

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

CITY OF PHOENIX
PUBLIC TRANSIT
DEPARTMENT

March 1, 2024 – February 29,
2028

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2.2.1 Statement of Policy

City of Phoenix Public Transit Equal Employment Opportunity Policy Statement

The City of Phoenix Public Transit Department 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 Public Transit Department's 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.

The Public Transit Department 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 City of Phoenix's Public Transit Department Director, I Jesús Sapien, maintain overall responsibility and accountability for Public Transits compliance with its EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I have appointed Christina Hernandez as Public Transits EEO Officer. Ms. Hernandez can be reached at 302 North 1st Avenue, Suite 900, Phoenix, AZ 85003, 602-534-9161. Ms. Hernandez will report directly to me and acts with my authority with all levels of management, labor unions, and employees.

All Public Transit Department executives, management, and supervisory personnel; however, share in the responsibility for implementing and monitoring Public Transits EEO Program policies within their respective areas and will be assigned specific tasks to ensure compliance is achieved. The Public Transit Department will evaluate its managers' and supervisors' performance on their successful implementation of Public Transits policies and procedures, in the same way Public Transit assesses their performance regarding other agency's goals.

The Public Transit Department 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

2.2.1 Statement of Policy

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.



Jesús Sapien

12/19/23

Date

Agency Overview

The Phoenix Public Transit Department is one of 41 departments/offices within the City of Phoenix governmental structure. With more than 14,000 employees, the City of Phoenix Human Resources Department acts as the clearinghouse for all recruitment, personnel rules, discipline, and labor negotiations.

The Phoenix Public Transit Department is the primary recipient of federal funding for public transit in the region. With an annual operating budget of \$269.8 million and an administrative staff of 127 positions, the Phoenix Public Transit Department oversees and monitors the operations of three private companies that provide transit service to the city of Phoenix and other subrecipients and provides oversight to the rest of the system's service provided by the regional public transit authority under the Valley Metro brand.

The Phoenix Public Transit Department is a member of the 16-agency regional transit system branded as 'Valley Metro'. In 1993, the Regional Public Transit Authority (RPTA) board adopted the name *Valley Metro* as the identity for the transit system in the Phoenix metropolitan area. Under the Valley Metro brand, local governments joined to fund the regional transit system the public sees on the streets today. Valley Metro Board member agencies include Avondale, Buckeye, Chandler, El Mirage, Gilbert, Glendale, Goodyear, Maricopa County, Mesa, Peoria, Phoenix, Scottsdale, Surprise, Tempe, Tolleson, and Wickenburg.

The City of Phoenix directly manages its transit services, including 39 local bus routes, 6 RAPID commuter routes, three neighborhood circulators, one downtown business circulator, paratransit service, and alternative transportation programs for seniors and people with disabilities. With a transportation fleet of approximately 639 buses covering 3.1 million revenue miles of service in the region, the department provides approximately 70 percent of the region's transit service. RPTA operates the remaining transit service in the region on behalf of Valley Metro member cities, including Phoenix.

3.9 million people live within a ½-mile of Valley Metro-branded services.

The Phoenix Public Transit Department also has a leading role in the development and oversight of the region's 28-mile light rail line. Working with Valley Metro and other agency partners, Phoenix helps to deliver seamless regional transit services under the Valley Metro brand.

The City of Phoenix funds much of its transit service through Transit 2050, a local transportation sales tax approved by Phoenix voters in 2015, a portion of a regional transportation sales tax known as Proposition 400, and other federal, state, and local sources.

Services provided under the Valley Metro brand by the City of Phoenix and RPTA include:

- Local Fixed Route Bus Service: The city of Phoenix and RPTA operates 61 local

routes provided with 40- and 60-foot articulated buses. Within Phoenix city limits, local fixed route buses operate Monday-Thursday between 4:00 a.m. and 12:00 a.m., Friday between 4:00 a.m. and 2:00 a.m., Saturday between 5:00 a.m. and 2:00 a.m., and Sunday between 5:00 a.m. and 11:00 p.m.

- Express Bus Service: There are 21 regional express bus services that travel mostly along freeways with limited stops for faster connections. Routes are designed for commuter service and operate during peak periods.
- Neighborhood Circulators: 23 community circulators operate continuously within distinct geographic areas to meet the transportation needs of the community.
- Light Rail: Valley Metro operates the region's light rail system, which extends 28 miles and serves the cities of Phoenix, Tempe, and Mesa. Light rail operates Monday-Saturday between 4:40 a.m. and 11:00 a.m. and Sunday between 5:00 a.m. and 11:00 p.m.
- Vanpool Program: Vanpool is a Transportation Demand Management program that helps decrease traffic congestion. The Valley Metro Vanpool program helps people connect with one another so that they can share rides or join a vanpool.
- Paratransit: Federally required service that provides shared ride and door-to-door service to ADA-certified passengers who, because of a disability, are unable to independently navigate local public transit services to navigate local public transit services independently. Service operates within the defined Phoenix Dial-a-Ride service area and operates during the same hours as local bus and light rail. Paratransit vehicles can accommodate up to seven ambulatory passengers or five ambulatory and two wheelchair passengers.
- Alternative Transportation: Provides alternative transportation solutions to older adults and ADA-certified residents of Phoenix. Service is provided through a network of private transportation providers who independently own and operate vehicles by participating transportation network drivers and taxi companies. Service is generally 24 hours a day, seven days a week.

2.2.2 Dissemination

To ensure the Equal Employment Opportunity (EEO) policy statement is publicized and disseminated, the Public Transportation Department (PTD) communicates its policy in the following manner:

Internal Dissemination

The EEO policy will be publicized internally by:

- Providing written communication from the Director of PTD to staff on changes to the EEO policy or program.
- Posting the policy statement and EEO materials, including federal statements and labor laws on bulletin boards in break rooms and employment offices.
- Including the EEO policy statement in the Public Transit employee onboarding process and online for job postings.
- Distributing and explaining the EEO policy statement during new hire orientation.
- Meeting with management officials semiannually to discuss the EEO Program

and its implementation.

- Meeting with employees to seek input on the program's implementation.
- Encouraging and supporting employee participation in affinity groups.
- Conducting periodic EEO training for employees and managers.
- Conducting EEO training for all new supervisors and managers within 90 days of their appointment.

External Dissemination

The EEO Program is publicized externally by:

- Including the statement "The City of Phoenix is an equal opportunity employer" in recruitment advertisements (websites, paper postings, social media).
- Participating in outreach events, including community, educational, minority- and women-based organizations, people with disabilities, and veteran employment resources.

2.2.3 Designation of Personnel Responsibility

The responsibility for the overall implementation and administration of the Public Transit Department's EEO Program lies with the PTD Director, Jesús Sapien. His office is located at 302 North 1st Avenue, Suite 900, Phoenix, AZ 85003. His telephone number is 602-534-6765. Mr. Sapien reports to the City of Phoenix City Manager's office. Each member of PTD's management team is responsible for the application of the policy for their respective areas.

Christina Hernandez is the department's designated Equal Employment Officer. Ms. Hernandez is also responsible for reviewing the New Hire Concurrences and, in conjunction with Human Resources, reviewing the grievance procedure. Her office is located at 302 North 1st Avenue, Suite 900, Phoenix, AZ 85003. Her telephone number is 602-534-9161.

Anyone wishing to discuss matters regarding the EEO Program and/or policies should discuss them with Mr. Sapien or Ms. Hernandez. All questions will be held in strict confidence. There will be no retaliation or adverse employment actions taken against persons discussing EEO concerns or matters.

The EEO program office responsibilities include:

- Developing the EEO policy statement and a written EEO Program.
- Assisting management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables, and developing programs to achieve goals.
- Designing, implementing, and monitoring internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where proactive action is needed.
- Reviewing the agency's nondiscrimination plan with all managers and supervisors to ensure that the policy is understood.

- Concurring in the hiring and promotion process.
- In conjunction with the city's Human Resources Department, periodically reviewing employment practices policies (e.g., hiring, promotions, training), complaint policies, reasonable accommodation policies, performance evaluations, grievance procedures, and union agreements.
- Reporting at least semiannually to the PTD Director on the department's progress in relation to the department's goals and on contractor and vendor compliance.
- Serving as liaison between the agency, federal, state, county, and local governments, regulatory agencies, minority, women, disability organizations, and other community groups.
- Maintaining awareness of current EEO laws and ensuring the laws affecting nondiscrimination are disseminated to responsible officials.
- Investigating complaints of EEO discrimination.
- Providing EEO training for employees and managers.
- In conjunction with the city's Human Resources Department, advising employees and applicants of available training programs and professional development opportunities and the entrance requirements.
- Auditing postings of the EEO policy statement to ensure compliance information is posted and updated.

All managers and supervisors are responsible for ensuring EEO and must not discriminate based on a protected class and bear responsibility for ensuring that the EEO Program policies and programs are carried out. Managers and supervisors share responsibility for the implementation of the EEO Program, and their performance will be evaluated on the success of the EEO Program in the same way they are assessed on other performance goals.

Management and supervisory personnel responsibilities include:

- Participating actively in periodic audits of all aspects of employment to identify and to remove barriers obstructing the achievement of specified goals and objectives.
- Holding regular discussions with other managers, supervisors, employees, and affinity groups to ensure agency policies and procedures are being followed.
- In conjunction with the EEO Officer, maintain and update the personnel database for generating reports required for the nondiscrimination program.
- Cooperating with the EEO Officer in review of information and investigation of complaints.
- Encouraging employee participation to support the advancement of the EEO Program.

2.2.4 Utilization & Workforce Analysis

Utilization Analysis

The utilization analysis of the current workforce (**Attachment 1**) identifies job categories that have an underutilization or concentration of minorities and women in relation to their availability in the relevant labor market. Underutilization is represented as a percentage greater than two percent. The underutilization is discussed and analyzed further in the long- and short-term goals.

Workforce and Availability Analysis

The workforce analysis is based on data from Phoenix, Mesa, Scottsdale, Arizona Metro Area derived from the [2014-2018 Census report EEO-ALL06R](#), State and Local Government Job Groups by Sex, and Race/Ethnicity for Residence Geography).

The county database was used based on the City of Phoenix residency requirements listed in Personnel Rule 13 (**Attachment 10**). The City takes a multi-faceted approach with outreach and advertising of jobs and performs outreach and advertising to minority and underserved communities. The City utilizes online databases to reach the widest pool of job applicants possible. The workforce analysis includes a statistical breakdown of the workforce by each department job category from when the department reached 100 employees (November 2018) through the submittal date of the city's EEO-4 form (December 2023). Public Transit has staff in five of the eight categories: Officials and Administrators, Professionals, Technicians, Protective Service, and Administrative Support. All job Titles within the department are listed in **Attachment 2**.

Sub-categories for male and female:

- W - White (not Hispanic or Latino)
- AI/AN - American Indian/Alaska Native (not Hispanic or Latino)
- B - Black or African American (not Hispanic or Latino)
- H/L - Hispanic or Latino
- A - Asian (not Hispanic or Latino)
- NHOPI - Native Hawaiian and Other Pacific Islander (not Hispanic or Latino)
- Multi - Two or more races (not Hispanic or Latino)

2.2.5 Goals and Timetables

The Public Transit Department will work in good faith to address any statistically significant level of underutilization found in the Utilization Analysis (**Attachment 1**). Short-term and long-term goals have been created from the analysis to address the underutilization of protected groups and bring the department to parity. The short-term goals

are to be addressed from October 2024 through September 2025, and the long-term goals from October 2024 through September 2028.

These goals do not create guarantees for any particular group, nor are they meant to replace any steps in the hiring process. The goal-setting process is used to improve and measure the efficacy of the EEO Program and to prevent discrimination of any particular group. These goals are a proactive tool to ensure an inclusive department.

Goals will be evaluated annually to determine if any adjustments need to be made. Factors that may affect the goals are funding changes, department or city changes, or market changes in the public transportation industry. This awareness and flexibility will help in addressing our goals.

Long-Term and Short-Term Goals

2024 through 2028 Short-Term and Long-Term Goals

Job categories	Positions	Forecasted Short-Term Vacancies 2024-2025	Short-Term Goal (2024-2025)	Long-Term Goal (2024-2028)	Minority /Female
Professionals	Various - 5; Economic Development Prog. Mgr, Planner II, Accountant III, Contract Specialist II	5 positions	Increase 20%	Increase 24%	Female
Administrative Support	Various – 3; Account Clerk III, Customer Service Clerk, Admin Aide*U7	3 positions	Increase 20%	Increase 31%	Female

* Table Source: eChris: Vacant Budgeted Positions report # Z_POS010

Previous Goals 2020 to 2024

In 2020, the department submitted four goals, three of which were achieved (**Attachment 3**). For Officials & Administrators, the forecasted goal of one (1) female was surpassed as six (6) females were promoted. For Professionals, the forecasted vacancies of four (4) positions, forty-eight (48) positions were filled, with twenty-nine (29) of the positions hired or promoted being females. A goal for one (1) position for Technicians was not achieved; no females applied for the position. The goal for Administrative Support forecasted the goal of hiring three (3) females for various positions. This goal was surpassed as twelve (12) females were hired or promoted.

2.2.6 Assessment of Employment Practices

It is the policy of the City of Phoenix to hire the best-qualified individual available for the position within the time constraints of the position without regard to race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age, genetic information, disability, veteran status, or other protected class.

Recruitment and Selection

The City of Phoenix conducts recruitments on an ongoing basis, which may run from five days or until filled. Recruitments include job descriptions and application forms, which are placed on the City of Phoenix web page and in the Human Resources employment center. Advertisements are placed in local, state, and national publications, transit industry publications, and minority publications as determined by PTD and submitted by Human Resources (HR). Examples of transit publications are *Transit Intelligence* and *Mass Transit*. Notification of recruitments is provided at job fairs, high schools, and vocational and college career days.

The first step is to obtain the Department Head's Approval and strategize any section needs to determine whether to fill a position as is or discuss changing the position classification. If no changes are necessary, Departments process a position requisition and submit it to Human Resources for a classification to request an existing list of eligible candidates, recruitment for a classification, or special recruitment, which specifies essential skills for a particular position. Applicants submit applications, including résumés or training and experience questionnaires, if required. HR analysts review applications and documents and approve those that qualify. An eligibility list is created and provided to the requesting department(s).

Employment lists consist of five categories, including recall list, reinstatement list, transfer list, promotional list, and original employment eligible list. Names of eligible individuals may be removed from any employment list by the Personnel Director for any of the reasons stated in the City of Phoenix Personnel Rules. An original employment list shall consist of the names of applicants who successfully demonstrate that their qualifications are suitable for the class of employment named in their applications. Such lists shall result from competition open to applicants both outside and inside the City service. The names on an employment list shall be listed according to the excellence demonstrated by the applicants through the qualification measurements used.

The hiring staff will review the employment list and narrow it down to the most qualified individuals. The hiring supervisor then schedules the first interview with approximately 5-12 candidates, depending on the number of applicants. A panel of three to five members is appointed, with members representing a diverse gender and ethnic background. Some members will be from the PTD, other City departments, regional transit partners, or from the community. A final interview is conducted with one to three candidates and by the position supervisor, Deputy Director, or Director.

Successful candidates must pass a pre-employment drug test and a fingerprint background check. References are checked, and individual HR files are reviewed if the candidate is a current City employee.

Testing

Any testing used in the City's recruitment process is validated for the position. The city may utilize additional measures, including the following test in the selection process:

- Cognitive Test: Assess reasoning, memory, perceptual speed and accuracy, and skills in arithmetic and reading comprehension, as well as knowledge of a particular job function.
- Physical Ability Test: Measure the physical ability to perform a particular task.

Testing would be developed collaboratively with the Human Resources department and primarily utilized for hands-on and practical examinations for skilled craft positions. Any test designed would be developed in a competitive, fair, valid, and impartial manner. Tests would be thoroughly safeguarded throughout their development and/or administration.

New City employees in specific job categories must pass a pre-employment drug screen prior to beginning employment with the City. See AR 2.324 (**Attachment 6**) for a listing of specific job categories that require a pre-employment urine drug screen prior to beginning employment with the City. In addition, current City employees who are moved into a position that requires a Commercial Driver's License will be required to pass a pre-employment drug screen and breath alcohol test in compliance with federally mandated guidelines.

Drug testing may also take place for reasonable cause, follow-up, random, post-accident, or other testing as applicable to a particular position or incident.

Seniority Practices

Per the City of Phoenix's Personnel Rule #14 (**Attachment 11**), seniority constitutes the length of certified status within a class of the City service. When two or more employees have the same length of time in the class, the employee with the longest certified City employment time shall be the senior. If a tie still exists, the appointing authority shall make the determination. Any break in service, such as dismissal, resignation, retirement, or status change to part-time, shall cancel all prior seniority credits.

Seniority shall be used in the determination of layoffs. Application of seniority to layoffs shall be according to the provisions of Layoff Rule 16 (**Attachment 12**) of these Rules. Rule 7g (**Attachment 13, pg. 4**) provides for seniority in reference to promotions. Citywide class seniority shall be used as a factor in the choice of work assignments and vacation schedules. The use of seniority in determining the order of vacation of

employees shall be by class. In the choice of work assignments within a class, seniority shall determine the choice of assignment when qualifications of employees concerned for the kind of assignment are equal in the sound discretion of the department head, except that a department head may rotate employees to provide training and experience in all tasks within a class. Qualifications for an assignment pertaining to aptitude, ability, skill, knowledge, physical fitness, interest, enthusiasm, and other pertinent qualifications. Nothing in this Rule shall prevent or hamper the appointing authority in assigning each employee of a class to any assignment within a class for which the employee is best fitted, nor shall the appointing authority be restricted from assigning an employee without a change in pay to another class for brief periods for purposes of training and to meet emergencies.

Training

The City of Phoenix has a competitive employee development program. One element of this program is the Employee Development Fund (EDF) (**Attachment 8**). The EDF program was created to improve and enhance employee productivity, performance, and professional growth.

The EDF program covers the following professional development opportunities:

- Tuition Reimbursement
- Professional Membership Reimbursement
- Seminar, Workshop, or Conference Reimbursement

All employees in full-time, benefit-eligible positions are eligible for tuition reimbursement. Individuals must be employed by the City at the beginning and conclusion of a tuition-eligible course. Job Share employees may use 50 percent of the annual benefit maximum. Middle Managers' and Executives' tuition is reimbursed through the Management Development Fund as described in AR 2.281 (**Attachment 9**).

