

# 04 - LEGAL AFFAIRS DIVISION

## OVERVIEW

Provides professional, cost-effective legal, safety, and risk management services. The Legal Affairs Division is comprised of the Legal, Safety, and Risk Management Departments. 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 of the Legal Department properly evaluates all claims, focusing on a thorough and prompt investigation, compassion and fiscal responsibility. The Safety Department uses a Safety Management System to prevent employee injuries, protect passengers, preserve assets and property, and reduce the potential for environmental events. Safety also administers the Public Transportation Agency Safety Plan while being the delegated authority on behalf of ODOT to conduct accident investigations and safety assurance audits. 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.

## CONNECTION TO STRATEGIC PLAN

Success Outcomes:      **Customer Experience**                      **Community Impact**                      **Employee Investment**                      **Financial Health**

The Legal Division works to ensure a safe, equitable environment for all customers and the greater community at large. Financial sustainability is obtained through budget adherence, controlling insurance premium costs, and managing claims (3<sup>rd</sup> party and Workers' Compensation). Employee perception of opportunity for growth and success, understanding the Authority's vision and direction, and clarity in connection between personal performance and organization success are also areas of focus within the Legal Division.

## 2023 ACCOMPLISHMENTS

- Provided efficient and cost-effective legal representation in all GCRTA litigation, transactional, and administrative matters.
- Provided legal support for the newly created Civilian Oversight Committee (COC) to review complaints filed against GCRTA Transit Police Department employees.
- 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.
- Continued enhancement of a safety culture within the Authority.
- Supported Investigated allegations of discrimination or non-compliance with equal opportunity policies and procedures.
- 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 marketplace and most cost-effective renewal for property/casualty insurance programs for GCRTA.
- Implemented the 2022 Public Transportation Agency Safety Plan.

## 2024 PRIORITIES

### Customer Experience

- Continue Transportation Safety Institute (TSI) certification and training of Safety Department personnel.
- Continue a proactive approach to reducing bus and rail incidents.
- Create and implement the 2023 version of the Public Transportation Agency Safety Plan.

### Community Impact

- Provide legal support for Transit Oriented Development initiatives.
- Continue to provide support for the COC and the reconvened Community Advisory Committee (CAC).
- Provide and facilitate advice on ethical issues and concerns.

### Employee Investment

- Continue legal information program to apprise GCRTA departments of public sector legal issues that affect the Authority.
- Continue enhancement of a safety culture within the Authority.
- Continue to create a positive working environment that emphasizes teamwork and goal setting.
- 

### Financial Health

- Provide efficient and cost-effective legal representation in all GCRTA litigation, transactional, and administrative matters.
- 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 update and improve our claims handling process.
- Provide Risk Management expertise to Legal, Procurement & Engineering Departments for various authority-wide projects, leases, license agreements, and other procurements.

## LIST OF DEPARTMENTS

Department Number	Department Name
15	Safety Department
21	Legal Department
22	Risk Management Department

The 2024 Organizational Scorecard is shown in the Budget Management section of the Budget Guide. The results of the 2023 Legal Division scorecard are shown below, and the divisions were still developing their 2024 strategic scorecards to support GCRTA's Strategic Plan as of the writing of this report.



## Legal Affairs 2023

Success Outcomes	Metric	Definition	FY2023 Performance Goals	Objective	Annual 2023
					Actual Results
Customer Experience	Customer Perception of Safety	The % of customers who agree or strongly agree that GCRTA is safe.	80%	↑	67%
	Safety - Actual	The % compliance with safety performance targets	70%	↑	43%
Community Value	Community Perception of Safety	The % of community who agree or strongly agree that GCRTA is safe	55%	↑	12
Financial Sustainability	Insurance Premium Costs	Achieve an average score of 5 by maintaining insurance premium costs at or below industry benchmarks across the three lines of coverage	5	—	5
	Operating Budget Used	The % of actual expenses (year to date) vs. annual budget.	25%, 50%, 75%, 100%	—	88%
Employee Engagement	Employee Safety - Perception	The % of employees that answer "yes" that GCRTA provides a safe place to work.	83%	↑	79%
	Safety - Rate of On the Job Injuries (OJI)	Decrease the rate of OJI's per 200,000 hours worked	6.82	↓	3.6
	Division Employees Agree - Supervisor Invested in Growth and Success	The % of employees that agree (or strongly agree) that their Supervisor is invested in their growth and success.	35%	↑	34%
	Division Employees - Understand Vision and Direction	The % of employees that agree (or strongly agree) that they understand the vision and direction of GCRTA.	71%	↑	68%
	Division Employees - Understand How Performance Linked to Organization Success	The % of employees that agree (or strongly agree) that they understand how their performance contributes to organizational success.	59%	↑	33%

