

CITY OF MARION TRANSIT SYSTEM (MTS)

EQUAL EMPLOYMENT OPPORTUNITY POLICY

Objective

The City of Marion, IN and the Marion Transit System (MTS) is an equal opportunity employer. In accordance with anti-discrimination law, it is the purpose of this policy to effectuate these principles and mandates. Marion Transit prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by law. Marion Transit conforms to the spirit as well as to the letter of all applicable laws and regulations.

Scope

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between Marion Transit and its employees, including:

- Recruitment.
- Employment.
- Promotion.
- Transfer.
- Training.
- Working conditions.
- Wages and salary administration.
- Employee benefits and application of policies.

The policies and principles of EEO also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with Marion Transit.

Dissemination and Implementation of Policy

The MTS Manager will be responsible for the dissemination of this policy to all MTS employees. City of Marion department managers are responsible for implementing equal employment practices within each department. The Human Resources (HR) Department of the City of Marion is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations.

Procedures

The HR Department and MTS management administers our EEO policy fairly and consistently by:

- Posting all required notices regarding employee rights under EEO laws in areas highly visible to employees.
- Advertising for job openings with the statement "*We are an equal opportunity employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by law.*"
- Posting all required job openings with the appropriate state agencies.
- Forbidding retaliation against any individual who files a charge of discrimination, opposes a practice believed to be unlawful discrimination, reports harassment, or assists, testifies, or participates in an EEO agency proceeding.
- Requires employees to report to a member of management, an HR representative, or the general counsel any apparent discrimination or harassment. The report should be made within 48 hours of the incident.
- Promptly notifies the general counsel of all incidents or reports of discrimination or harassment and takes other appropriate measures to resolve the situation.

Harassment

Harassment is a form of unlawful discrimination and violates City of Marion and MTS policy. Prohibited sexual harassment, for example, is defined as unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Harassment also includes unwelcome conduct that is based on race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, protected veteran status, or any other characteristic protected by law. Harassment becomes unlawful where:

- Enduring the offensive conduct becomes a condition of continued employment, or
- The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Marion Transit encourages employees to report all incidents of harassment to a member of management or the HR department. Marion Transit conducts harassment prevention training for all employees and maintains and enforces a separate policy on harassment prevention, complaint procedures and penalties for violations. Marion Transit investigates all complaints of harassment

promptly and fairly, and, when appropriate, takes immediate corrective action to stop the harassment and prevent it from recurring.

Filing Complaints

MTS employees wishing to file a complaint should notify the MTS Manager and the City of Marion HR director of such proposed complaint. The MTS Manager and HR director will process such complaint and notify the Mayor's office and General Counsel's office of such complaint. The MTS Manager and Marion's HR Director will process such complaints in a manner consistent with FTA Circular 4704.1A (Rev. 1-April 20, 2017).

Remedies

Violations of this policy, regardless of whether an actual law has been violated, will not be tolerated. Marion Transit will promptly, thoroughly, and fairly investigate every issue that is brought to its attention in this area and will take disciplinary action, when appropriate, up to and including termination of employment.

EEO Policy Statement – City of Marion, IN Transit System (MTS)

The City of Marion Transit System (MTS) 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.

The Marion Transit System’s (MTS) 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. MTS 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 the Manager of the Marion Transit System (MTS), I maintain overall responsibility and accountability for MTS’ compliance with its EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I also have the role of MTS’ EEO Compliance Officer. I will evaluate MTS’ successful implementation of MTS’ EEO policies and procedures. MTS 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 Policy and Program.

Jeff Edwards, MTS Manager

Signature

Signature Date