Employees in full-time, benefit-eligible positions in the unit categories listed below are eligible for professional membership and seminar/workshop/conference reimbursements. Job Share employees in the unit categories listed below are eligible to use up to 50 percent of their appropriate unit category amount for professional membership and seminar/workshop/conference reimbursements. Unit Categories: - Laborers (Unit 1) - Office and Clerical (Unit 3) - Police Officers (Unit 4) - Police Sergeants and Lieutenants (Unit 6) - Supervisory/Professional (Unit 7) - Confidential Office and Clerical (Unit 8).

Supervisory/Professional employees are entitled to 2 days or 16 hours of annual education leave. This time will be added to the employee's July vacation accrual. Police Supervisory employees are entitled to 1.25 days or 10 hours of annual education leave. For hourly employees, this time will be added to the employee's compensatory time bank at the beginning of the first pay period in July. Exempt Police Supervisory employees will have this time added to their July vacation accrual. For record-keeping purposes, this

time will be subject to the restrictions and the authorization requirements of the vacation rules.

Compensation and Benefits (Citywide)

All exempt and non-exempt positions are classified according to similarities of responsibilities and qualifications. The purpose of this classification is to cluster similar positions in order to establish a viable career ladder that can maximize promotion opportunities.

If an employee feels that the duties and responsibilities currently being performed are not accurately or completely described by the present position classification, this opinion can be brought to the attention of his/her supervisor. If the supervisor believes that an evaluation of the classification is justified, the supervisor can notify the HR Department, in writing, to request an evaluation be done to potentially upgrade the job classification in which the incumbent is working.

City of Phoenix employees in the Office and Clerical, Confidential Office and Clerical, and Supervisory and Professional units receive merit increases through a seventeen-step range progression. Merit increases are awarded at six months from step one, and then one year between steps, provided employee performance meets or exceeds job requirements. After completing one year at the top step with six/seven years of continuous service (six years for Office and Clerical and Confidential Office and Clerical, and seven years for Supervisory and Professional) and performance meets or exceeds job requirements, employees receive longevity pay. Longevity is paid semi-annually. Qualifications for longevity pay are made in the base class and will not be affected by movement into or out of assignment positions or positions within the same pay range. Unit 3 employees who received their first payment after July 1, 2014, shall be paid on a prorated basis and included in each pay period in the qualifying unit member's regular paycheck. Unit 7 employees who received their first payment after June 30, 2014, shall be paid on a pro-rated basis and included in each pay period in the qualifying unit member's regular paycheck.

Employees in Middle Management and Executive job units receive pay increases on established minimums and maximums. Pay increases are performance-based.

The City of Phoenix provides vacation and sick leave benefits to all its full-time employees. Some benefits may vary depending on the job category. All new employees, regardless of category, must wait six months before using vacation leave. Holiday Pay is for fifteen holidays a year and applies to all full-time employees.

Sick leave shall accrue for all City of Phoenix employees at 10 hours per month for all job categories. There is unlimited accrual for both hourly and salaried employees.

Other miscellaneous benefits are available for all full-time employees. The

following employee benefits are applicable:

- Health, Vision, and Dental Insurance
- Life Insurance
- Pension Plan
- 401(a), 457, and Post Employment Health Plan accounts
- Deferred Compensation Plan
- Employee Assistance Program
- Flexible Spending Accounts
- Legal Insurance Program
- Long-term Disability
- Career counseling
- Pet Insurance
- Wellness Programs

Disciplinary Procedures and Termination Practices (Citywide)

All employees hired to fill a permanent full-time position serve a probationary period of 12 months. The probationary period is a span of time during which an employee is evaluated by his or her supervisor on the performance of duties in that position. Those qualities, which comprise the overall makeup of the employee, include such areas as attendance, tardiness, reliability, trustworthiness, etc.

If, at any time during the probationary period, a new employee with no previous work history with the City of Phoenix is performing in an unsatisfactory manner and has been counseled on these deficiencies and yet does not improve, the employee can be released without recourse. The reasons for separation are submitted to the appropriate manager and placed in the employee's Human Resources file.

Supervisors manage employees with disciplinary problems through progressive discipline. Employees with at least one year as a City of Phoenix employee have the following appeal rights in the event that the supervisor initiates termination action.

Employees have 14 days from the date of notice of proposed termination to request a hearing before a Civil Service Board. If the employee receives notice of termination by certified mail, the deadline to request a hearing is extended to 21 days. The request for a hearing must be in writing and must state the specific allegations in the discipline notice with which the employee disagrees.

The appellant shall be entitled to appear personally, produce evidence, and have counsel and a public or private hearing. The board may appoint a paid hearing officer to conduct the hearing.

The board can order the restoration of the employee to his/her position with or without loss of pay during the period between the filing of the charges and the issuance of the order or uphold or modify the order of suspension, demotion, or dismissal.

Statistical Impact of Employment Practices on Minorities and Women

PTD identified one factor that contributes to the appearance of adverse impacts: (1) the applicant data represents applicants citywide and cannot be narrowed down to PTD applicants only.

PTD hired twenty-six (26) employees in four areas: Professionals, Protective Service, and Administrative Support.

Of the eleven Professional positions filled, four (4) positions were filled by males, and seven (7) positions were filled by females, resulting in potential adverse impacts on Asian males and females and White females.

Of the four (4) Protective Services hires filled two (2) males, 1 Hispanic and 1 Mixed-race, and two (2) females, one (1) White and one (1) Black, resulting in no potential adverse impacts.

For Administrative Support, there were eleven (11) hires, three (3) males and eight (8) females resulting in potential adverse impacts on White females.

PTD promoted fifty-five (55) employees in four areas: Officials and Administration, Professionals, Administrative Support, and Technicians.

There were nine (9) promotions in Officials and Administrators: three (3) males and six (6) females, resulting in no potential adverse impacts.

There were thirty-seven (37) promotions in the Professional job category: fifteen (15) males and twenty-two (22) females resulting in potential adverse impacts on Asian males and females, and White females. These adverse impacts may be overstated based on the number of applicants portrayed in the analysis (189 male applicants and 174 female applicants). Job titles in the professional job category include management assistants, administrative assistants, accountants, budget analysts, etc., which are recruited on a citywide basis. Therefore, the applicant pool demonstrated in the analysis includes applicants for all positions in this category and could not be narrowed down to just applicants who applied for positions within the PTD.

There were six (6) promotions in the Administrative Support job category: two (2) males and four (4) females. The analysis shows a potential adverse impact on White females.

There were three (3) promotions in the Technicians category, all males, one (1) white, and two (2) Hispanic, resulting in a potentially adverse impact on Hispanic and Pacific Islander females and Pacific Islander and Mutli-race males.

Training took place in all staff categories, and no potential impacts were found for training.

No potential adverse impact was found for the Involuntary Termination of one (1) Hispanic male; under Discipline, there were no potential adverse impacts on Hispanic males and Black males in the categories of Professional and Officials and Administrators areas (Written Reprimand).

Individuals with Disabilities and Veterans

The laws of the State of Arizona require that cities provide preference points for veterans of the Armed Forces of the United States, for the spouse or surviving spouse of certain veterans, and for a person with a disability. These preference points do not apply to promotional examinations.

The analysis of the statistical impact of employment practices for individuals with disabilities showed that there were twenty-two (22) persons with disabilities who applied for jobs, and no disabled persons were hired. There were thirty-four (34) applicants that claimed veteran's preferences (27 males and 7 females) and one (1) veteran was hired (Protective Service), and one (1) veteran was promoted (Technician).

2.2.7 Monitoring and Reporting

Methods to Monitor the EEO Components:

PTD's Federal Compliance Section is responsible for monitoring the EEO program. The Section is overseen by the Transit Compliance Administrator, who serves as the EEO Officer and reports directly to the Public Transit Director.

Within the Federal Compliance Section is Oversight and Civil Rights. The Civil Rights team includes a Civil Rights Compliance Manager and two Equal Opportunity Specialists who support and report to the Transit Compliance Administrator (EEO Officer). PTD's Director is responsible for the overall EEO program, and the EEO Officer ensures the day-to-day management of the program. All PTD executives, management, and supervisory personnel share in the responsibility for implementing and monitoring PTDs EEO Policy and Program within their respective areas.

Methods to monitor the EEO components in this document are as follows:

- Dissemination of the EEO policy – monitoring will ensure the policy is disseminated internally and externally as stated in the Plan.
- The Director, EEO Officer and department executives will discuss the utilization analysis, review statistical data on department hiring/firing/retirement, and assess their effects on goals twice per year.
- Twice per year, the Director and EEO Officer will discuss any complaints and barriers that may exist in the hiring process, especially in regard to long-term goals. Any specific determinations will be communicated with the Public Transit Department HR representative.

Methods to determine EEO compliance of subrecipients:

The City of Phoenix is committed to ensuring compliance of subrecipients and contractors as outlined in the EEO provisions, Circular 4704.1. The Civil Rights team will utilize a Review Cycle every four years, as noted in **Attachment 14**, which lists the name and year of visits and EEO Plan reviews.

Procedures for reviewing union contracts:

The Public Transit Department has employees who may belong to one of two unions or to a collective bargaining unit referred to as the Administrative, Supervisory, Professional, Technical Employee Association (ASPTEA). Public employees have the right to join or participate in, or refuse to join or participate in, the activities of an employee association. The union or bargaining group that employees can participate in are based on job classification, and membership is optional. The two unions and ASPTEA have members in multiple departments (none are solely Public Transit).

Union and collective bargaining agreements are negotiated every two years and are led by the City's Human Resources Department and the City Manager's Office. Both unions and ASPTEA are negotiated separately and have differing benefits and agreements. Each union and ASPTEA have their own representatives for bargaining.

The procedure for review of union contracts follows this process: per the City of Phoenix City Code, Article XVII, Employee Relations, the City Manager, or designee(s) serve as the City's representative(s) in the meet and confer process. The City Manager or designee(s) meet and confer solely with the duly designated representative(s) of authorized employee organizations, and representative(s) of authorized employee organizations meet and confer solely with the designated representative(s) of the City Manager.

Authorized employee organizations submit their proposed memorandum of understanding in writing to the City Manager and present their proposals to the City Council for approval and public comment. Disagreements between the City Council or the employee organization are subject to renegotiation at the request of the City Manager or the authorized employee organization.

When an agreement is reached between the parties, the parties prepare a document containing the terms of the agreement, which is submitted to the authorized employee association and City Manager for approval. If either the authorized employee association or the City Manager fails to accept any part of the agreement, the entire agreement is subject to rediscussing at the request of the City Manager or the authorized employee association.

After the authorized employee organization has approved the proposed memorandum of understanding, it shall be filed with the City Clerk of the City of Phoenix. At the earliest practicable date thereafter, the City Council of the City of Phoenix shall provide on its

agenda an opportunity for public comment on the terms of the memorandum of understanding prior to the Council acting thereon.

[Process and Monitoring of Complaints: \(Citywide A.R. 2.35\)\)](#)

Supervisors, managers, and executives are required to take proactive steps to prevent discrimination and to take prompt corrective action wherever it occurs. Discrimination can occur in any process or function in achieving or maintaining employment, such as in work assignments, working conditions, job classification, disciplinary actions, promotions, salaries, performance ratings, merit pay increases, interpretations of rules and regulations, or other aspects of employment which affects employees or job applicants unequally.

Policy on Prohibited Discrimination and Harassment

The City of Phoenix will not tolerate discrimination, harassment, or retaliation in the workplace. The City is committed to providing a work environment in which all individuals are treated with respect and dignity. Every individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment and retaliation.

The City of Phoenix will not tolerate discrimination or harassment in the workplace. No employee should be subject to inappropriate verbal or physical conduct because of a protected characteristic or be treated with hostility because of their protected characteristic(s). Conversely, no City employees may engage in discrimination or harassment directed towards another employee because of a protected characteristic. This includes supervisors, managers, and executives who are entrusted with the authority to enforce and uphold the policies of the City as described in AR 2.35 (**Attachment 7**).

Supervisors, managers, and executives have a duty to act and are required to take appropriate steps to prevent discrimination and harassment and to take prompt corrective action(s). This includes, at a minimum, contacting the Equal Opportunity Department's Compliance and Enforcement Division (EOD) and/or Human Resources (HR) to report allegations of discrimination or harassment.

City employees and job applicants are urged to file complaints promptly so that issues can be addressed and corrected before the situation deteriorates or escalates. Experience has shown that many problems can be quickly resolved through City administrative channels if addressed early.

The City requires all employees to report conduct that is prohibited, whether or not they are personally involved. Any employee who believes that they have been subjected to prohibited conduct or is aware of others who have been subjected to prohibited conduct needs to report the behavior immediately to EOD, HR, or any supervisor.

If an employee makes a report of behavior prohibited by the City to a supervisor, manager, or executive, that report must immediately be forwarded to EOD or HR. This requirement

applies even if the employee has requested that the report be held in confidence, expressed that they do not want the matter to be investigated, or made any other statements that indicate or imply that they do not want the matter to be handled by EOD or HR.

Supervisors, managers, and executives are required to monitor their respective workplaces and immediately intervene if they believe inappropriate behavior has occurred or is occurring. Any inappropriate behavior that may be perceived as prohibited must be reported to EOD or HR immediately.

For current employees, if there is uncertainty as to whether a situation violates any rights, the concerned individual is encouraged to discuss the matter with HR staff or EOD before determining whether to file a complaint.

Applicants for employment who believe they have been subject to conduct that violates their rights should file their complaints or discuss their concerns with EOD staff.

To the extent that EOD receives a complaint of discrimination from or against a City employee employed by the Public Transit Department (PTD), EOD will utilize a partnership model it has developed to work with other City Departments where there is a legal requirement for direct involvement in EEO investigations. EOD and PTD have agreed that once EOD receives a complaint, EOD will contact PTD's EEO officer and inform that Officer of the complaint. EOD will partner with PTD's EEO Officer on the intake, witness interviews, Respondent interviews, and any other investigative actions. PTD's EEO Officer will also receive a draft of the final investigation for review and comment prior to the investigative report being finalized by EOD.

Where to Make a Report

Any employee who believes that they have been subjected to Prohibited conduct should report it to any supervisor, department management, Human Resources staff, or City management or to EOD at (602) 262-7486 (voice) or via TTY (602)534-1557 or Relay 7-1-1. Complaints may also be made in person during normal business hours at EOD's offices, which are located at 200 West Washington Street, 15th Floor. Complaints may also be made at any time via EOD's intranet site at

<http://insidephx/depts/eod/employee-discrimination-complaint-form>

Applicants for employment should file their complaints or discuss their concerns directly with EOD.

How to Make a Report

Employees should provide a complaint, preferably in writing and as soon as possible following the incident, to any of the following City staff:

- Supervisor or another person in their chain of command,
- Human Resources Staff,
- Professional Standards Bureau,

- Equal Opportunity Department,
- Human Resources Department,
- City Manager's Office, or
- Integrity Line.

Monitoring of Complaints

Prior to the start of an investigation, EOD staff should meet with the appropriate HR staff to determine how to address any alleged violations of this A.R. HR staff may take the lead and investigate the allegation(s) in consultation with EOD staff; EOD staff and HR staff may jointly investigate the allegation(s); or EOD staff may take the lead and investigate the allegation(s) in partnership with HR staff.

Once EOD or HR has completed their investigation, Notice of the conclusion of the investigation will be given to the parties of the complaint, the appropriate Deputy City Manager, the Law Department, the department or function head, and the Human Resources staff.

Appeal of EOD Determination

After EOD or HR has completed its investigation, any of the parties to the complaint may use EOD's Director Appeal Process to appeal the determination. Only an employee who has filed a complaint alleging a violation of A.R. 2.35 or employees who were served with a Notice of Inquiry as part of an investigation into an alleged violation may file an appeal.

For information on how to file an appeal, contact EOD at (602)262-7715, via TTY 7-1-1 or
Email EOD.complaint.enforcement@phoenix.gov

Agency Reporting

The Public Transit Department follows FTA requirements of communicating and monitoring the EEO program.

The Director and EEO Officer will discuss the progress of the EEO Program and the results of outreach, hiring, promotions, and the status of EEO complaints semi-annually. Ongoing issues will be followed up on accordingly.

The EEO Officer and management will meet semi-annually to discuss topics of concern or to update staff on topics. The topics covered will be listed in the meeting summary and the EEO Officer will work with staff for any follow-up actions necessary for open communications with the entire management staff.

The EEO Officer and department HR representative will meet with staff who plan to be hiring in the upcoming six months, at least semi-annually, to review current EEO goals and statistics on employment practices and policies. This will ensure that job descriptions contain the necessary descriptions, that any testing or educational requirements are understood, and that staff who will be hiring are aware of the status of the department's EEO goals.