# 15 - SAFETY DEPARTMENT

## OVERVIEW

The Safety Department uses a Safety Management System (SMS) to prevent collisions and injuries to the GCRTA passengers and employees, and to avoid damage to property. Provides leadership in promoting safety throughout the organization and to protecting the environment by providing guidance to RTA facilities about environmental compliance.

## 2023 ACCOMPLISHMENTS

- Implemented the 2023 Public Transportation Agency Safety Plan (PTASP) through the Executive Safety Committee, Labor Management Safety Committee & District Safety Committees.
- Confirmed with root cause analysis the source of heavy rail vehicle smoke events supporting a \$2.2 million motor overhaul project.
- Continued enhancement of a safety culture within the Authority.
- Worked to ensure compliance with all Federal, State, and local legislation and regulations and served as a liaison between the Authority and regulatory agencies.
- Performed an update of all Spill Prevention Control and Countermeasure Plans as an environmental priority as well as a regulatory requirement.
- Updated all District Emergency Plans and conducted fire drills for readiness and life safety.
- Updated the Safety Management System Framework.
- Completed a plan to develop more trainers for the STOP program to positively impact the occupational injury rate.
- Lead a team of operations personnel in the development of a standard operating procedure to perform on-street evaluations of new operators after graduating from training to reduce collision potential.
- Conducted a full risk assessment of a newly purchased property in support of the railcar replacement program.

## 2024 PRIORITIES

Strategic Plan	Customer Experience (CE)	Community Impact (CI)	Employee Investment (EI)	Financial Health (FH)
Success Outcomes:				

- Support the current railcar fleet to ensure passenger safety (CE, CI, EI, FH).

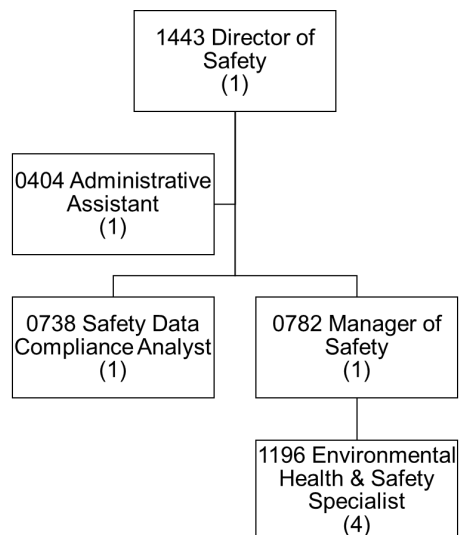
### SAFETY DEPARTMENT BUDGET

Object Class	Description	2022 Actual	2023 Actual	2024 Budget
501300	Salaried Employees Labor	\$462,846	\$487,518	\$555,479
501310	Salaried Employees Overtime	1,561	5,061	4,000
502000	Fringe Benefits	183,492	180,172	191,300
503000	Services	121,192	178,889	211,910
503052	Other Maintenance Contract	37,604	56,263	52,250
504000	Materials & Supplies	18,576	32,142	18,000
509000	Miscellaneous Expense	9,531	10,865	14,600
509022	Meals/Food/Per Diem	344	1,806	3,000
<b>Total</b>		<b>\$835,146</b>	<b>\$952,716</b>	<b>\$1,050,539</b>

