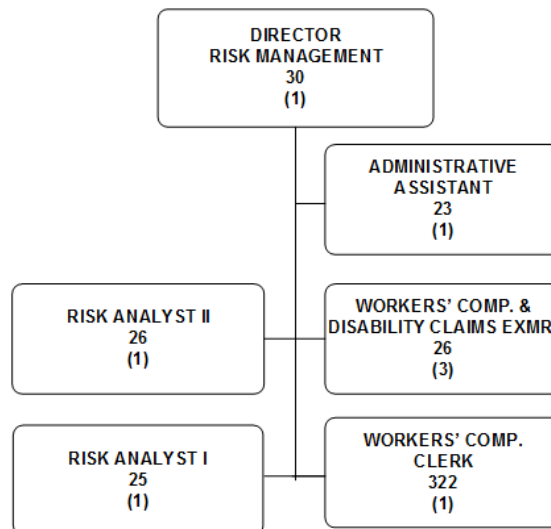


## RISK MANAGEMENT DEPARTMENT BUDGET

Object Class	Description	2017 Actual	2018 Actual	2019 Budget
501200	Hourly Employees Payroll	149	0	0
501300	Labor - Salaried Employees	483,491	420,466	482,710
501310	Overtime - Salaried Employees	285	497	0
502000	Fringe Benefits	195,405	167,135	187,406
502071	W/C – Injuries & Damages	817,271	882,803	1,025,000
502082	W/C – Medical Payments	421,540	438,345	625,000
503000	Services	262,512	276,751	299,500
503030	W/C Administration Fee	381,593	320,812	349,000
503049	Temporary Help	68,461	70,834	40,000
504000	Material & Supplies	3,903	2,705	4,200
506000	Casualty & Liability Costs	358,843	375,729	409,709
506010	Physical Damage Insurance	490,412	543,515	730,000
506200	W/C – Settlement & Lawsuit Expense	140,050	53,908	175,000
509000	Miscellaneous Expenses	4,598	3,368	1,285
<b>Total</b>		<b>3,628,514</b>	<b>3,556,868</b>	<b>4,328,809</b>

## RISK MANAGEMENT DEPARTMENT STAFFING

Grade	Job Name	2016	2017	2018	2019
03	0322 Workers' Comp Clerk	1.0	1.0	1.0	1.0
23	0757 Administrative Assistant	1.0	1.0	1.0	1.0
25	0885 Risk Analyst I	1.0	1.0	1.0	1.0
	1627 RTW – Transitional Coordinator	0.5	0	0	0
26	0905 Risk Analyst II	1.0	1.0	1.0	1.0
	1165 Workers' Comp/Dis Claim Examiner	3.0	3.0	3.0	3.0
30	0771 Director	1.0	1.0	1.0	1.0
<b>Total</b>		<b>8.5</b>	<b>8.0</b>	<b>8.0</b>	<b>8.0</b>



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