Attachment 1: **Utilization Analysis of the current workforce**

Attachment 2: **All Job Titles**

Attachment 3: **2024 through 2028 Short-Term and Long-Term Goals**

Attachment 4: **Employment Practices Chart (Hires and Promotions)**

Attachment 5: **Public Transit Org Chart**

Attachment 6: **A.R. 2.324 Policy on Alcohol and Substance Use and Abuse**

Attachment 7: **A.R. 2.35 Equal Opportunity Policy**

Attachment 8: **A.R. 2.51 Employee Development Fund**

Attachment 9: **A.R. 2.281 Management Development Fund**

Attachment 10: **City of Phoenix Personnel Rule 13**

Attachment 11: **City of Phoenix Personnel Rule 14**

Attachment 12: **City of Phoenix Personnel Rule 17**

Attachment 13: **City of Phoenix Personnel Rule 7(g)**

Attachment 14: **EEO Subrecipient Monitoring Schedule**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V
1	Job Category	Salary Range (\$XX,000- XX,000)	Total Workforce					Male					Female									
2	Use EEO-4		All	WM	MM	WF	MF	W	A/AN	B	H/L	A	NHOPI	Multi	W	A/AN	B	H/L	A	NHOPI	Multi	
97	Planned percent increase Year 2																					<-Entry
98	Planned percent increase Year 3																					<-Entry
99	Planned percent increase Year 4																					<-Entry
100																						
101	8 - Service-Maintenance																					
102	Current Workforce		0	0	0	0	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<-Entry
103	Percent in Category	^Entry						0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
104	Percent of Availability							0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	^Entry
107	Percent Underutilized																					
108	Underutilized (Yes/No)							No	No	No	No	No	No	No	No	No	No	No	No	No	No	
109	Number Needed to Reach Parity							-	-	-	-	-	-	-	-	-	-	-	-	-	-	
110	Planned percent increase Year 1																					<-Entry
111	Planned percent increase Year 2																					<-Entry
112	Planned percent increase Year 3																					<-Entry
113	Planned percent increase Year 4																					<-Entry
114																						
115	Notes:																					
116																						
117																						
118																						

Attachment 2

All Job Titles:

Account Clerk III	Senior Info Tech Systems Spec
Accountant III	Senior User Technology Spec
Admin Aide*U7	Special Projects Administrator
Administration Assistant I	Supplies Clerk I*U3
Assistant II	Transit Field Operations Manager
Assistant to the City Manager (NC)	Transit Operations Contract Supervisor
Assistant Director	Transit Superintendent
Budget Analyst II	User Technology Specialist
Chief Engineering Tech*U7	
Clerical Supervisor	
Contract Specialist I	
Contract Specialist II	
Contract Specialist Lead	
Customer Service Clerk	
Deputy Public Transit Director	
Economic Development Pro. Manager	
Equal Opportunity Specialist	
Equipment Analyst	
Facilities Service Coordinator	
Facility Contract Compliance Specialist	
Lead	
Facility Contract Compliance Specialist	
Info Tech Analyst/Program II	
Info Tech Analyst/Program III	
Info Tech Project Manager	
Lead Info Tech Systems Spec	
Management Assistant I	
Management Assistant II	
Municipal Security Guard	
Plan Review Coordinator	
Planner II	
Planner III	
Principal Engineering Tech	
Principal Planner	
Procurement Manager	
Public Information Specialist	
Public Transit Director (NC)	
Quality Assurance Engineer	

Attachment 3

2020 through 2024 Short-Term and Long-Term Goals

Job categories	Positions	Forecasted Short-Term vacancies 2020-2021	Short-Term Goal (2020-2021)	Long-Term Goal (2020-2024)	Minority /Female	Actuals
Officials & Administrators	Special Projects Admin - 1	1 position	Increase 18%	Increase 18%	Female	6 females promoted
Professionals	Various - 10; Planner, Accountant, Admin Asst.	4 positions	Increase 17%	Increase 17%	Female	29 females hired/promoted
Technicians	Engineering Tech - 1	1 positions	Increase 40%	Increase 40%	Female	0 females hired
Administrative Support	Various – 9; Account Clerk, Clerical Supervisor, Customer Service Clerk	3 positions	Increase 12%	Increase 37%	Female	12 females hired/promoted

Four-Fifths Adverse Impact Analysis by Job Category
Hires

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1 - Officials & Administrators																
Number Applied	-	-														
Total Hires	-	-			-	-	-				-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2 - Professionals																
Number Applied	189	174	69	53	2	1	16	36	69	64	12	2	2	1	19	17
Total Hires	4	7	3	1	-	-	1	-	5	1	-	-	-	-	-	-
Selection Rate	2.1%	4.0%	4.3%	1.9%	N/A	N/A	0.0%	2.8%	0.0%	7.8%	8.3%	N/A	N/A	0.0%	0.0%	0.0%
Ratio to Highest Rate	52.6%	100.0%	52.2%	22.6%	N/A	N/A	0.0%	33.3%	0.0%	93.8%	100.0%	N/A	N/A	0.0%	0.0%	0.0%
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	Yes	Yes	No	No	N/A	N/A	Yes	Yes	Yes
3 - Technicians																
Number Applied	-	-														
Total Hires	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4 - Protective Service																
Number Applied	16	4	3	3	-	-	2	1	10	-	1	-	-	-	-	-
Total Hires	2	2	1	-	-	-	1	1	-	-	-	-	-	-	-	1
Selection Rate	12.5%	50.0%	0.0%	33.3%	N/A	N/A	0.0%	100.0%	10.0%	N/A	0.0%	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	25.0%	100.0%	0.0%	33.3%	N/A	N/A	0.0%	100.0%	10.0%	N/A	0.0%	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	No	Yes	N/A	Yes	N/A	N/A	N/A	N/A	N/A
5 - Paraprofessional																
Number Applied	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Hires	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
6 - Administrative Support																
Number Applied	30	46	8	15	-	-	5	2	11	16	-	-	-	-	6	13
Total Hires	3	8	-	-	-	-	2	2	6	1	-	-	-	-	-	-
Selection Rate	10.0%	17.4%	0.0%	0.0%	N/A	N/A	0.0%	100.0%	18.2%	37.5%	N/A	N/A	N/A	N/A	0.0%	0.0%
Ratio to Highest Rate	57.5%	100.0%	0.0%	0.0%	N/A	N/A	0.0%	100.0%	18.2%	37.5%	N/A	N/A	N/A	N/A	0.0%	0.0%
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	No	Yes	Yes	N/A	N/A	N/A	N/A	Yes	Yes
7 - Skilled Craft																
Number Applied	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Hires	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8 - Service-Maintenance																
Number Applied	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Hires	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Notes:

Four-Fifths Adverse Impact Analysis by Job Category
Hires

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
	Total		W		AI/AN		B		H/L		A		NHOPPI		M	
Persons with Disabilities	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	24	12	14	3	-	-	1	3	8	3	-	1	-	-	1	2
Total Hires	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	N/A	0.0%	N/A	N/A	0.0%	0.0%
	Total		W		AI/AN		B		H/L		A		NHOPPI		M	
Veterans	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	40	9	11	3	-	-	6	4	17	-	-	-	-	-	6	2
Total Hires	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-
Selection Rate	2.5%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	N/A	16.7%	0.0%

Notes:

Four-Fifths Adverse Impact Analysis by Job Category
Promotions

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1 - Officials & Administrators																
Number Applied	24	22	9	13			-	5	4	9	5	1	-	-	-	-
Total Promotions	3	6	1	2			-	1			4	-	-	-	-	1
Selection Rate	12.5%	27.3%	11.1%	15.4%	N/A	N/A	20.0%	0.0%	0.0%	80.0%	0.0%	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	45.8%	100.0%	13.9%	19.2%	N/A	N/A	25.0%	0.0%	0.0%	100.0%	0.0%	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	Yes	Yes	No	Yes	N/A	N/A	N/A	N/A	N/A
2 - Professionals																
Number Applied	189	174	69	53	2	1	16	36	69	64	12	2	2	1	19	17
Total Promotions	15	22	9	6	-	-	2	6	4	10	-	-	-	-	-	-
Selection Rate	7.9%	12.6%	13.0%	11.3%	N/A	N/A	12.5%	16.7%	5.8%	15.6%	0.0%	N/A	N/A	N/A	0.0%	0.0%
Ratio to Highest Rate	62.8%	100.0%	78.3%	67.9%	N/A	N/A	75.0%	100.0%	34.8%	93.8%	0.0%	N/A	N/A	N/A	0.0%	0.0%
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	No	Yes	No	Yes	N/A	N/A	N/A	Yes	Yes
3 - Technicians																
Number Applied	14	3	3	-			-	-	7	2	-	-	1	1	3	-
Total Promotions	3	-	1		-	-	-	-	2		-	-	-	-	-	-
Selection Rate	21.4%	0.0%	33.3%	N/A	N/A	N/A	N/A	N/A	28.6%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	N/A
Ratio to Highest Rate	100.0%	NA	100.0%	N/A	N/A	N/A	N/A	N/A	85.7%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	N/A	N/A	No	Yes	N/A	N/A	Yes	Yes	Yes	N/A
4 - Protective Service																
Number Applied	-	-														
Total Promotions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
5 - Paraprofessional																
Number Applied	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Promotions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
6 - Administrative Support																
Number Applied	30	46	8	15	-	-	5	2	11	16	-	-	-	-	6	13
Total Promotions	2	4	1	-	-	-	-	1	1	3	-	-	-	-	-	-
Selection Rate	6.7%	8.7%	12.5%	0.0%	N/A	N/A	0.0%	50.0%	9.1%	18.8%	N/A	N/A	N/A	N/A	0.0%	0.0%
Ratio to Highest Rate	76.7%	100.0%	25.0%	0.0%	N/A	N/A	0.0%	100.0%	18.2%	37.5%	N/A	N/A	N/A	N/A	0.0%	0.0%
Potential Adverse Impact (Yes/No)	Yes	No	Yes	Yes	N/A	N/A	Yes	No	Yes	Yes	N/A	N/A	N/A	N/A	Yes	Yes
7 - Skilled Craft																
Number Applied	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Promotions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8 - Service-Maintenance																
Number Applied	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Promotions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Highest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Notes:

Four-Fifths Adverse Impact Analysis by Job Category
Promotions

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOPPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F

Persons with Disabilities	Total		W		AI/AN		B		H/L		A		NHOPPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	24	12	14	3	-	-	1	3	8	3	-	1	-	-	1	2
Total Promotions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Selection Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	N/A	0.0%	N/A	N/A	0.0%	0.0%
Veterans	Total		W		AI/AN		B		H/L		A		NHOPPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Number Applied	40	9	11	3	-	-	6	4	17	-	-	-	-	-	6	2
Total Promotions	1	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-
Selection Rate	2.5%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	5.9%	N/A	N/A	N/A	N/A	N/A	0.0%	0.0%

Notes:

Four-Fifths Adverse Impact Analysis by Job Category
Disciplines

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHOP		M		
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
1 - Officials & Administrators																	
Total Workforce	6	5	1	3				1	-	3	2	-	-	-	1	-	
<Enter Discipline Type>	1	-						1				-	-	-	-	-	
Discipline Rate	16.7%	0.0%	0.0%	0.0%	N/A	N/A	100.0%	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	0.0%	100.0%	100.0%	100.0%	N/A	N/A	0.0%	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	Yes	N/A	No	No	N/A	N/A	N/A	N/A	No	N/A	
<Enter Discipline Type>	-	-						-		-		-	-	-	-	-	
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	N/A	No	No	N/A	N/A	N/A	N/A	No	N/A	
<Enter Discipline Type>	-	-						-		-		-	-	-	-	-	
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	N/A	No	No	N/A	N/A	N/A	N/A	No	N/A	
<Enter Discipline Type>	-	-						-		-		-	-	-	-	-	
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	N/A	No	No	N/A	N/A	N/A	N/A	No	N/A	
<Enter Discipline Type>	-	-						-		-		-	-	-	-	-	
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	N/A	No	No	N/A	N/A	N/A	N/A	No	N/A	
2 - Professionals																	
Total Workforce	35	37	14	13				1	7	16	16	2	1	-	-	2	-
<Enter Discipline Type>	2	-						-	2	-	-	-	-	-	-	-	-
Discipline Rate	5.7%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	12.5%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	0.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	0.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	N/A	No	No	No	No	N/A	N/A	N/A	No	N/A	
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-	-	
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	N/A	No	No	No	No	N/A	N/A	N/A	No	N/A	
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-	-	
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	N/A	No	No	No	No	N/A	N/A	N/A	No	N/A	
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-	-	
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	N/A	No	No	No	No	N/A	N/A	N/A	No	N/A	
3 - Technicians																	
Total Workforce	4	1	1					-	-	3	1	-	-	-	-	-	-
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-	-	-
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	0.0%	0.0%	N/A	N/A	N/A	0.0%	N/A	

Four-Fifths Adverse Impact Analysis by Job Category
Disciplines

Ratio to Lowest Rate	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
4 - Protective Service															
Total Workforce	7	3	1	1			1	1	3	1	1	-	-	-	1
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	N/A	N/A	No	N/A
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	N/A	N/A	No	N/A
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	N/A	N/A	No	N/A
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	No	N/A	N/A	No	N/A
5 - Paraprofessional															
Total Workforce	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<Enter Discipline Type>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Discipline Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Four-Fifths Adverse Impact Analysis by Job Category Disciplines

Four-Fifths Adverse Impact Analysis by Job Category
Disciplines

Ratio to Lowest Rate	N/A														
Potential Adverse Impact (Yes/No)	N/A														
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-
Discipline Rate	N/A														
Ratio to Lowest Rate	N/A														
Potential Adverse Impact (Yes/No)	N/A														
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-
Discipline Rate	N/A														
Ratio to Lowest Rate	N/A														
Potential Adverse Impact (Yes/No)	N/A														
8 -Service-Maintenance															
Total Workforce	-	-	-					-	-	-	-	-	-	-	-
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-
Discipline Rate	N/A														
Ratio to Lowest Rate	N/A														
Potential Adverse Impact (Yes/No)	N/A														
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-
Discipline Rate	N/A														
Ratio to Lowest Rate	N/A														
Potential Adverse Impact (Yes/No)	N/A														
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-
Discipline Rate	N/A														
Ratio to Lowest Rate	N/A														
Potential Adverse Impact (Yes/No)	N/A														
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-
Discipline Rate	N/A														
Ratio to Lowest Rate	N/A														
Potential Adverse Impact (Yes/No)	N/A														
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-
Discipline Rate	N/A														
Ratio to Lowest Rate	N/A														
Potential Adverse Impact (Yes/No)	N/A														
<Enter Discipline Type>	-	-						-	-	-	-	-	-	-	-
Discipline Rate	N/A														
Ratio to Lowest Rate	N/A														
Potential Adverse Impact (Yes/No)	N/A														

Notes:

Four-Fifths Adverse Impact Analysis by Job Category
Terminations

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1 - Officials & Administrators																
Total Workforce	6	5	1	3			1	-	3	2	-	-	-	-	1	-
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	N/A	No	No	N/A	N/A	N/A	N/A	No	N/A
2 - Professionals																
Total Workforce	35	37	14	13			1	7	16	16	2	1	-	-	2	-
Total Involuntary Terminations	1	-					-	-	1	-	-	-	-	-	-	-
Involuntary Termination Rate	2.9%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	6.3%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	0.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	0.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	N/A	N/A	N/A	N/A	No	N/A
3 - Technicians																
Total Workforce	4	1	1				-	-	3	1	-	-	-	-	-	-
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	N/A	0.0%	0.0%	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	N/A	100.0%	100.0%	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	No	No	No	N/A	N/A	N/A	N/A	N/A	No	No	N/A	N/A	N/A	N/A	N/A	N/A
4 - Protective Service																
Total Workforce	7	3	1	1			1	1	3	1	1	-	-	-	1	-
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	N/A
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	N/A
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	No	N/A	N/A	N/A	N/A	No	N/A

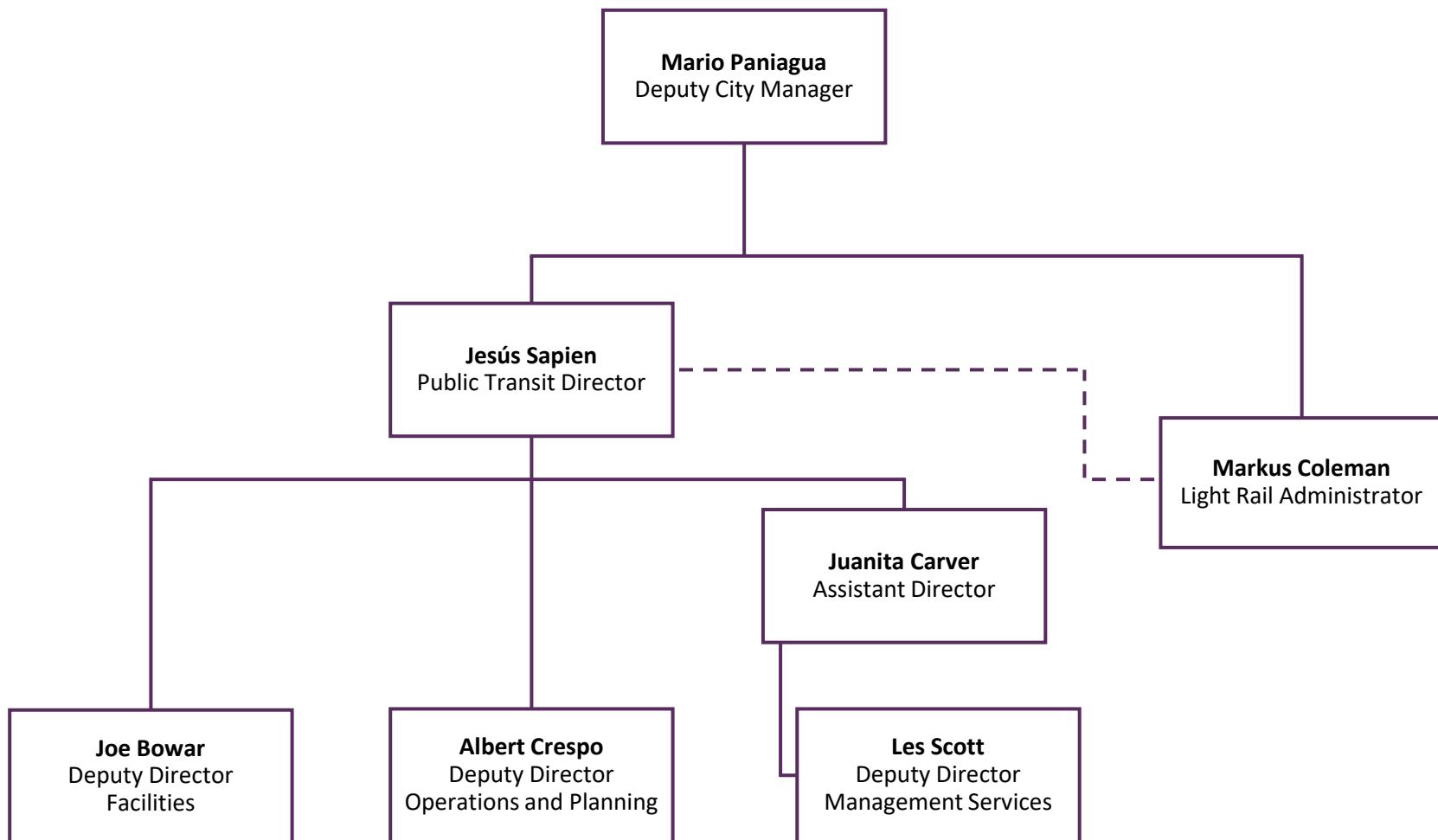
Four-Fifths Adverse Impact Analysis by Job Category
Terminations