### SAFETY DEPARTMENT STAFFING

Grade	Job Name	2022	2023	2023
04	0404.Administrative Assistant	1	1	1
107	0738.Safety Data Compliance Analyst	1	1	1
109	1196.Environmental Health & Safety Specialist	4	4	4
111	0782.Manager of Safety	1	1	1
114	1443.Director of Safety	1	1	1
<b>Total</b>		<b>8</b>	<b>8</b>	<b>8</b>

### SAFETY DEPARTMENT ORGANIZATION CHART



Total FTE's = 8

# 21 - LEGAL DEPARTMENT

## OVERVIEW

Provides comprehensive, effective legal and claims services to the Authority. The Department represents the Authority in claims, lawsuits, administrative and arbitration hearings, preparing legal opinions and documents, providing advice, and ensuring compliance with Federal, State, and local laws.

## 2023 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.
- Advised and supported the Authority's Equal Employment Opportunity (EEO)/Americans with Disabilities Act (ADA) programs to ensure compliance with Federal, State, and local laws regarding employment practices, facilities, and services.
- Supported the investigations of allegations of discrimination or non-compliance with equal opportunity policies and procedures.
- Supported the creation of the Civilian Oversight Committee (COC).

## 2024 PRIORITIES

Strategic Plan	Customer Experience (CE)	Community Impact (CI)	Employee Investment (EI)	Financial Health (FH)
<b>Success Outcomes:</b>				