Job Category (Use EEO-4)	Total		W		AI/AN		B		H/L		A		NHPI		M	
	Male	Female	M	F	M	F	M	F	M	F	M	F	M	F	M	F
5 - Paraprofessional																
Total Workforce	-	-					-	-	-	-	-	-	-	-	-	-
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
6 - Administrative Support																
Total Workforce	8	12	2	1			-	3	5	8	-	-	-	-	1	-
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	0.0%	0.0%	0.0%	0.0%	N/A	N/A	0.0%	0.0%	0.0%	N/A	N/A	N/A	N/A	0.0%	N/A	
Ratio to Lowest Rate	100.0%	100.0%	100.0%	100.0%	N/A	N/A	100.0%	100.0%	100.0%	N/A	N/A	N/A	N/A	100.0%	N/A	
Potential Adverse Impact (Yes/No)	No	No	No	No	N/A	N/A	No	No	No	N/A	N/A	N/A	N/A	No	N/A	
7 - Skilled Craft																
Total Workforce	-	-					-	-	-	-	-	-	-	-	-	-
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8 - Service-Maintenance																
Total Workforce	-	-					-	-	-	-	-	-	-	-	-	-
Total Involuntary Terminations	-	-					-	-	-	-	-	-	-	-	-	-
Involuntary Termination Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ratio to Lowest Rate	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Potential Adverse Impact (Yes/No)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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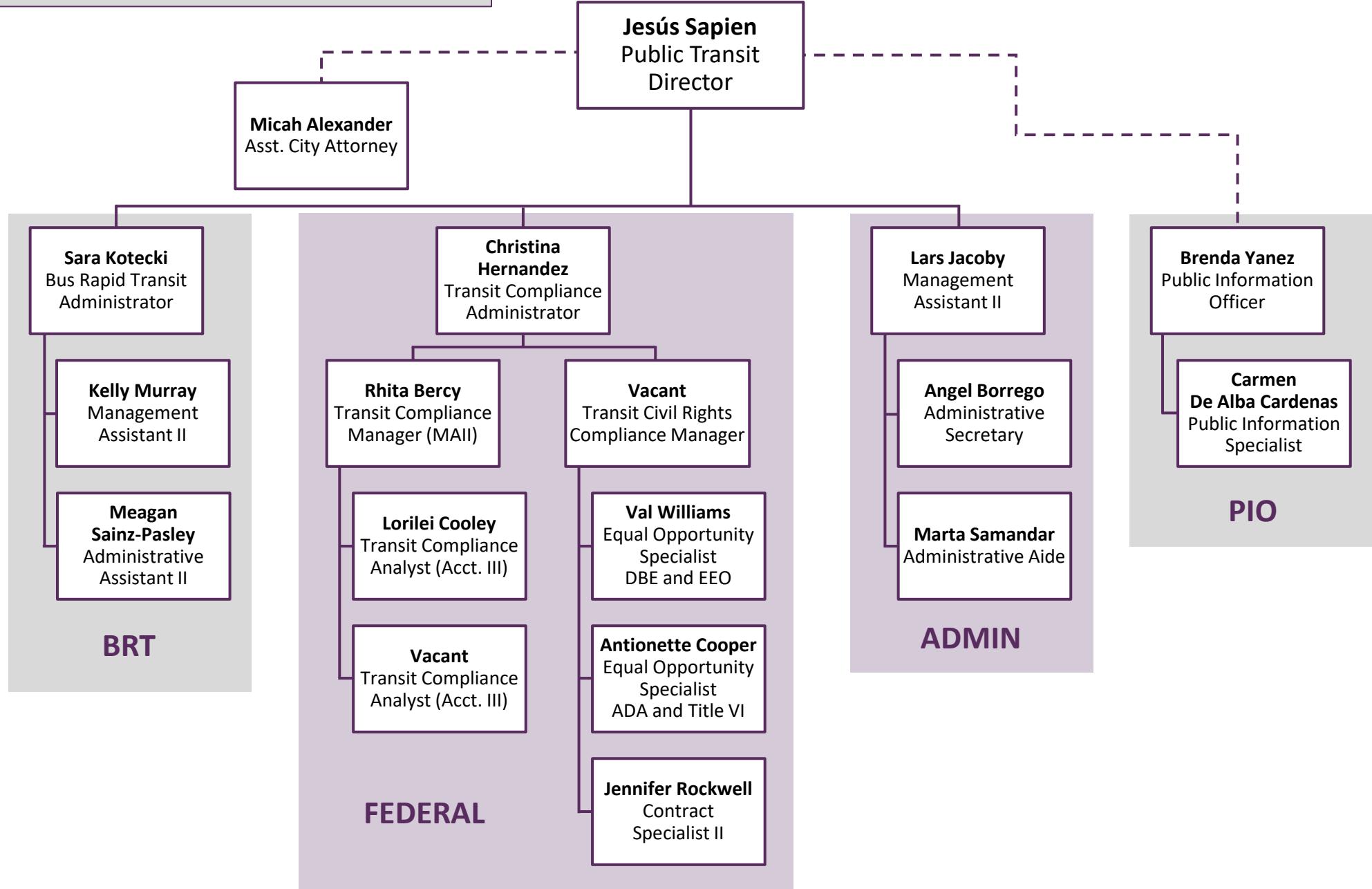
Public Transit Department Leadership

Attachment 5 pg. 1 of 6



Director's Office

Attachment 5 pg. 2 of 6



Assistant Director's Office

Attachment 5 pg. 3 of 6

Juanita Carver
Assistant Public
Transit Director

Les Scott
Deputy Director

Mgmt. Svcs.
see next page

Cathy Lonnegren
Procurement
Administrator
(SPA)

Vacant
Procurement
Manager

David Koehler
Contract Spec.
II Lead

Conner Exline
Contract
Specialist II

Tasia Grzecka
Contract
Specialist II

Wendy Miller
Grants
Administrator
(SPA)

Stephanie Rangel
Management
Assistant II

Leticia Coreas
Budget
Analyst II

Vivian Ybanez
Accountant III

Lanelle Leonard
Management
Assistant I

Eleanor Perez
Management
Assistant I

CONTRACTS

**GRANTS
MANAGEMENT**

Aarti Dua
Lead Info. Tech.
Systems Spec.

Amandeep Singh
Sr. Info. Tech.
System Spec.

Robert Angel
Sr. Info. Tech.
System Spec.

Keith Higbee
Sr. Info. Tech.
System Spec.

Ogi Okwumabua
Lead User
Tech. Spec.

Valerie Fung
IT Analyst/
Programmer III

Maylene Cazares
Administrative
Assistant I

Kevin Dobbins
Sr. User
Tech. Spec.

Bill Morwood
Sr. User
Tech. Spec.

Alvaro Olmos
User
Tech. Spec.

Ed Amavisca
IT Analyst/
Programmer III

Amanda Pilcher
IT Analyst/
Programmer II

Donald Utterback
IT Analyst/
Programmer II

Joshua Ryan
IT Analyst/
Programmer II

TECHNOLOGY

Management Services

Attachment 5 pg. 4 of 6

Les Scott
Deputy Director

TRANSIT CENTERS & REVENUE

Walter McDaniel
Facilities Coordinator

Terrence McKnight
Facilities Srvc. Coordinator

Shawntanette Copeland-Roper
Clerical Supervisor

Alycia Madrigal
Customer Service Clerk

Vacant
Customer Service Clerk

Rafael Santiago
Clerical Supervisor

Rose Mary Purnell
Customer Service Clerk

Iris Lucas
Customer Service Clerk

Catalina Angel
Customer Service Clerk

Nicole Steward
Customer Service Clerk

Alicia Sanchez-Trevino
Customer Service Clerk

Arthur Quintero
Supplies Clerk III

Janette Araujo
Supplies Clerk I U3

Charles Palmer
Supplies Clerk I U3

Karen Sypniewski
Fare Collection Administrator

Donita Pena
Accountant II

Eric Baca
Account Clerk III

Adrianna Gonzales
Account Clerk III

Antionette Bates
Dept. Budget Supervisor

Dawn Gano
Budget Analyst II

Chantal Menard
Budget Analyst II

Candice Buenabenta
Accountant I

Peter Baca
Account Clerk III

Vacant
Account Clerk III

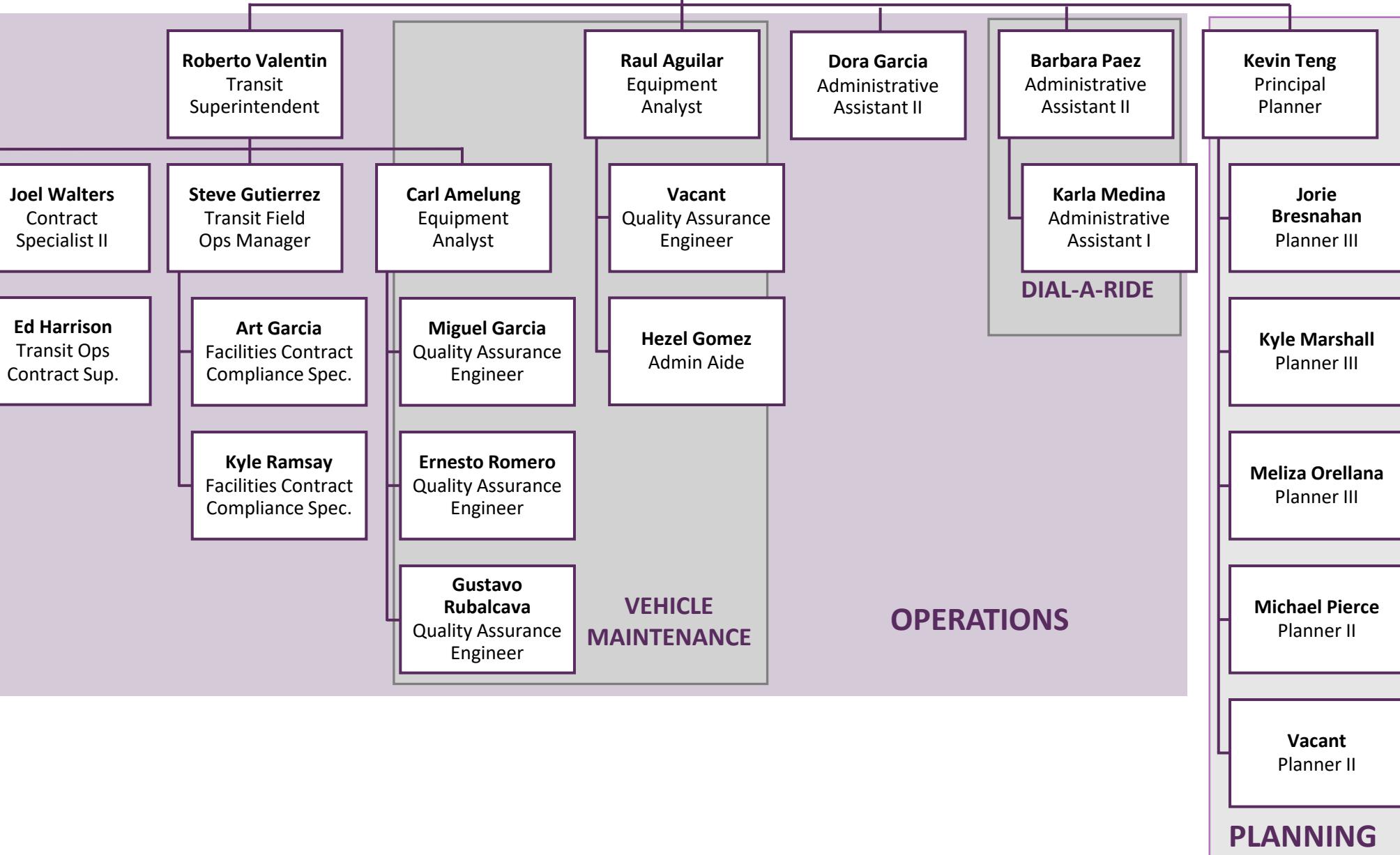
FARE MEDIA PROGRAMS

FISCAL SERVICES

Operations and Planning

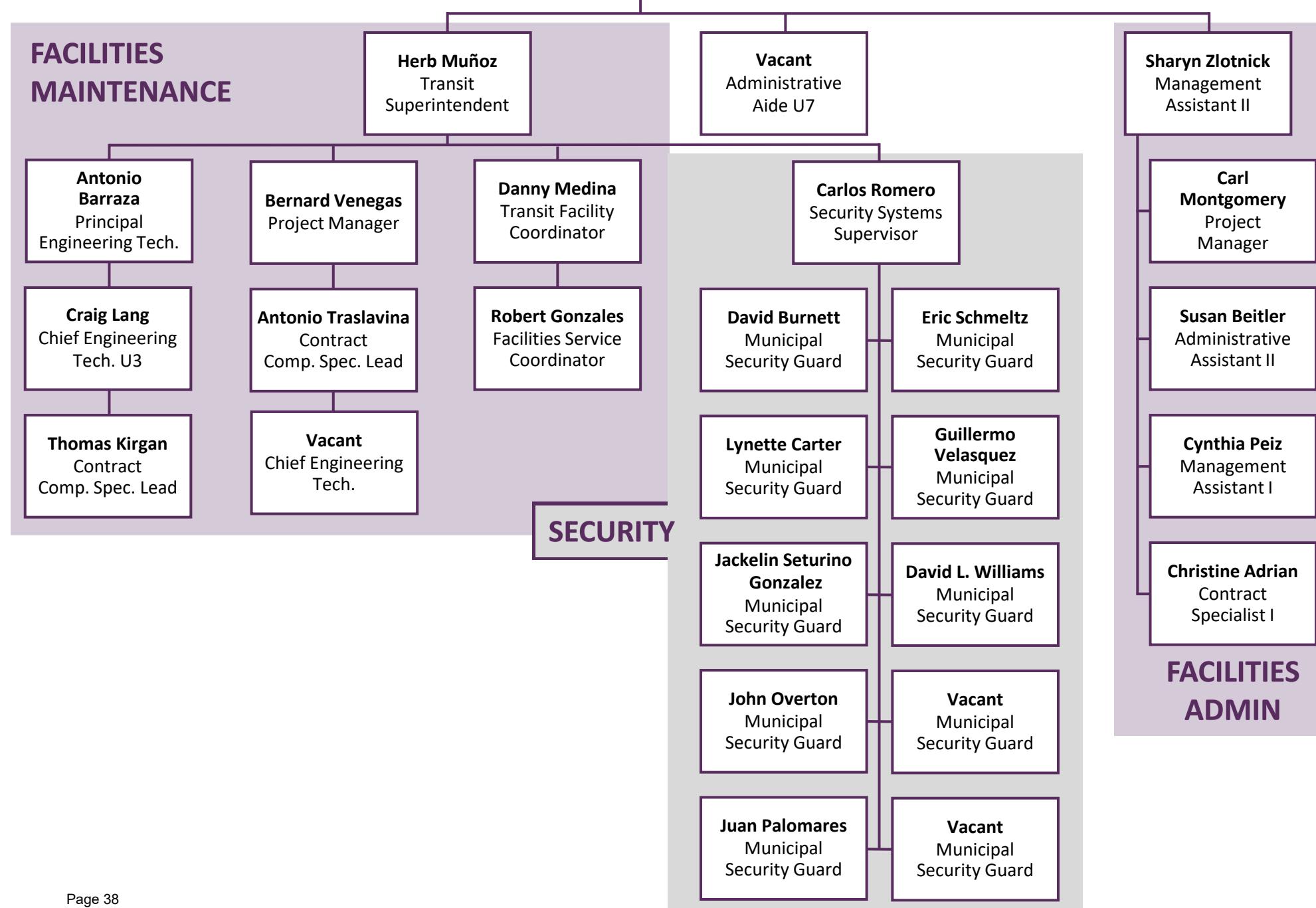
Attachment 5 pg. 5 of 6

Albert Crespo
Deputy Director



Facilities

Attachment 5 pg. 6 of 6





City of Phoenix

ADMINISTRATIVE REGULATION		A.R. NUMBER 2.324 Revised
SUBJECT POLICY ON ALCOHOL AND SUBSTANCE USE AND ABUSE		FUNCTION Human Resources and Payroll Page 1 of 10
		EFFECTIVE DATE October 24, 2022
		REVIEW DATE

Summary of Changes

This Administrative Regulation was last revised in 2021. This AR has been revised to clarify the requirements of the federal Drug-Free Workplace Act of 1988.

I. PURPOSE

The City of Phoenix (“City”) recognizes that its employees are its most important resource. The purpose of this AR is to outline the City policy regarding alcohol and substance use and abuse, and to provide guidance to supervisors in addressing these issues.

In 1988, Congress enacted the Drug-Free Workplace Act (“Act”). The Act requires that an organization receiving federal grants maintain a drug-free workplace.

Under the Act, as a condition of employment, each employee must abide by the terms of the following Drug-Free Workplace Statement:

Employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or unauthorized use of a controlled substance in the workplace. Employees must notify the City in writing of a conviction for violating any criminal drug statute in the workplace no later than 48 hours after the conviction.

A violation of this Statement is grounds for discipline up to and including dismissal.

The City also recognizes that alcohol and substance abuse may sometimes be successfully treated, enabling the employee to return to a satisfactory job performance level.

II. SCOPE

- A. This AR applies to all City employees.
- B. City Departments, including but not limited to Fire, Police, Aviation and Water, may have specific government or departmental regulations governing substance use and abuse. In these cases, their employees are also subject to those departmental regulations.

- C. All employees are prohibited from using, possessing or being impaired by marijuana while conducting City business; on business hours; on overtime; on paid standby/on-call duty; on lunch and breaks; or at a City worksite.
- D. Employees who occupy positions regulated by the federal government and certain federally funded positions are subject to specific City and federal requirements and procedures related to substance use and abuse. For example, the Federal Motor Carrier Safety Administration (FMCSA) policy that governs the City's CDL drivers and the Federal Aviation Administration policy that governs employees who service/repair or operate aircraft prohibit the on-duty or off-duty use of controlled substances, including marijuana.
- E. Employees who possess firearms or ammunition as part of their job duties (e.g., sworn ranks in the Police Department and AZ Post Certified Fire Department arson investigators) are prohibited from using controlled substances, including marijuana, on or off duty.
- F. Other Police Department positions, including positions in the Crime Lab, Communications and Property Management are also prohibited from using controlled substances, including marijuana, on or off duty. The Police Department's Operations Orders list specific positions that are prohibited from using marijuana on or off duty.
- G. Employees who do not occupy positions that prohibit the off-duty use of marijuana must not use marijuana off duty in any way that could cause impairment at work or would adversely impact job safety, job performance, or customer service.

III. POLICY

- A. It is the employee's responsibility to demonstrate satisfactory job performance at all times.
- B. The City recognizes that alcohol and substance use and abuse may have an adverse effect on job performance.
- C. Employees are prohibited from reporting to work when their mental or physical capacities are impaired by alcohol or any substance, including but not limited to: over-the-counter medications, prescription medications, marijuana, controlled substances, or any synthetic or designer drugs that mimic the effects of controlled substances. Employees should discuss the potential side effects of their medications with their medical providers. Reporting to work impaired may subject the employee to appropriate disciplinary action.
- D. Under no circumstance will an employee be allowed to operate equipment or drive a motor vehicle when there is a good faith belief that the employee's ability to do so is impaired.
- E. The use, possession, sale, transfer, or purchase of alcohol, human growth hormones, marijuana in any form, or controlled substances without a valid prescription are prohibited whenever an employee is: conducting City business; on business hours; on overtime; on paid standby/on-call duty; on lunch and breaks; or at a City worksite. Controlled substances include, but are not limited to: anabolic steroids, Oxycontin, Morphine, Percocet, Demerol, Valium, Soma, Ambien, etc. or any synthetic or designer drugs that mimic the effects of a

controlled substance. Any such use, possession, sale, transfer or purchase shall be grounds for discipline up to and including dismissal.

- F. The use or possession of controlled substances with a valid prescription may be permissible if the substance does not impair job performance. The misuse of controlled substances with a valid prescription or the use of controlled substances with the knowledge that it will likely impair job performance may also subject the employee to appropriate disciplinary action.
- G. In situations involving employees with impairments that constitute disabilities under federal or state law, the City will act in accordance with those laws.
- H. An employee who reports to work and appears to be impaired by alcohol or any substance will be subject to reasonable cause testing.
- I. Refusal to submit to reasonable cause testing will subject the employee to disciplinary action up to and including dismissal.
- J. Any attempt to adulterate, dilute, substitute, contaminate, or in any way tamper with or affect the outcome of the alcohol or drug test procedure will subject the employee to dismissal.
- K. No employee shall purchase or consume illegal substances or marijuana while dressed in a City-issued uniform or wearing City-issued badges or public safety patches. Unless prior authority is received for certain special events or other City-sponsored activities, employees shall not purchase or consume alcoholic beverages while dressed in a City-issued uniform or wearing City-issued badges or public safety patches.
- L. Employees who are concerned about their alcohol or substance use are strongly encouraged to voluntarily seek assistance. The Employee Assistance Program (EAP) is available as a resource for all employees. An employee's job security or promotional opportunities will not be jeopardized by the voluntary utilization of the EAP or any other treatment services.
- M. Supervisors are encouraged to inform employees of the availability of EAP services when deteriorating or unsatisfactory job performance does not respond to usual supervisory actions, or when a specific on-the-job incident is cause for concern. A supervisor should not attempt to diagnose an employee's problems. The supervisor's role is to monitor job performance and make a supervisory referral, if appropriate.
- N. Confidentiality is an essential element of both the EAP and substance abuse treatment. Any employee violating this confidentiality will be subject to disciplinary action.
- O. An employee's use of a substance abuse treatment program does not replace normal disciplinary procedures for unsatisfactory job performance, inappropriate conduct, or unprofessional behavior.

IV. TYPES OF TESTING

A. **Pre-Employment** – As a condition of employment, new City employees in specific job categories must pass a pre-employment urine drug screen prior to beginning employment with the City. See the Addendum attached to this AR for a listing of the specific job categories that require a pre-employment urine drug screen prior to beginning employment with the City.

In addition, current City employees who are moved into a position that requires a CDL will be required to pass a pre-employment drug screen and breath alcohol test in compliance with federal mandates.

1. A candidate who completes a pre-employment urine drug screen must start employment with the City within 30 calendar days of the initial urine drug screen. If the candidate does not begin employment within 30 calendar days, the candidate will be required to complete another pre-employment drug screen on the 31st day or after. An extension to the 30 calendar day requirement may be granted by the Human Resources Director under certain circumstances.
2. In certain instances, a pre-employment urine drug screen can be administered in other states in order to accommodate those candidates who reside outside the State of Arizona. The department's human resources liaison will work with the Alcohol and Drug Testing Coordinator to schedule out-of-state testing.
3. Those candidates who are unable to complete a urine drug screen due to an existing long or short-term medical condition will be required to complete another form of pre-employment drug screen as a condition of employment, which could include a saliva or blood draw test. This type of testing is an exception and will be used only in medically confirmed and well-documented instances.

B. **Reasonable Cause** – The City, as an employer, has an obligation to ensure the safety of its employees and the general public. Reasonable cause drug and alcohol testing may be conducted when one supervisor (or two supervisors when feasible) has observed and documented conduct or behavior that may signal impairment of an employee in the workplace. Reasonable cause drug and alcohol testing may be conducted when the City receives reliable information regarding an employee and his/her use of alcohol or a substance that causes impairment while conducting City business; on business hours; on overtime; on paid standby/on-call duty; on lunch and breaks; or at a City worksite.

C. **Follow-up** – An employee who tests positive for drugs or alcohol may be offered the opportunity to sign a Last Chance Employment Agreement which will set the terms and conditions of continued employment. An employee's refusal to sign or abide by the agreement will result in termination of employment. The employee will be subject to follow-up drug or alcohol testing as prescribed by a City designated Substance Abuse Professional (SAP) after successfully completing a rehabilitation program and producing a negative return to work drug or alcohol test result. The SAP will determine the type and duration of the follow-up schedule.

An employee who tests positive while on initial probation does not qualify for a Last Chance Agreement, and the employee will be terminated.

- D. **Random** – Employees who are in positions or want to remain eligible to work out of class in positions regulated by the federal government (including positions that require a CDL and positions that service, repair or operate an aircraft) are federally mandated to complete random drug and alcohol testing. Employees in sworn Police positions are subject to random drug and alcohol testing as prescribed by their departmental policies.
- E. **Post-Accident** – Employees involved in accidents may be required to complete post-accident drug and alcohol testing if the employee's conduct or behavior at the accident scene leads supervisors to suspect possible impairment. Employees who are in positions that require a CDL are federally mandated to complete drug and alcohol testing when involved in a vehicular accident and when certain criteria are met. These criteria are listed in the City of Phoenix Alcohol and Drug Testing Programs and CDL FMCSA policy.
- F. **Return to Work** – Return-to-work drug tests may be administered to employees who use substances, including marijuana, that could impair job performance, and to employees in CDL positions who are off work for 30 days or more and have not been subject to random testing during that time. These employees will not be allowed to return to work until the City has received negative drug test results.

V. SUBSTANCES TESTED FOR AND CONCENTRATION CUTOFF LEVELS

The City tests for the following substances during pre-employment, reasonable cause, follow-up, random, post-accident, and return to work tests:

1. Cannabinoids (Marijuana)*	4. Phencyclidine (PCP)
2. Cocaine	5. Amphetamines
3. Opiates	

In addition, City employees may be tested for anabolic steroids during reasonable cause tests. The Police and Fire departments may also include anabolic steroid testing in their pre-employment tests, and the Police Department may include anabolic steroid testing in its random drug and alcohol testing program.

The City reserves the right to test for substances other than those listed above with prior notice.

When a breath alcohol test is administered during a reasonable cause, follow-up, random, post-accident, or return to work test, an alcohol concentration level of 0.02 or higher will be considered positive. The concentration and cut-off levels for the substances tested follow the standards set by the FMCSA.

*Only included in pre-employment tests for certain positions (see the addendum attached to this A.R.)

VI. EMPLOYEE RESPONSIBILITIES AND RIGHTS

- A. All City employees are expected to report to work in a state of readiness to perform their job duties and responsibilities.
- B. Employees are prohibited from reporting to work under the influence of alcohol or any substances, including over-the-counter or prescription medications, that impair job performance or present a hazard to their co-workers or the public. Employees should discuss the potential side effects of their medications with their medical providers.
- C. Employees who report to work while impaired by alcohol, over-the-counter medications, prescription medications, marijuana, controlled substances, or any synthetic or designer drugs that mimic the effects of a controlled substance are subject to disciplinary action.
- D. Employees who hold positions with disclosure requirements, as set forth in the attached Addendum, and who use substances, including over-the-counter medications or prescribed medications, that could impair their job performance shall report their use of the substances to their supervisor or their department human resources liaison.
- E. Employees who hold positions with disclosure requirements, as set forth in the attached Addendum, and who use medical marijuana, must disclose such use and present a valid medical marijuana card issued by the State of Arizona to their supervisor or their department human resources liaison. An employee will not be discriminated against, penalized, or disciplined based solely on his/her status as a medical marijuana card holder or a positive drug test for marijuana metabolites.
- F. If an employee uses a substance that could impair job performance, they will be removed from the position until they have stopped using the substance and have passed a return-to-work drug test.
- G. All employees play an important role in ensuring a safe workplace. If employees observe impairment or dangerous behaviors on the job, they should report their observations to their supervisor or department human resources liaison.
- H. Testing of employees will be conducted on City time and paid for by the City.
- I. Upon request, an employee will be given his/her written drug or alcohol test results, in accordance with the City's records retention policy.
- J. Upon request, test results will be explained to an employee in a confidential setting.
- K. Upon request, an additional test of the split sample will be performed, if available. The City will pay the cost of the split sample test. If the employee requests underlying data from the split sample test, the employee may be required to cover the cost of obtaining such data.

- L. All communication received by the City relevant to drug or alcohol test results is confidential and will be used only in accordance with and as permitted by federal and state laws.

VII. EMPLOYEE ASSISTANCE

- A. Employees who are concerned about their alcohol or substance use are strongly encouraged to voluntarily seek assistance. A City employee assistance program (EAP) is available as a resource for all employees. EAP contact information can be obtained from the Human Resources Department or a department human resources liaison.
- B. EAP is available for assessment, referral to treatment, and follow-up. Any employee of the City of Phoenix wishing confidential assistance for a possible alcohol or substance use problem can call EAP to schedule an appointment with a counselor.

All self-referral contacts are held in confidence by EAP unless the employee requests, through a specific written release of information, that the department, supervisor, union, or other parties be notified. If the problem involves danger to the employee, co-workers, or to the public, the EAP counselor shall notify the City.

- C. An employee can schedule an appointment with EAP on his/her own time (days off, before or after the work shift, during lunch break) without notifying anyone in the department.
 - 1. **City Time** – An employee can schedule EAP appointments on City time with the approval of his/her supervisor. An employee may use EAP on City time for up to three visits per calendar year, with the supervisor's prior approval for scheduling purposes. It is not necessary or required to let the supervisor know the purpose of EAP visits. EAP counselors may request approval for additional visits on City time. This approval is at the discretion of the immediate supervisor, in consultation with the department human resources liaison, based on the needs of the employee and the work unit's operation.
 - 2. **Leave Request** – If an employee requires leave for voluntary substance abuse treatment, he/she can follow established Human Resources policy concerning sick leave usage. If an employee requests that the purpose of the sick leave not be disclosed to his/her immediate supervisor, the doctor's medical slip can be processed directly through his/her department human resources liaison. The department head or designee shall maintain confidentiality regarding the reason for the leave when advising the supervisor of the employee's time away.
 - 3. **Health Insurance** – Health insurance coverage applies to substance abuse treatment within the terms of the plan in which the employee is enrolled. The employee assumes the financial responsibility for all services that are not covered by insurance.

VIII. SUPERVISORY RESPONSIBILITIES

If a supervisor has a good faith belief that an employee is impaired by alcohol or any substance when reporting for work or during the work shift, the supervisor has a responsibility to investigate the employee's condition and relieve the employee of his/her duties if appropriate. An employee

who may be impaired by alcohol or any substance must not be allowed to continue to work, to operate or drive vehicles or equipment on the job, or to drive a private vehicle from the work site.

- A. Managers, supervisors, union representatives and other employee representatives play a key role in the implementation and monitoring of an alcohol and substance use and abuse policy. Education and training are critical to facilitate the understanding and management of performance problems resulting from alcohol and substance use and abuse.
- B. It is the responsibility of supervisors at every level to monitor employee job performance and conduct and take appropriate action if impairment on the job is suspected.
- C. Supervisors are encouraged to inform employees of the availability of EAP when deteriorating or unsatisfactory job performance does not respond to usual supervisory actions, or when a specific on-the-job incident is cause for concern. A supervisor should not attempt to diagnose an employee's problems. Supervisors should consult with their department's human resources liaison when scheduling EAP for their employees.
- D. Observation – If a supervisor observes an employee who appears to be impaired by alcohol or any substance, he/she should, if feasible, seek the opinion of at least one additional supervisor or management representative. Reasonable cause should exist before requesting the employee to take a urine drug screen and a breath alcohol test. Reasonable cause testing may be conducted when any of the various symptoms or behaviors listed below are observed and documented:
 - slurred speech
 - red eyes
 - dilated pupils
 - incoherence
 - unsteadiness on feet, including difficulty walking or standing
 - smell of alcohol or marijuana coming from the employee's body
 - inability to carry on a rational conversation
 - irrational, erratic, or unusual behavior
 - increased carelessness
 - sleeping on the job
 - inability to perform job duties
 - negligence or carelessness in operating equipment or machinery
 - inexplicable/uncontrollable rage
 - disregard for the safety of the employee or others
 - involvement in an accident that results in serious damage to equipment, machinery, property, or injury to the employee or others
 - reliable information or a report by a person who witnessed the employee use or possess drugs or drug paraphernalia at work
 - other symptoms, behaviors or physical changes causing a reasonable suspicion of the use of alcohol or substances that impair performance

The list of factors or behaviors is not all-inclusive and may include other symptoms or behaviors. The supervisor must document these observations in writing. A copy of this document will be provided to the employee upon request.

E. **Referral for Testing** – If the supervisor determines that reasonable cause exists, the employee should not be allowed to drive. The employee will be directed to accompany the supervisor or use other transportation to the City-contracted drug/alcohol screening center for a urine drug screening and breath alcohol test to determine fitness for duty.

Each employee is hereby informed that:

- The tests will be conducted on City time, paid for by the City, and are part of the employee's job requirements.
- Refusal to take the test or sign the release of information forms may result in disciplinary action up to and including dismissal.
- The employee will not be allowed to drive home. (Supervisors may work with the employee to arrange for alternate transportation home.)
- The employee will be placed on an at-home administrative work assignment until the results of the test are received by the City.
- Employees who refuse to take the test will be placed on unpaid leave pending appropriate disciplinary action.

F. **Test Results** – An employee who tests positive for alcohol during a random, reasonable cause, follow-up, post-accident, or return to work test shall be considered unfit for work and shall be relieved from duty that day. The employee will not be allowed to drive home from the screening center. The employee will be placed on at-home work assignment until the results of the drug test have been received.

G. A supervisor who observes an employee using, possessing, selling, transferring or purchasing alcohol or substances that could impair performance while on the job should take immediate and appropriate action, which may include contacting the Police Department. Observations about the employee's behavior, as well as the discussions and contacts with him or her should be documented in writing. The supervisor should immediately report these observations to his/her own supervisor and the department's human resources liaison for guidance. The Alcohol and Drug Testing Office also should be contacted immediately.

H. **Positive Test Results (includes Refusal to Submit)** – If the employee tests positive for alcohol or drugs, the following actions will occur:

1. The department will contact the Human Resources Department to discuss the appropriate level of disciplinary action; and
2. The employee will be referred to a City designated Substance Abuse Professional (SAP) who will make the assessment and determination of the appropriate rehabilitation and treatment program. During the rehabilitation and treatment program, an employee may be placed on FMLA or, if not eligible for FMLA, may use accrued vacation or compensatory time until the employee has completed the rehabilitation program and has a negative result on the return to work alcohol and drug test. If the employee does not

have accrued leave available, the employee will be placed in a non-paid leave status. Any required follow-up appointments will be held during the employee's non-work hours and the employee will not be paid for the follow-up appointments.

IX. COMPLIANCE AND ENFORCEMENT

Employees must comply with federal, state, and local laws and regulations and all City policies, including this Administrative Regulation and any other policy, standard or procedure related to alcohol and drug testing. Employees who fail to comply with these requirements will be subjected to disciplinary action up to and including dismissal.

All alcohol and drug testing records are kept in separate confidential files maintained by the Human Resources Department's Alcohol and Drug Testing Coordinator or designee.

X. QUESTIONS

Questions regarding this AR should be directed to the Human Resources Department at (602) 495-5700.

FOR JEFFREY BARTON, City Manager

By: 
Ginger Spencer
Deputy City Manager

ADDENDUM – AR 2.324 POLICY ON SUBSTANCE ABUSE
Drug Testing/Disclosure Categories

Position/Function	Pre-Employment Testing and Required Disclosure of Substances that May Impair Performance (Sections IV(A), VI(D), VI(E))	Reasonable Cause Testing	Follow-Up Testing	Random Testing	Post Accident Testing (Federally Mandated)
Federally Regulated Positions (CDL operators and positions that service/repair or operate aircraft) *	✓	✓	✓	✓	✓
Access to criminal justice information**	✓	✓	✓		
Access to drug / medical information**	✓	✓	✓		
Occupies a Driving Position***	✓	✓	✓		
Works with gases / hazardous materials	✓	✓	✓		
Assigned to Homeland Security**	✓	✓	✓		
Regularly/directly works with children or vulnerable adults	✓	✓	✓		
Sworn Police Officers*	✓	✓	✓	✓	
Sworn Firefighters	✓	✓	✓		
POST-certified arson investigators*	✓	✓	✓		
Assigned to the Crime Lab*	✓	✓	✓		
Interdiction or enforcement of federal drug laws**	✓	✓	✓		
Occupies a federally-funded position**	✓	✓	✓		
All other City employees		✓	✓		

*Pre-employment testing for these positions will include testing for cannabinoids (marijuana).

**Pre-employment testing for these positions may include testing cannabinoids (marijuana) depending on specific job duties.

***Driving Position definition: A job that requires driving a vehicle on City business regularly, on average once per week (reference AR 2.96, Driver Qualification, Section II).



City of Phoenix

ADMINISTRATIVE REGULATION		A.R. NUMBER
SUBJECT		AR 2.35
Equal Opportunity Policy: Anti-Discrimination, Harassment, and Retaliation		FUNCTION
		Human Resources and Payroll
		Page 1 of 10
		EFFECTIVE DATE
		January 10, 2024
		REVIEW DATE

Summary of Changes

This Administrative Regulation was last revised in December 2018. This revision reflects updates and clarification regarding the City's policy on Equal Employment Opportunity and changes to the law, including the requirement to accommodate pregnant employees.

I. STATEMENT OF COMMITMENT

The City of Phoenix will not tolerate discrimination, harassment, or retaliation in the workplace. The City is committed to providing a work environment in which all individuals are treated with respect and dignity. Every individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment and retaliation.