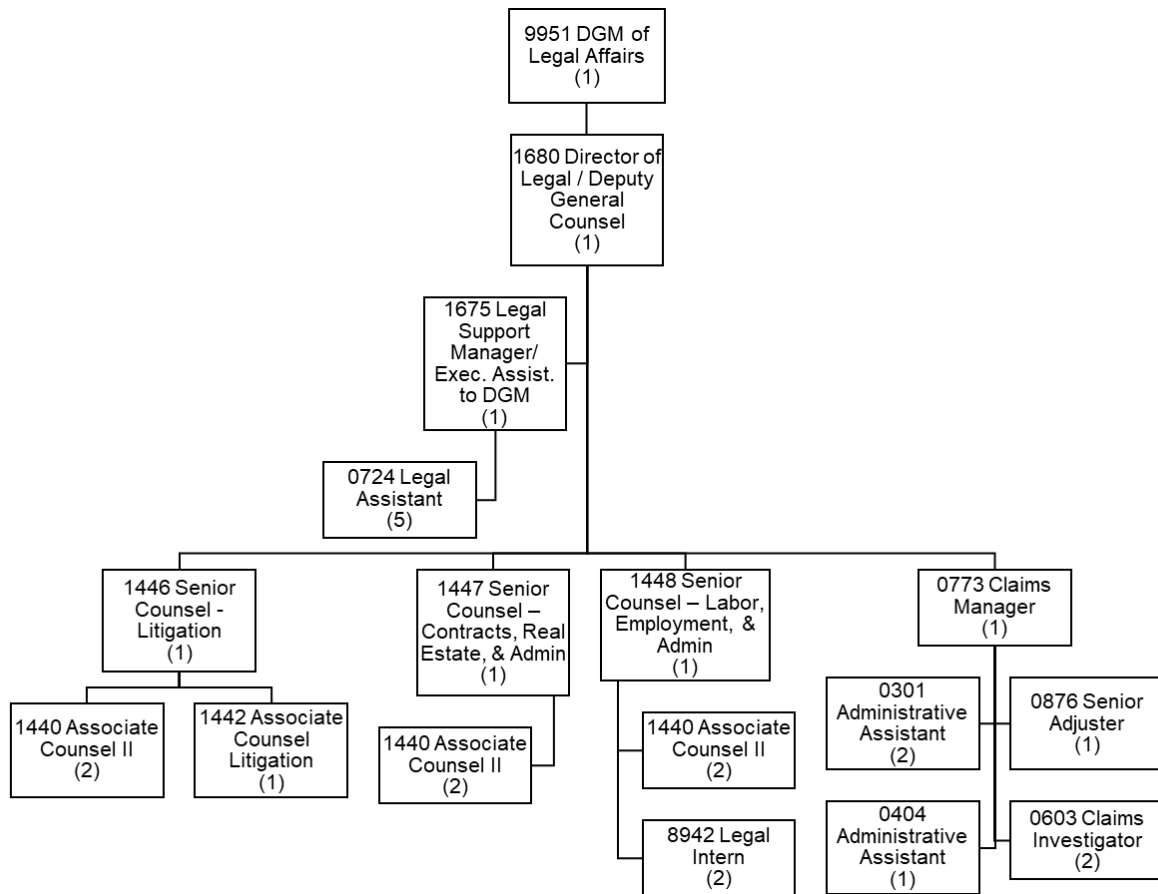
**LEGAL DEPARTMENT BUDGET**

<b>Object Class</b>	<b>Description</b>	<b>2022 Actual</b>	<b>2023 Actual</b>	<b>2024 Budget</b>
501300	Salaried Employees Labor	\$1,774,406	\$1,854,986	\$2,229,602
501310	Salaried Employees Overtime	2,217	2,418	2,000
502000	Fringe Benefits	696,806	682,857	676,570
503000	Services	423,120	287,287	496,820
503049	Temporary Service	2,055	82,851	40,000
504000	Materials & Supplies	5,663	12,329	15,000
506040	Liability & Property Claims	488,177	554,974	800,000
509000	Miscellaneous Expense	8,511	8,058	19,250
509022	Meals/Food/Per Diem	307	598	1,500
512000	Leases & Rentals	14,911	6,182	0
<b>Total</b>		<b>\$3,416,173</b>	<b>\$3,492,540</b>	<b>\$4,280,742</b>

**LEGAL DEPARTMENT STAFFING**

<b>Grade</b>	<b>Job Name</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
99	9955.Senior Advisor Legal Affairs	1	-	-
01	8942.Department Intern	2	2	2
03	0301.Administrative Assistant	2	2	2
04	0404 Administrative Assistant.Legal Affairs.Legal 2120	1	1	1
06	06"03laims Investigator	2	2	2
106	0724.Legal Assistant	5	5	5
109	0876.Senior Adjuster	1	1	1
109	1675.Legal Support Manager/Executive Assistant to DGM	1	1	1
111	0773.Manager - Claims	1	1	1
111	1442.Assoc Counsel Litigation	1	1	1
113	1440.Associate Counsel II	6	6	6
114	1446.Senior Counsel - Litigation	1	1	1
114	1447.Senior Counsel - Contracts, Real Estate, Admin Law	1	1	1
114	1448.Senior Counsel - Labor, Employment, and Admin Law	1	1	1
115	1680. Director Legal/Deputy Gen Coun	1	1	1
116	9951.DGM - Legal Affairs Division	1	1	1
<b>Total</b>		<b>28</b>	<b>27</b>	<b>27</b>

# LEGAL DEPARTMENT ORGANIZATION CHART



Total FTE's = 27



# 22 - RISK MANAGEMENT DEPARTMENT

## OVERVIEW

The Risk Management Department protects 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 workers' compensation program, short-term disability claims, property and casualty insurance and self-insurance programs.

## 2023 ACCOMPLISHMENTS

- Provided superior claims management services for Workers' Compensation (WC) and short-term disability claims for GCRTA. GCRTA's status as a self-insured employer for WC in the state of Ohio versus paying into the State Fund creates a savings of approximately \$2 million annually.
- Received very favorable renewal terms from the incumbent Cyber Liability carrier indicating a flat premium versus the projected 15% increase. Retention halved; and five additional coverage enhancements gained.
- Provided Risk Management expertise to Legal, Procurement, and Engineering Departments for many significant construction and development projects and procurements, e.g.: GCRTA Track and Platform Rehab Contract, Green Line/Shaker Bridge Replacement, Kingsbury Run projects and Irishtown Bend Mural Project.
- Negotiated the best terms and conditions available in the marketplace and most cost-effective renewal for property/casualty insurance programs for GCRTA in a challenging insurance market, achieving 1% and 2% increases versus 5% and 10% projections.
- Continued to support the Railcar Replacement Project Team; delivered analysis of contract language and necessary insurance and bonding requirements.
- Successfully completed an audit of workers' compensation claims by the Ohio Bureau of Workers' Compensation.
- Completed Department-wide archiving project resulting in disposition of 150+ boxes.
- Obtained extremely successful results with Crime Insurance renewal, receiving a three-year policy at an annual cost 32% below previous from a single carrier versus prior multi-carrier program.
- Successful execution of quarterly reconciliation meetings among Risk Management, SSO Agency, Ohio Department of Transportation (ODOT) and Safety to review rail reportable accidents and incidents per FTA guidelines.