II. PURPOSE

The City has developed this Administrative Regulation (A.R.) to ensure that all employees can work in an environment free from discrimination, harassment, and retaliation.

This A.R.:

- Defines prohibited discrimination, harassment, and retaliation;
- Provides examples of behavior that violate this A.R.;
- Reaffirms the City's policy prohibiting discrimination, harassment, and retaliation;
- Outlines responsibilities for compliance with this A.R.;
- Clarifies how to file a complaint and with whom;
- Clarifies how complaints will be investigated; and
- Describes the EOD Appeal process.

This A.R. also protects employees from discrimination based on their record of a disability, because they are regarded as having a disability, or because they have a relationship with a person who has a disability.

Nothing contained in this A.R. shall be interpreted to require that a less qualified employee or applicant be given a preference over a more qualified employee or applicant based on a protected characteristic.

III. DEFINITIONS

- A. **Discrimination** – is any act taken by a City employee or group of employees because of a protected characteristic(s) that adversely affects another employee or applicant in any aspect of City employment. It also includes those acts directed at an employee because of their record of a disability, because they are regarded as or perceived as having a disability, or because they have a relationship with a person who has a disability. Discrimination can occur in any process or function in achieving or maintaining City employment, such as in work assignments, working conditions, job classification, disciplinary actions, promotions, salaries, performance ratings and merit pay increases, interpretations of City rules and regulations, or other aspects of City employment which affects employees or job applicants.
- B. **Gender identity** – is an individual's self-identification as male, female, or a blend of both or neither; how the individual perceives themselves and what they call themselves whether the same or different from the individual's assigned sex at birth. This may include identification as transgender or non-binary and does not imply a specific sexual orientation. An individual may request that their name and descriptive pronoun align with their gender identity in their day-to-day interactions in the workplace.
- C. **Gender expression** – is the external appearance of one's gender identity, usually expressed through behavior, clothing, haircut or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.
- D. **Harassment** – is behavior based upon an individual's protected characteristic(s), which includes being regarded as having a disability, that is not welcome, that is offensive or demoralizing, and/or interferes with work effectiveness.
- E. **Hostile Work Environment** – is a form of harassment where any person in the workplace engages in unwelcome, inappropriate, and/or discriminatory conduct based on an employee's protected characteristic(s) that has the purpose or effect of unreasonably interfering with an individual's work performance or job conditions. A hostile work environment can be created through unwelcome sexual advances and verbal or physical conduct of a sexual nature. .
- F. **Protected characteristic** – is any characteristic protected by law. This includes race, color, ancestry, religion, gender, sex, pregnancy, age (40 or older), disability, being regarded as or perceived as having a disability, sexual orientation, gender identity or expression, genetic information, or national origin.
- G. **Protected conduct** – is filing or being a witness in a charge, complaint, investigation, or lawsuit related to discrimination or harassment because of a protected characteristic; communicating with a supervisor or manager about employment discrimination or harassment; answering questions during an investigation into alleged discrimination or harassment; refusing to follow orders that would result in discrimination or harassment;

resisting sexual advances or intervening to protect others; requesting accommodation of a disability under the Americans with Disabilities Act; for a religious practice; or asking managers or coworkers about salary information.

- H. **Retaliation** – is any adverse action taken against an individual for engaging in protected conduct, filing a complaint of discrimination or harassment, or supporting another individual's complaint. The prohibition on retaliation also provides protection for any individual who opposes an illegal employment practice or who testifies, assists, or participates in any manner in an investigation, proceeding, or hearing related to protected conduct.
- I. **Sexual harassment** – is inappropriate behavior or coercion directed at an individual because of their sex that is not welcome, that is offensive or demoralizing, and/or interferes with work effectiveness. It may be conduct toward an individual of the opposite sex or the same sex and it may occur between peers or between individuals in a hierarchical relationship. There are two forms of sexual harassment:
 - i. **Quid Pro Quo** occurs when a supervisor or other person in authority conditions the granting of an economic or other job benefit, such as a raise or advancement, upon the receipt of sexual favors from a subordinate, withholds such benefits, or punishes that subordinate for refusing sexual favors.
 - ii. **Hostile Work Environment** based on sex can be created by any persons in the workplace through inappropriate sexual advances or other verbal or physical contact or conduct of a sexual nature that has the purpose or effect of interfering with an individual's work performance or job conditions.
- J. **Sexual orientation** – is an individual's inherent or undisputable emotional, romantic, or sexual attraction to other people, which may include, but is not limited to, identifying as heterosexual, homosexual, transsexual, bisexual, omnisexual, pansexual, intersexual, or asexual.
- K. **Workplace** – is any location where an employee is performing work on behalf of the City. This includes an employee's normally assigned location as well as any other locations where the employee is required to go in the course and scope of their duties.

IV. POLICY ON PROHIBITED DISCRIMINATION AND HARASSMENT

The City of Phoenix will not tolerate discrimination or harassment in the workplace. No employee should be subject to inappropriate conduct because of a protected characteristic or be treated with hostility because of their protected characteristic(s).

Conversely, no City employees may engage in discrimination or harassment directed towards another employee because of a protected characteristic. This includes supervisors, managers, and executives who are entrusted with authority to enforce and uphold the policies of the City.

Supervisors, managers, and executives have a **duty to act** and are required to take appropriate steps to prevent discrimination and harassment and to take prompt corrective action(s). This includes, at a minimum, reporting the incident to any of the entities listed in section IX.E below.

- A. The City will provide training through the Law Department, EOD, and HR on the issues addressed in this A.R. Any training conducted by a Department or employee within a Department on discrimination, harassment, retaliation, accommodation, or a related issue or topic must be **reviewed** by EOD and its Law Department attorneys prior to the training.
- B. City employees and job applicants are urged to file complaints promptly, so that issues can be addressed and corrected as timely as possible. Experience has shown that many problems can be quickly resolved through City administrative channels if addressed early.
- C. Harassment can involve any persons in the workplace, including members of the public, other City employees, employees of entities that partner with the City, employees of other municipalities, volunteers, contract workers, Board and Commission members, and Elected officials. Complaints involving individuals other than employees will be referred to the appropriate authority.
- D. Harassment outside of the workplace, either off-duty or during non-work time, may also violate this A.R. Any conduct between a supervisor and a subordinate employee or conduct between coworkers could form the basis of a legitimate complaint of discrimination or harassment if there is a link to the workplace. Some examples include: a supervisor harasses an employee during a happy hour; employees send inappropriate messages to other employees on social media outside of work hours; and misconduct during an informal group outing that includes City employees.

V. EXAMPLES OF PROHIBITED CONDUCT (DISCRIMINATION)

- A. Making a hiring decision or denying an employment opportunity because of an applicant's protected characteristic(s).
- B. Making a decision about an employee's terms and conditions of employment, such as job assignments, promotions, pay, benefits, breaks, leave, work stations, performance evaluations, discipline, and discharge, because of their protected characteristic(s).
- C. Publishing a job advertisement that shows a preference for or discourages individuals from applying for a job because of their protected characteristic(s).
- D. Recruiting for new employees in a way that discriminates against individuals because of their protected characteristic(s).
- E. Refusing to provide a reasonable accommodation for a job applicant with a disability.
- F. Basing a hiring or other employment decision on stereotypes or assumptions about a person's protected characteristic(s).

- G. Refusing to engage in the interactive process or provide a reasonable accommodation for an employee with a disability unless doing so imposes an undue hardship.
- H. Refusing to engage in the interactive process or provide a reasonable accommodation for a pregnant employee who has a physical or mental limitation due to pregnancy, childbirth, or related conditions unless doing so imposes an undue hardship.
- I. Refusing to provide a reasonable accommodation for an employee's religious beliefs or practices.
- J. Intentionally and persistently refusing to refer to an employee by their preferred and requested name and pronoun corresponding to the employee's gender identity.
- K. Denying an employee equal access to a restroom and/or locker room corresponding to the employee's gender identity.
- L. Exclusion of an employee by a supervisor or other person(s) in authority due to a protected characteristic.

VI. EXAMPLES OF PROHIBITED CONDUCT (HARASSMENT)

- A. A supervisor or other person in authority offers an economic or other job benefit, such as a promotion or job assignment, in exchange for sexual favors from a subordinate. (Quid Pro Quo)
- B. Threatening, verbally or physically, or taking a negative employment action such as termination, demotion, denial of leave, merit pay increase, or withholding any other benefit of employment if a sexual advance is rejected or sexual favors are refused. (Quid Pro Quo)
- C. Exclusion of an employee by a supervisor or other person(s) in authority due to a protected characteristic.
- D. Unwelcome or inappropriate intentional physical conduct, such as touching, hugging, holding another person, making offensive or obscene gestures, pranks, destruction of property, patting, pinching, brushing against another person's body, or blocking physical movement of the individual.
- E. Unwelcome or inappropriate non-verbal, non-physical conduct such as whistling, staring, leering, hateful looks, being unresponsive, or acting in an intimidating or overbearing manner.
- F. Sabotaging or interfering with an employee's work due to a protected characteristic.
- G. Asking inappropriate or unwelcome questions and/or making comments about another person's sexual activities, dating, personal or intimate relationships, appearance, culture, religion, age, medical background, gender identity, and/or gender expression.

- H. Repeatedly making unwelcome or inappropriate requests (verbal or written) for lunch, dinner, or other non-work related activities.
- I. Sending unwelcome or inappropriate material or messages of any kind, such as texts, emails, social media posts, self-destructing messaging (such as Snapchat), in-app messaging, letters, gifts, notes, or voicemail which may or may not include videos, pictures, photographs, or graphics.
- J. Saying or behaving in unwelcome or inappropriate ways in the form of jokes, pranks, teasing, obscenities, rude gestures, noises, slurs, derogatory or abusive names, or other forms of mockery.
- K. Displaying, creating, or circulating pictures, objects, or written materials of an inappropriate nature, such as graffiti, cartoons, photographs, pinups, calendars, magazines, figurines, and novelty items.
- L. Engaging in other unprofessional conduct that technically may not be considered "harassment," but may have a similar effect on the work environment.
- M. Engaging in inappropriate or improper relationships between peers or between individuals in a hierarchical relationship even if the relationship is mutually consensual.
- N. Intentionally and persistently refusing to refer to an employee by their preferred and requested name and pronoun corresponding to the employee's gender identity.
- O. Denying an employee equal access to a restroom and/or locker room corresponding to the employee's gender identity.

VII. POLICY ON RETALIATION

The City of Phoenix will not tolerate retaliation against employees who engage in protected conduct. The finding on the underlying charge of discrimination or harassment will have no effect on the investigation of or possible discipline imposed for retaliation.

Retaliation must be reported and will be handled in the same way as complaints of discrimination or harassment. Retaliation by coworkers, supervisors, or any other employee is a serious offense that may result in discipline, up to and including termination.

VIII. EXAMPLES OF PROHIBITED CONDUCT (RETALIATION)

The following examples may be retaliation if the reason for the behavior is because the employee engaged in protected conduct:

- A. Reprimanding the employee or giving a performance evaluation that is lower than it should be.
- B. Transferring the employee without their consent.
- C. Engaging in verbal or physical abuse.

- D. Increasing scrutiny of the employee's behavior or performance.
- E. Spreading false rumors about the employee.
- F. Making an unfounded counter-complaint.
- G. Making the person's work more difficult or lessening the status of the person's work.
- H. Socially ostracizing the employee or those individuals who may support or be friends of the employee.

IX. WHAT TO DO ABOUT INAPPROPRIATE BEHAVIOR

- A. **Tell the offending person to stop.** An employee who believes that they have been subjected to conduct prohibited by this A.R. by anyone is encouraged -but not required- to promptly tell the person that the conduct is unwelcome and ask the person to stop the conduct. A person who receives such a request **must** immediately comply with the request and **must not** retaliate against the employee for objecting to the conduct.
- B. **Duty to report.** The City requires all employees to report conduct that is prohibited by this A.R. whether or not they are personally involved. Any employee who believes that they have been subjected to conduct prohibited by this A.R. or is aware of others who have been subjected to conduct prohibited by this A.R. needs to report the behavior immediately to any of the entities listed in subsection E below.

If an employee makes a report of behavior prohibited by this A.R. to a supervisor, manager, or executive, that report must immediately be forwarded any of the entities listed in subsection E below. This requirement applies even if the employee has requested that the report be held in confidence, expressed that they do not want the matter to be investigated, or made any other statements that indicate or imply that they do not want the matter to be handled by EOD or HR.

Supervisors, managers, and executives are required to monitor their respective workplaces and immediately intervene if they believe behavior prohibited by this A.R. has occurred or is occurring. Any behavior that may be perceived as prohibited by this A.R. must be reported immediately to any of the entities listed in subsection E below unless EOD or HR have already been made aware.

Supervisors, managers, and executives are required to report any suspected violation of this A.R. to one of the entities listed in subsection E below, even if they have not received a complaint and even if the person(s) engaged in the conduct are not their subordinates. The failure of a supervisor, manager, or executive to report conduct prohibited by this A.R. is a serious offense and may result in discipline up to and including termination.

Supervisors are required to disclose any romantic or sexual relationships with direct reports, including any relationship(s) prohibited by A.R. 2.91.

If there is uncertainty as to whether a situation violates this A.R., the concerned individual is encouraged to discuss the matter with HR or EOD before determining whether to file a complaint.

Applicants for employment who believe they have been subject to conduct that violates this A.R. should file their complaints or discuss their concerns with EOD.

C. **When to make a report.** Complaints must be filed with EOD within 300 calendar days of the alleged act(s) of discrimination, harassment, or retaliation. Any complaints that involve conduct prohibited by this A.R. that occurred more than 300 calendar days ago will be referred to HR. HR staff will evaluate the allegations and determine appropriate action. However, complaints should be filed as close to the date of the prohibited conduct as possible so that the investigation and remedial action (if needed) may be made promptly.

Nothing in this A.R. prevents an employee or applicant from pursuing formal legal remedies or resolution through state or federal agencies or the courts. An employee may choose to raise the complaint with a state or federal agency without first pursuing it through City channels.

D. **Where to make a report.** Any employee who believes that they have been subjected to conduct prohibited by this A.R. should report it to any of the entities listed in subsection E below, including EOD at (602)262-7486 (voice) or use Relay 7-1-1 (TTY). Complaints may be made in-person during normal business hours at EOD's offices, located at 200 West Washington Street, 15th Floor. Complaints may also be made at any time via EOD's intranet site at (<http://insidephx/depts/eod/employee-discrimination-complaint-form>).

Applicants for employment should file their complaints or discuss their concerns directly with EOD.

E. **How to make a report.** An employee or a supervisor who has been made aware of a possible violation of this A.R. should submit a complaint, preferably in writing and as soon as possible following the incident, to any of the following City entities:

- Supervisor or another person in their chain of command,
- Professional Standards Bureau (Police Department only),
- Equal Opportunity Department,
- Human Resources Department,
- City Manager's Office, or
- Integrity Line.

X. INVESTIGATION OF COMPLAINTS: NON-LAW ENFORCEMENT OFFICERS

An allegation that this A.R. may have been violated must be immediately brought to the attention of EOD regardless of where the complaint was initially filed. EOD will review the complaint, evaluate the situation, and decide on a proper course of action. All complaints will be investigated by an impartial investigator.

- A. Prior to the start of an investigation, EOD staff may meet with the appropriate HR staff to determine how to address any alleged violations of this A.R. HR staff may take the lead and investigate the allegation(s) in consultation with EOD staff; EOD staff and HR staff may jointly investigate the allegation(s); or EOD staff may take the lead and investigate the allegation(s) in partnership with HR staff. EOD staff may also collaborate with the Performance Auditors in the Fire Department when appropriate.
- B. EOD/HR staff may:
 - 1. Schedule interviews with relevant employees, supervisors, witnesses, or officials. Interviews may be audio recorded.
 - 2. Review personnel records or other documents.
 - 3. Make site visits to acquire pertinent facts.
 - 4. Require employees to participate in an investigation either by submitting to an interview or providing documents or other relevant information. Failure to answer or respond in a timely, honest, and complete manner is considered a failure to cooperate in violation of the City's Personnel Rules. Failure to participate or cooperate in the investigation may result in disciplinary action, up to and including termination.
- C. EOD/HR staff will work with the department(s) involved to obtain and evaluate all evidence relevant to the complaint.
- D. EOD will analyze all pertinent information to reach a conclusion as to whether or not a violation of this A.R. has occurred.
- E. Notice of the conclusion of the investigation will be given to the parties to the complaint, and any other appropriate City staff.
- F. All persons involved in an investigation under this A.R. must keep the matter confidential. Failure to do so may result in disciplinary action, up to and including termination. This admonition does not apply to speaking with an attorney functioning within the attorney-client relationship, speaking with their official representative, or anyone else listed in the applicable Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA).
- G. Employees who receive a "notice of investigation" or "notice of inquiry" may request to have representation present during their interview consistent with the applicable MOU or MOA.
- H. All information gathered as part of the investigation will be kept confidential to the extent possible under policy, procedure, and the law, including the name of the complainant(s), witness(es), and subject(s) of the investigation.

XI. INVESTIGATION OF COMPLAINTS: LAW ENFORCEMENT OFFICERS ONLY

- A. All complaints alleging a violation of this A.R. against a Law enforcement officer will be jointly investigated by the Professional Standards Bureau (PSB) and EOD.
- B. EOD and PSB investigators will:
 - 1. Schedule interviews with relevant employees, supervisors, witnesses, or officials. Interviews may be audio recorded.
 - 2. Review personnel records or other documents.
 - 3. Make site visits to acquire pertinent facts.
 - 4. Require employees to participate in an investigation either by submitting to an interview or providing documents or other relevant information. Failure to answer or respond in a timely, honest, and complete manner is considered a failure to cooperate in violation of the City's Personnel Rules. Failure to participate or cooperate in the investigation may result in disciplinary action, up to and including termination.
- C. EOD and PSB will work with the Police Department to obtain and evaluate all evidence relevant to the complaint.
- D. EOD will analyze all pertinent information to reach a conclusion as to whether a violation of this A.R. has occurred.
- E. Notice of the conclusion of the investigation will be given to the parties to the complaint, and other appropriate City staff.
- F. All persons involved in an investigation under this A.R. must keep the matter confidential. Failure to do so may result in disciplinary action, up to and including termination. Law enforcement officers who are the subject of an investigation or a witness in the investigation may discuss the matter with their representative or their representative's legal counsel.
- G. Law enforcement officers may request to have a representative present during their interview consistent with the applicable MOU or MOA, and the Peace Officers' Bill of Rights.
- H. Once the EOD investigation is complete, it will be transmitted to PSB and PSB will finalize the investigation consistent with the Police Department's internal policies and procedures.
- I. After PSB finalizes the investigation, the Notice of Findings will be issued to the respondent law enforcement employee(s).

J. All information gathered as part of the investigation will be kept confidential to the extent possible under policy, procedure, and the law, including the name of the complainant(s), witness(es), and subject(s) of the investigation.

XII. APPEAL OF EOD DETERMINATION

After EOD has completed its investigation, any of the parties to the complaint may use EOD's Director Appeal Process to appeal EOD's determination. Only an employee who has filed a complaint alleging a violation of this A.R. or employees who were served with a Notice of Inquiry as part of an investigation into an alleged violation of this A.R. may file an appeal.

For information on how to file an appeal, contact EOD at (602)262-7715, via TTY 7-1-1, or email ead.complaint.enforcement@phoenix.gov.

XIII. RESOLUTION OF COMPLAINTS

An employee who violates this A.R. will be subject to discipline, up to and including termination. Other appropriate actions will be taken to correct problems caused by the conduct.

A finding that the conduct does not violate this A.R. does not limit the City's ability to discipline employees if the conduct violates any other City policy, Operations Order, or Personnel Rule.

Disciplinary action, up to and including termination, may be taken for conduct that violates this A.R. even if the conduct does not violate the law.

XIV. NON-DISCRIMINATION AND NON-HARASSMENT INCIDENTS

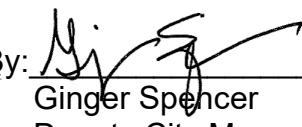
Alleged acts of unfair or unequal treatment that are not based on an individual's protected characteristic or retaliation that is not based on protected conduct will be addressed through other relevant policies.

XV. RELATED POLICIES

- A.R. 2.91: Employment and Supervisory Relationships
- A.R. 2.98: Gender Identity and Expression
- A.R. 2.99: Respect and Civility in the Workplace
- HRD Letter 20-001: Gender Identity & Expression

JEFF BARTON, City Manager

By:


Ginger Spencer
Deputy City Manager



City of Phoenix

ADMINISTRATIVE REGULATION SUBJECT EMPLOYEE DEVELOPMENT FUND PROGRAM	A.R. NUMBER 2.51 Revised FUNCTION Human Resources and Payroll Page 1 of 8 EFFECTIVE DATE July 1, 2023 REVIEWED DATE
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Summary of Changes

Administrative Regulation (AR) 2.51 was last revised in 2021. This AR has been revised to include changes resulting from the 2023-24 negotiations/discussions with the employee groups.

I. PURPOSE

This AR establishes procedures for the administration of the Employee Development Fund (EDF) program. The objective of this program is to improve and enhance employees' productivity, performance, and professional growth.

II. EMPLOYEE DEVELOPMENT FUND (EDF) PROGRAM

The Human Resources Department is responsible for the efficient management of the EDF program. This program reimburses all eligible employees, except Middle Managers and Executives (refer to AR 2.281, Management Development Fund). This program's benefits include:

- Tuition Reimbursement
- Professional Membership Reimbursement
- Seminar/Workshop/Conference Reimbursement

The use of Employee Development Funds is subject to review and final approval by the Human Resources Department. Sections III through V of this document provide detailed policy and procedure guidance. To avoid potential conflicts and to guard against the appearance of impropriety, employee-owned businesses or entities are not eligible to receive payment from the City through Employee Development Funds. As a result, direct payments to entities in which a City employee has a substantial interest will not be approved. In addition, reimbursement to an employee for participating in a professional organization or seminar/workshop/conference in which a City employee has a substantial interest will not be approved. A substantial interest will be interpreted in the same manner as the City's Ethics Handbook and Arizona law [Arizona Revised Statutes, Sections 38-502 and 38-503].

III. PROGRAM ELIGIBILITY AND PROCEDURES

A. Tuition Reimbursement Eligibility

All employees in full-time, benefit-eligible positions are eligible for tuition reimbursement. Individuals must be employed by the City at the beginning and conclusion of a tuition-eligible course. Job Share employees may use 50 percent of the annual benefit maximum. Middle Managers' and Executives' tuition is reimbursed through the Management Development Fund as described in AR 2.281.

1. Expenses that are eligible for tuition reimbursement through the EDF must be for a class, course, and/or degree program directly related to an existing City job classification, the City of Phoenix Language Program, and/or the City of Phoenix Registered Apprenticeship Program.
2. The maximum reimbursable amount in a fiscal year is equal to \$6,500.
3. All eligible employees may use up to \$175 (\$350 for Unit 7 employees) of the maximum tuition reimbursement benefit for required books and lab fees.
4.
 - a. Except as set forth in paragraph b, and c, courses must be taken for credit from institutions accredited by any of the national or regional accrediting associations recognized by the Secretary of the U.S. Department of Education and must be related to a City job classification. Accreditation of an institution may be determined by accessing the following website: <http://ope.ed.gov/accreditation/Search.asp>.
 - b. Tuition reimbursement for the City of Phoenix Language Program must be for classes or courses provided by an approved vendor on the Language Program Qualified Vendor List (QVL).
 - c. Tuition reimbursement may also be received for classes or courses required to successfully complete the City of Phoenix Registered Apprenticeship Program.
5. Employees are encouraged to inquire with Human Resources staff in advance to verify if their course/degree program meets eligibility for tuition reimbursement program. The EDF/Tuition Reimbursement Fund Coordinator is located in the HR Connection Center, in the East Lobby of the Calvin C. Goode Municipal Building, 251 W. Washington St. in downtown Phoenix. Email inquiries to hrc@phoenix.gov or call (602) 495-5700.
6. Competency-Based or Self-Paced Learning Degree Programs. To be eligible for tuition reimbursement, full degree credit(s) must be earned. The completion date of the final competency/module required to earn the full course credit(s) will be the factor used to determine which fiscal year's funds are charged. Reimbursement shall not exceed the cost of residential tuition for credit hours earned (not to exceed amount paid by the employee).

7. Unless prior approval is obtained from the Department Director and the Human Resources Director, all college courses must be attended on off-duty time and be able to be applied to an established degree program.
8. Employees must receive a grade of "C" or better for undergraduate courses and a grade of "B" or better for graduate courses.
9. With the exception of student loans (government or private), if the employee receives any type of financial aid grants, stipends, scholarships, Veteran's Education Assistance, or any tuition assistance, the total amount of tuition assistance will be deducted from tuition eligible reimbursements.
10. The last day of the course shall determine the fiscal year to which the payment or reimbursement will be charged.
11. The year-end submission cut-off date for all tuition requests is September 30. Any reimbursement request for a course expenditure that occurs on or before June 30 is due by September 30.
12. Tuition funds are only to be utilized by each eligible employee and may not be donated, given, traded, combined with, or transferred to another employees' fund. All tuition reimbursement requests are subject to review and approval. Unused funds cannot be split between fiscal years or carried into the next fiscal year, unless otherwise provided for in an applicable Memorandum of Understanding, or Memorandum of Agreement; nor can they be donated or given to another employee. Funds by benefit category are not eligible for proration or percentage breakdown of use, should a change in benefit category occur.

B. Tuition Reimbursement Procedure

1. All City employees must submit a *Reimbursement Request Form for Tuition and/or Professional Membership* along with all supporting, back-up documents. This should include a copy of the course description or syllabus. EDF requests should be sent to the HR Connection Center in the Human Resources Department at 251 W. Washington St or via email at hrc@phoenix.gov or via interoffice mail.
2. All reimbursement submissions must include the following supporting documents:
 - Proof of payment and an itemized tuition account history, indicating charges and payment transactions;
 - Course name/title;
 - Copy of an official grade report or a copy of an unofficial transcript; and
 - Class syllabus/description identifying required textbook(s) and an itemized receipt for payment of book(s).
3. Reimbursements are issued through the Finance Department's biweekly payroll process and appear on the employee's paycheck.

C. Professional Membership and Seminar/Workshop/Conference Eligibility

1. Employees in full-time, benefit-eligible positions in the unit categories listed below are eligible for professional membership and seminar/workshop/conference reimbursements. Job Share employees in the unit categories listed below are eligible to use up to 50 percent of their appropriate unit category amount for professional membership and seminar/workshop/conference reimbursements.
2. Unit Categories:
 - Laborers (Unit 1)
 - Office and Clerical (Unit 3)
 - Police Officers (Unit 4)
 - Police Sergeants and Lieutenants (Unit 6)
 - Supervisory/Professional (Unit 7)
 - Confidential Office and Clerical (Unit 8)
3. The last day of the seminar/workshop/conference shall determine the fiscal year the payment or reimbursement will be charged. The year-end submission cut-off date for all previous fiscal year expenditures is September 30. All payment/reimbursement requests for seminars/workshops/conferences that occur on or before June 30 are due by September 30.
4. The date the professional membership, license, or certification payment/reimbursement request is received by the HR Connection Center will determine the fiscal year in which the expenditure will be charged.
5. Professional membership and seminar/workshop/conference funds are only to be utilized by each eligible employee and may not be donated, given, traded, combined with, or transferred to another employees' fund. Unused funds cannot be carried to the next fiscal year nor can they be donated or given to another employee. Funds by benefit category are not eligible for proration or percentage breakdown of use, should a change in benefit category occur.
6. Individuals must be employed by the City at the beginning and conclusion of the seminar/workshop/conference.

D. Professional Membership and Seminar/Workshop/Conference Maximum Reimbursable Amounts

For the specified eligible classifications below, a portion of the tuition maximum reimbursement amount can be used for department approved professional memberships and/or seminars/workshops/conferences. Middle Manager and Executive professional membership and seminar/workshop/conference expenses are reimbursed through the Management Development Fund as described in AR 2.281.

1. Unit 1 employees may be reimbursed up to \$150 of their tuition maximum reimbursement amount to obtain City-related memberships or to attend at least one-day, in-state, City-related seminars.

2. Unit 3 employees in classifications specified in the Unit 3 MOU may be reimbursed up to \$225 of their tuition maximum reimbursement amount to obtain City-related memberships or to attend at least one-day, in-state, City-related seminars.
3. Unit 4 employees may use \$500 of their tuition maximum reimbursement amount to obtain department approved, job-related memberships or to attend job-related seminars/workshops/conferences.
4. Unit 5 employees may use \$1,000 of their tuition maximum reimbursement amount to obtain job-related professional memberships or to attend department-approved, job-related seminars/workshops/conferences.
5. Unit 6 employees may use \$800 of their tuition maximum reimbursement amount to obtain job-related professional memberships or attend department-approved, job-related seminars/workshops/conferences.
6. Unit 7 employees may use \$1,000 of their tuition maximum reimbursement amount to obtain job-related professional memberships or to attend department-approved, job-related seminars/workshops/conferences.
7. Unit 8 Confidential Office and Clerical employees may use \$450 of their maximum reimbursement amount to obtain job-related professional memberships or to attend department-approved, job-related seminars/workshops/conferences.
8. Building Inspectors, Construction Permit Specialists, and Airport Operations Assistants (Airside) will be reimbursed one time only for the cost of their required certification after passing the test for the certification. All future mandated certifications should be funded by the respective department.

E. Professional Membership Reimbursement Procedure

1. Department-approved professional memberships, certifications, licenses, and technical registrations that are job-related and provide a clear and understandable benefit to the City may be eligible for payment/reimbursement. Submit reimbursement requests with a completed and signed *Reimbursement Request Form* to the HR Connection Center at 251 W. Washington St. or via email at hrc@phoenix.gov or interoffice mail. Requests for reimbursement must be accompanied by a payment receipt or other satisfactory proof of payment. When the cost of a professional membership, certification, license, or technical registration exceeds \$50, direct payment may be made to a vendor with appropriate documentation.

F. Seminar/Workshop/Conference Reimbursement Procedure

1. All department-approved EDF seminar/workshop/conference reimbursement requests must be submitted to the HR Connection Center with a completed and signed *In-County Registration Form*. Requests for reimbursement must be accompanied by a payment receipt or other satisfactory proof of payment and include information detailing the

seminar/workshop/conference. Reimbursements are issued through the Finance Department's biweekly payroll process and appear on the employee's paycheck. When the cost of a seminar/workshop/conference exceeds \$50, direct payment may be made to a vendor with appropriate documentation.

2. Seminars/workshops/conferences, whether within or outside Maricopa County, must have an educational component, be job-related, and demonstrate a clear and understandable benefit to the City. Within or outside Maricopa County, payment or reimbursement may be denied if another seminar/workshop/conference with similar course content is available at a lower cost. For seminars/workshops/conferences with added costs (e.g., lunch with a presenter, or special seating), payment or reimbursement will be made at the lowest available cost.
3. All travel-related expenses submitted for reimbursement must comply with AR 3.41 (Business, Conference and Training Travel and Related Expenses).
4. The last day of a seminar/workshop/conference will determine the fiscal year in which the expenditure will be charged.
5. Special community-related presentations, breakfasts, luncheons, and dinners that are sponsored by the City may be eligible for payment/reimbursement on a case-by-case basis. To ensure eligibility for payment/reimbursement, contact the HR Connection Center at (602) 495-5700.

IV. PROGRAM ELIGIBLE EXPENSES

- A. Tuition for a course identified in Section III, paragraph 4
- B. Required course books, labs, and approved tuition installment or deferred payment.
- C. Professional memberships, certifications, and technical licenses'.
- D. Registration for a seminar/workshop/conference.
- E. Air travel costs, subject to AR 3.41, associated with the seminar/ workshop/conference, including documented ground transportation in the destination city for shuttle, taxi, subway or train.
- F. Out-of-county mileage reimbursement, in accordance with AR 3.41, up to the cost of a 14-day advance-purchase economy or discounted airline ticket.
- G. Lodging reimbursement, in accordance with AR 3.41.

V. PROGRAM INELIGIBLE EXPENSES

This list is not all-inclusive, but a guide of ineligible expenses:

- A. The cost of educational supplies, registration fees, tests, residency fees, late registration, parking, taxes, shipping and handling, audits, student activities, recreation fees, financial aid,

meals, non-resident, or other special fees associated with a course and/or degree program.

- B. Non-degree courses related to health, fitness, hobbies, games, sports, etc.
- C. Health club memberships and physical fitness activities or events, including YMCA/YWCA memberships.
- D. Computers, hardware, software, software subscriptions, or related peripheral equipment; personal electronic devices.
- E. Programs covered under the City's existing insurance or Employee Assistance plans. This includes counseling (family, marital, psychological, psychiatric, etc.).
- F. Personal financial education or estate planning services, including seminars, books, and publications.
- G. Charitable donations or fundraising events, entertainment activities, and tangible goods.
- H. Application fees, processing fees, administrative and other special fees.
- I. Memberships or activities relating to religious, sectarian, networking, or social organizations, and alumni and honor society memberships, community and volunteer organizations unless City approved.
- J. Optional certifications, licenses, and technical registrations that are **not related** to the employee's current job and do **not** provide a clear benefit to the City.
- K. Additional fees to re-take an exam (or re-certify), if not passed the first time, for City-related certifications or licenses.
- L. Optional or special events (tours, lunch with the presenter, sports events, etc.), voluntary contributions, or donations.
- M. Materials, books, videos, CDs/DVDs, and subscriptions unless special department arrangements have been pre-approved by the Human Resources Department.
- N. Car rentals and incidental expenses such as meals, beverages, phone charges, baggage, parking, gratuity, or other miscellaneous charges.

VI. EDUCATION LEAVE

Supervisory/Professional employees are entitled to 2 days or 16 hours of annual education leave. This time will be added to the employee's July vacation accrual. Police Supervisory employees are entitled to 1.25 days or 10 hours of annual education leave. For hourly employees, this time will be added to the employee's compensatory time bank at the beginning of the first pay period in July. Exempt Police Supervisory employees will have this time added to their July vacation accrual. For record keeping purposes, this time will be subject to the restrictions and the authorization requirements of the vacation rules.

VII. POLICY COMPLIANCE

Supervisors or employees found to be in violation of this AR will be subject to disciplinary action.

VIII. QUESTIONS

Questions related to this Administrative Regulation (AR) should be directed to the Human Resources Department, HR Connection Center, at (602) 495-5700, or via email at hrcenter@phoenix.gov.

JEFFREY BARTON, City Manager

By:



Ginger Spencer
Deputy City Manager



City of Phoenix

ADMINISTRATIVE REGULATION	A.R. NUMBER 2.281 Revised
SUBJECT MANAGEMENT DEVELOPMENT FUND	FUNCTION Human Resources and Payroll Page 1 of 2
	EFFECTIVE DATE March 15, 2018
	REVIEW DATE

Summary of Changes

This Administrative Regulation (AR) was last revised in 2004. This AR has been updated to remove references to reimbursement amounts, which are subject to change annually as determined by the City Manager. Current available amounts can be found in the Compensation and Benefits Reference Guides for Middle Managers and Executives (general and sworn), which can be found online at: <https://www.phoenix.gov/hr/current-jobs/total-compensation-information>.

I. PURPOSE

The purpose of this AR is to define the intent and general guidelines for the Management Development Fund Program.

II. GUIDELINES

- A. The Management Development Fund Program is a flexible benefit package for Middle Managers and Executives. This benefit is a part of the total compensation package for Middle Managers and Executives. The Management Development Fund is a reimbursable self-development program for City and job-related activities. Funds may be used to pursue a higher educational degree. Employees may also use a portion of the funds for seminars, workshops, conferences, materials, professional association memberships, and certifications/licenses.
- B. Each department is responsible for tracking the expenditures of each Executive or Middle Manager in that department to ensure that the manager complies with the guidelines and does not exceed the maximum allowable amount. Managers employed less than a full year are entitled to a pro-rated portion of the fund for that year.
- C. All other ARs that affect processing of claims will apply to the Management Development Fund Program. Requests for reimbursements must be accompanied by an original bill and/or receipt of payment, and the appropriate reimbursement form. Direct payments may be made to vendors for items that are specifically job-related.

III. QUESTIONS

Questions regarding this AR can be directed to the Finance Department, City Controller's Office, at 602-262-6675.

ED ZUERCHER, City Manager



By: Toni Maccarone
Acting Deputy City Manager

RULE 13

EMPLOYEE RESIDENCE

13a. Residency Requirements

For the purpose of this Rule, residence means the occupancy of a dwelling unit, and not merely use for the receipt of mail. Employees shall keep the City informed of their current residence address, and shall notify the City within ten days of a change in residence.