## 2024 PRIORITIES

Strategic Plan      Customer Experience      Community Impact      Employee Investment      Financial Health  
 Success Outcomes:      (CE)      (CI)      (EI)      (FH)

- Provide Risk Management expertise to Legal, Procurement, and Engineering Departments for various authority-wide projects, leases, license agreements, and other procurements (FH).
- Continue to provide strong management of workers' compensation claims and litigation, containing the costs to GCRTA, involving the districts as active stakeholders and handling claims for all employees fairly and promptly (EI, FH).
- Complete significant upgrade to the latest version of GCRTA's Risk Management Information System (RMIS) (FH).
- Coordinate with stakeholders to develop, pilot, and implement electronic event reporting for both workers' compensation and third-party liability claims (FH).
- Negotiate the best terms and conditions available in the marketplace and the most cost-effective renewal for property/casualty insurance programs for GCRTA (FH).
- Fill current vacancy for shared position between Worker's Compensation section and Claims (EI, FH).
- Continue to participate in and contribute to strategic planning and performance measurement efforts conducted via TransPro and GCRTA Management (EI, FH).

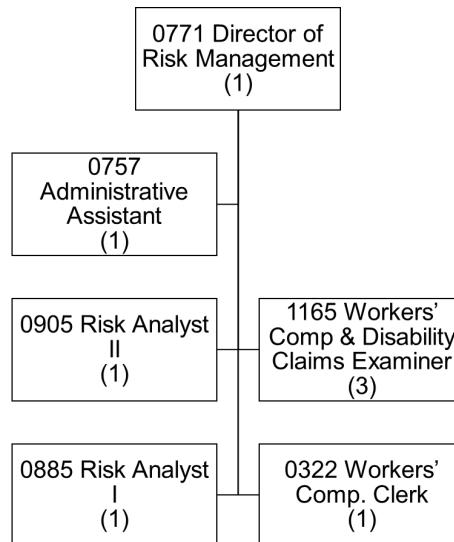
## RISK MANAGEMENT DEPARTMENT BUDGET

Object Class	Description	2022 Actual	2023 Actual	2024 Budget
501300	Salaried Employees Labor	\$591,501	\$633,275	\$666,184
501310	Salaried Employees Overtime	168	58	500
502000	Fringe Benefits	238,898	227,438	208,904
502071	W/C - Injuries & Damage to Employees	576,007	633,431	850,000
502082	W/C - Medical Payments	236,605	252,688	450,000
503000	Services	464,535	419,613	450,000
503030	Workers Comp Admin Fee	264,712	302,224	215,000
503049	Temporary Service	4,401	13,686	10,000
504000	Materials & Supplies	3,111	8,129	4,000
506000	Casualty & Liability	576,532	538,842	600,027
506010	Physical Damage Insurance	1,263,061	1,413,137	1,734,000
506200	W/C Settlement & Lawsuit Expense	24,133	61,500	100,000
509000	Miscellaneous Expense	2,987	69	5,300
<b>Total</b>		<b>\$4,246,651</b>	<b>\$4,504,090</b>	<b>\$5,293,915</b>

## RISK MANAGEMENT DEPARTMENT STAFFING

Grade	Job Name	2022	2023	2024
'03	0322.Workers' Compensation Clerk	1	1	1
104	0757.Administrative Assistant I	1	1	1
107	0885.Risk Analyst I	1	1	1
108	1165.Workers' Comp & Disability Claims Examiner	3	3	3
108	09'05Risk Analyst II	1	1	1
114	0771.Director - Risk Management	1	1	1
<b>Total</b>		<b>8</b>	<b>8</b>	<b>8</b>

## RISK MANAGEMENT DEPARTMENT ORGANIZATION CHART



Total FTE's = 8