The following employees shall reside within the boundaries of the City of Phoenix within twenty-four months of appointment or promotion.

1. The City Manager and such other professional staff of the Mayor, the City Council, and the City Manager's Office as the City Manager shall designate.
2. All Deputy City Managers, Department Heads, Assistant Department Heads, and other such classes as are officially included in the Executive category.

13b. Exemptions

Current City employees who are promoted into Executive positions from non-executive positions, and whose address (as noted in eCHRIS) is not within the City of Phoenix boundaries at the time of promotion, will be allowed to remain at their current non-City of Phoenix address. The employee must send notification within 10 days of their promotion to Human Resources that they qualify for this exemption. This exemption applies only to the employee's address that is on file, in eCHRIS, at the time of promotion into the executive category. If the employee's home address changes at any time after promotion into an executive position, the employee will be required to move within the City of Phoenix boundaries.

13c. Waivers

The City Manager may approve a waiver to reside outside of the designated residency area when in the best interest of the City or for extreme hardship cases.

RULE 14

SENIORITY

14a. **Determination of Seniority**

Seniority constitutes length of certified status within a class of the City service. When two or more employees have the same length of time in the class, the employee with the longest certified City employment time shall be the senior. If a tie still exists, the appointing authority shall make the determination. Any break in service such as dismissal, resignation, retirement, or status change to part-time, shall cancel all prior seniority credits. Part-time employees do not accrue seniority credits.

14b. **Use of Seniority**

14b1. Seniority shall be used in the determination of layoffs.

Application of seniority to layoffs shall be according to the provisions of Layoff Rule 16 of these Rules. Rule 7g provides for seniority in reference to promotions.

14b2. Citywide class seniority shall be used as a factor in choice of work assignments and vacation schedules. The use of seniority in determining the order of vacation of employees shall be by class. In choice of work assignments within a class, seniority shall determine the choice of assignment when qualifications of employees concerned for kind of assignment are equal in the sound discretion of the department head, except that a department head may rotate employees to provide training and experience in all tasks within a class. Qualifications for an assignment pertain to aptitude, ability, skill, knowledge, physical fitness, interest, enthusiasm, and other pertinent qualifications. Nothing in this Rule shall prevent or hamper the appointing authority in assigning each employee of a class to any assignment within a class for which the employee is best fitted, nor shall the appointing authority be restricted from assigning an employee without a change in pay to another class for brief periods for purposes of training and to meet emergencies.

Resignations, dismissals, and retirements shall cancel all prior seniority credits as they apply to choice of work assignments and vacation schedules. An employee who goes from full-time classified regular employment to job sharing employment shall have their full-time seniority credits frozen. If the individual returns to full-time employment without a break in service, the frozen credits will be returned and will be added to the pro-rata credits earned in the job share status.

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14b3. Classified employees who have been absent from work on an inactive status for more than two years shall have their classification date adjusted to reflect the duration of the absence.

RULE 16

LAYOFF/RECALL

16a. Procedures of Notification:

Whenever it becomes necessary, through lack of work or funds, or any other cause, to reduce the number of employees in any given class, the head of the department concerned shall notify the Human Resources Director of the number of employees to be laid off from each class within the department. The Human Resources Director shall thereafter transmit to the department head whose employees will be affected by the layoff a listing of the names of the employees who shall be laid off within the department in accordance with the provisions of these Rules. Employees in job sharing position shall be excluded from the layoff process. However, if the position that two job sharers occupy is eliminated from a department's budget, the incumbent job sharers shall have seniority rights based on the seniority rating score (SRS) specified in this Rule.

16b. Order of Layoff:

The order of layoff will be based upon the SRS of employees in the affected class. The employee in the affected class who has the lowest SRS shall be laid off first. If additional layoffs are necessary, they shall be made in like manner. Provisional employees of the same class within the City service shall be laid off ahead of certified employees.

16b1. Except as otherwise provided in this Rule, an employee whose layoff is anticipated, as hereinabove provided, shall:

- A. Assume a position (i.e., "bump back") in the next lower class in which the employee has certified City service, provided that:
 1. The employee's SRS in the lower class is higher than that of the lowest employee in that class; and
 2. The employee meets the physical requirements of the class and can perform the required duties;

Or, if possible:

- B. Be transferred to a vacant position in a related equivalent or lower classification without examination, provided that such lower classification is equal to or higher than the next lower class in which the employee has certified service and provided further that the employee meets the requirements for performance in that class as determined by the Human Resources Director and the appointing authority.

- C. An employee who refuses a transfer or reduction, as described in 16b1.B above, shall be considered to have forfeited further protection of this Rule and shall be considered to have resigned.
- D. An employee who is reduced to a class at a pay range lower than that from which the employee was promoted, because the employee is physically unable to perform the duties of the higher class, shall be deemed to have had their "bumping rights" satisfied.
- E. The provisions of this Rule in no way affect an employee's rights under the provisions of Rule 10: Probation.

16b2. The employee with the lowest SRS in the lower class shall have rights as in Rule 16b1 above, or be laid off.

16b3. In all cases, if in the judgment of the Human Resources Director and with the approval of the City Manager, retention of employees with special skills is required, or if those employees remaining would not have the demonstrated ability and qualifications to perform the required services, layoffs may take place out of the order of SRS.

16b4. When two or more employees in the same class have an identical SRS, the one with the least amount of certified time in City employment shall be laid off first. If further determination is necessary, the appointing authority shall make the determination.

16c. **Determination of Seniority Rating Score:**
Seniority shall be computed by adding one point for each full month of service within the classification from which layoffs are under consideration, and 1/30th of a point for each additional calendar day of service in the class. Points may only be added for service in regular full-time positions of the classified service. In addition, the following shall apply:

16c1. Time served in a part-time, hourly, or temporary position, including all federally-funded positions of a temporary nature, shall not receive seniority points under the provisions of this Rule; provided, however, that a regular City employee who is placed in a temporary position in connection with an approved leave of absence and whose employee benefits have not been terminated shall have points credited for such period of service, and job share employees will have a combination of their regular employment and the pro-rated credits earned in job share, if there has not been a break in service.

- 16c2. Creditable time in a class shall date from the earliest certified appointment date to a position in that class, except that time served prior to any break in service such as resignation, retirement, dismissal, or status change to part-time will not be credited for seniority in conjunction with this Rule. Time of any officially-approved leave of absence of less than two years shall be allowed as creditable time in determining the SRS of an employee.
- 16c3. Length of creditable time served in a higher class shall be allowed as creditable time in computing SRS in a lower class in which the employee actually served, provided service in the higher class occurred subsequent to service in the lower class.
- 16d. **Recall List:**
Recall lists shall be maintained for each class of position in which layoffs have occurred. Such lists shall consist of names of persons laid off from a position in the class and who were granted recall privileges in accordance with the provisions of this Rule. The names of the employees with the highest SRS in the class shall be placed highest on the recall list. When the scores of two or more laid-off employees are equal, they shall all be certified to the appointing authority for selection.
- 16e. **Recall Eligibility:**
 - 16e1. Any department with a position vacancy in a class with a recall list will give absolute selection preference to the individual with the highest SRS on the recall list for that particular class, who possesses the required knowledge, skills and abilities for the position vacancy. If the highest-scored employee on the list is not selected because of a failure to possess the required knowledge, skills, and abilities for the position, such employee shall retain their position on the recall list.
 - 16e2. When an employee whose name is on the recall list is reemployed as described above, that employee shall be restored with the SRS held prior to layoff in the class to which reemployed, and seniority points shall begin to accrue on the date of reemployment.
 - 16e3. The name of any employee which is placed on a recall list pursuant to Rule 16e may be maintained on such list for a period not to exceed three years from the date that the employee was laid off.
 - 16e4. If an employee on a recall list is offered a position in that class and refuses it, the employee's name shall be removed from the recall list for that class.

RULE 7

RECRUITMENT, EXAMINATION, AND QUALIFICATION EVALUATION

7a. Notice of Recruitment Needs

The Human Resources Director shall release recruitment notices and publicity deemed necessary to secure qualified applicants for City employment. Recruitment notices shall be posted on the Human Resources Department website and in locations designated by the Human Resources Director.

7b. Recruitment Schedule

The Human Resources Director shall recruit applicants for classes of employment to meet the needs of City operations.

7c. Disqualification of Applicants

The Human Resources Director may reject any application or exclude the name of any applicant from the eligible list or deny certification of any eligible who:

- 7c1. Is found to lack any of the qualification requirements specified in the position classification plan.
- 7c2. Does not meet the physical and mental health requirements of the class of position to which the applicant seeks appointment. This does not include disabilities that can be accommodated as provided in Rule 6a.
- 7c3. Does not meet the background screening standard established for the position within the job class. Refer to Administrative Regulation 2.81.
- 7c4. Has received a positive test result, failed to appear, or refused to submit to the drug, alcohol, or other substance screening which is a requirement for the job class to which the applicant seeks appointment.
- 7c5. Has been dismissed from previous employment for delinquency or other good cause.
- 7c6. Has been dismissed previously from the City service for just cause, or whose performance rating was below standard at the time of resignation.
- 7c7. Has made a materially false statement in the application or in the examination or has practiced or attempted to practice deception or fraud in connection with such application or examination.

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- 7c3. Does not meet the background screening standard established for the position within the job class. Refer to Administrative Regulation 2.81.
- 7c4. Has received a positive test result, failed to appear, or refused to submit to the drug, alcohol, or other substance screening which is a requirement for the job class to which the applicant seeks appointment.
- 7c5. Has been dismissed from previous employment for delinquency or other good cause.
- 7c6. Has been dismissed previously from the City service for just cause, or whose performance rating was below standard at the time of resignation.
- 7c7. Has made a materially false statement in the application or in the examination or has practiced or attempted to practice deception or fraud in connection with such application or examination.

- 7c8. Has taken an examination for the class as many times as allowed for a given period by the Human Resources Director.
- 7c9. Has been passed over for appointment for good cause, or has failed to appear without good cause after accepting a notice of interview.
- 7c10. Is lacking in any other qualifications or standard of conduct of equal gravity or exceeding those specifically enumerated in 7c1 - 7c9.

An applicant who is rejected, whose name is not posted, or whose name is removed from an eligible list shall be notified of the action. The rejected applicant or eligible may request a review of the action taken. This request shall be submitted to the Human Resources Director in writing within seven days after the notice of action is mailed. Such request for review shall not prevent the selection and hiring procedure from going forward during the review period. The decision of the Human Resources Director shall be final.

7d. **Scope and Character of Qualification Evaluation**

Screening of applicants shall consist of any qualification measurements that will establish and confirm the qualifications of applicants required by the class for which applicants are being evaluated.

7e. **Examinations of Applicants**

Examinations to measure the qualifications of applicants shall be conducted by the Human Resources Director, or designee.

If requested, special test accommodations will be made for a disabled applicant if the needed accommodations are consistent with the reasonable accommodations that may be made on the job.

In order to qualify for employment, a candidate may be required to make a passing grade in each part of the examination. This is in reference to any test type or rating including, but not limited to, knowledge, demonstration, physical, personal fitness, or other related testing measurements.

Written examination records and documentation that are proprietary shall not be made available for public inspection or copying.

7f. **Suspension of Recruitment**

The Human Resources Director may, in case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional, or expert character, upon satisfactory evidence that recruitment is impractical and that the position can best be filled by the selection of some designated person of recognized attainments, suspend recruitment.

7g. **Promotional Examinations**

Applications for promotions shall be subject to the requirements and procedures provided in these Rules, except that applicants for promotion shall not be entitled to disability or veterans' preference. Positions in classes above the entrance level classes shall be filled by competitive or non-competitive promotional examinations whenever there is a sufficient number of employees who have the experience, training, and other qualifications required by the higher level classes. If qualified applicants for position vacancies in the higher classes are not present in the City service, or the best interests of the City service would not be served, then the position vacancies in the higher classes shall be filled by open competitive examinations. The class qualification requirements shall be complied with in any promotional examination.

Promotional examinations are open to employees in the City service and to individuals on recall lists, each of whom meets the requirements specified in the Rules and the Position Classification Plan.

The total length of authorized service shall be allowed as a seniority score in one part of the promotional examination. An employee who is receiving pension benefits as a result of retirement from the City under the Arizona Public Safety Personnel Retirement System shall not receive seniority credits for the service time under the Arizona Public Safety Personnel Retirement Plan. Two points for each complete year of authorized service shall be allowed. For an incomplete year, proportionate credits shall be allowed in the same ratio as the completed months of an incomplete year relate to a complete year. Part-time and temporary employees shall not receive seniority credits. A job sharing employee who had service as a regular full-time employee immediately preceding the job share appointment, shall be credited with the appropriate seniority score based on the individual's full-time employment plus pro-rata credits earned in job share status.

7h. **Examination Results**

Once examination results have been completely evaluated and scored, the applicants shall be notified of their examination results.

7h1. **Written Examinations**

For three business days beginning on the first business day following the examination, a candidate who participated in any city of Phoenix developed examination may, in the presence of Human Resources staff, review a keyed copy of the written examination and file a written notice of protest, stating the item or items objected to and the reason for the objection. The written notice must be filed by the end of the three-day review period. Protests based upon purely personal opinions and without cited authority will not be entertained. Properly made protests will be considered by the Human Resources Director before final examination scoring and release of examination results. This review process and item objections will not be available for proprietary tests obtained from a vendor.

For city of Phoenix developed examinations completed on a computer, an applicant may review their full examinations results immediately after or in lieu of the review of the keyed copy of the written examination. Applicants may not submit a written notice of protest on any items after viewing their full examination results.

For examinations completed on written scoresheets, an applicant may review their full examination results within five business days from the date that the notice of examination results was sent. If the review should disclose any errors, the examination record shall be modified to show a correct record. If the modification affects the records of other applicants, their records shall also be modified.

Such written protest shall not delay the next phase of the testing process or the certification and appointment of qualified eligibles.

Examination records and documentation that are proprietary (i.e. vendor procured, validated exams) are not public documents.

7h2. **Demonstration, Practical, or Assessment Examinations**

The purpose of this type of examination is to objectively measure an applicant's ability to perform in practical situations which simulate the requirements of the job.

Within five business days from the date that the notice of examination results was sent, an applicant may request and be told the sections of the objective exercise where points were deducted from their score, however, they will not be able to challenge the results or view the actual score sheets, as to protect the integrity of the test.

The review period will be the same as set forth in Personnel Rule 7h1.

7i. The following is a provision of State law. It is included here as a guide to be used for employment with the City of Phoenix:

PREFERENCE POINTS

The laws of the State of Arizona require that cities provide preference points for veterans of the Armed Forces of the United States, for the spouse or surviving spouse of certain veterans, and for a person with a disability. These preference points do not apply on promotional examinations.

- A. A veteran of the Armed Forces of the United States, separated from the Armed Forces under honorable conditions following more than 180 consecutive calendar days of active duty, who takes an entrance examination for employment with the City shall, in the determination of their final rating on such examination, be given a preference of five points. The preference shall be added to the grade earned by such veteran, but only if such veteran earns a passing grade without preference.
- B. A person with a disability who takes an entrance examination for employment with the City shall, in the determination of their final rating on such examination, be given a preference of five points. The preference shall be added to the grade earned, but only if such person earns a passing grade without preference.
- C. For the purposes of subsection 7iB of this section, "a person with a disability" means anyone who has a physical or mental impairment which substantially limits one or more of their major life activities or has a record of such an impairment or is regarded as having such an impairment.
- D. A person qualified for a preference pursuant to both subsection 7iA and subsection 7iB shall be given a ten-point preference.
- E. A spouse or surviving spouse of any of the following, otherwise qualified pursuant to subsection 7iA, shall be given a five-point preference as if such spouse or surviving spouse were an eligible veteran pursuant to subsection 7iA:
 1. Any veteran who died of a service-connected disability.
 2. Any member of the Armed Forces serving on active duty who, at the time of application, is listed by the Secretary of Defense of the United States in any of the following categories for not less than ninety days:
 - a. Missing in action.
 - b. Captured in the line of duty by a hostile force.
 - c. Forcibly detained or interned in the line of duty by a foreign government or power.
 3. A person who has a total, permanent disability resulting from a service-connected disability or any person who died while such disability was in existence.

- F. An honorably separated veteran who served on active duty in the Armed Forces at any time and who has a service-connected disability and is receiving compensation or disability retirement benefits under laws administered by the Veterans Administration, Army, Navy, Air Force, Coast Guard, or public health service shall be given a ten-point preference pursuant to this section.
- G. No person eligible for a preference pursuant to this action shall be allowed more than a ten-point preference.
- H. Proof of Qualification - Proof of eligibility for veteran preference or preference for a person with a disability shall be presented to the Human Resources Department upon request.



City of Phoenix

PUBLIC TRANSIT DEPARTMENT

Subrecipient Monitoring Schedule for Equal Employment Opportunity Plans

All Equal Employment Opportunity (EEO) plans are reviewed every four years. The following describes the monitoring schedule for all City of Phoenix federally funded recipients:

FTA Circular 4704.1A

Review Cycle -- EEO Plan Due	
Request Subrecipient Updates in non-EEO Plan years	Once Annually, one month prior to renewal month
Subrecipient EEO Plan Draft Due	90 days prior to expiration date
Comments provided to recipients from City of Phoenix	Within 30 days
Subrecipients provide final plan with CEO/GM signature on EEO Statement	Varies depending on plan expiration
City of Phoenix to complete concurrence and plan review assessment	Within 30 days after final submission

Review Cycle -- Non-EEO Plan year	
Annual EEO reporting for updates from Subrecipient in non-EEO Plan years	Once Annually, one month prior to renewal month (varies depending on plan due dates)

Subrecipient	Effective Dates	Services Provided
City of Phoenix, Public Transportation Department	2020-2024	City public transportation/Federal
MV Transportation (contractor)	2021-2025	Para Transit, non-emergency medical transit, social services transport
Total Transit/Total Ride (contractor)	2021-2025	Para Transit and non-emergency medical transit

Valley Metro (Regional public transportation agency)	2022-2026	Light Rail, Para Transit, non-emergency medical transit, social services transport, fixed route bus services and maintenances, regional paratransit services
First Transit (contractor)	2022-2026	Fixed route bus services and & Maintenance Service
Transdev (contractor)	2022-2026	Fixed route bus services and regional paratransit services
Keolis Transit Services (contractor)	pending	New contractor Fixed route bus services and & Maintenance Service