



# EEO/AA PLAN



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**Regional Transportation Commission of Southern Nevada (RTC)**  
**Equal Opportunity/Affirmative Action Plan**

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**REGIONAL TRANSPORTATION COMMISSION  
OF SOUTHERN NEVADA  
EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION  
POLICY STATEMENT**

RTC is committed to workplace diversity and to cultivating, fostering, and preserving a culture of inclusion. We know that bringing our diverse backgrounds, cultures, and perspectives together is the way to solve today's complex transportation problems. RTC has the responsibility to create an inclusive environment and to respect the dignity and diversity of all people, making diversity and inclusion everyone's responsibility. Enabling everyone at RTC to perform at their best while being themselves is fundamental to our continued success and to supporting the community. We must focus on building a diverse workforce by attracting, developing, and retaining employees, as well as leveraging our internal employees to enable our people to feel they belong. We believe that through maintaining a diverse workforce we will be employing the best talent and leveraging varied and unique skills and perspectives.

**Equal Employment Opportunity Statement:**

The Regional Transportation Commission of Southern Nevada (RTC) is committed to Equal Employment Opportunity (EEO) for all employees and potential applicants. To demonstrate our commitment to EEO, the RTC has developed an EEO Program. To ensure compliance with applicable state and federal regulations, executive orders, and laws, it is our policy to provide equal employment opportunity to all employees and applicants for employment 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, and to base all employment decisions so as to further this principle of equal employment.

The RTC is committed to ensuring all employees and potential applicants are treated equally and fairly. To demonstrate our commitment, the RTC has developed programs to ensure all levels of equality, inclusion and diversity are being met in the workplace. In conjunction with the objectives of these efforts and in accordance with the various state and federal fair employment laws, rules, and regulations applicable to equal opportunity, the RTC has committed to the following principles:

1. To ensure that all employment policies, practices, and actions, included but not limited to recruitment or recruitment advertising, hiring, upgrading, selection for training, promotion, transfer, demotion, layoff, termination, rates of pay or other forms of compensation, and treatment of employees will be administered - 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, except where sex, mental or physical requirements constitute a bona fide occupational qualification necessary to perform the job.
2. To base decisions to further the principles of equal opportunity.
3. To ensure that all employment decisions are in accordance with the principles of equal opportunity.

**Commitment to developing a written nondiscrimination program:**

The RTC recognizes that in the past, women and minorities have experienced discrimination in the workforce as a whole and is committed to ensuring that our EEO Program takes steps to overcome this type of discrimination. RTC is committed to developing a nondiscrimination program that sets forth policies, practices, and procedures to which we are committed and by making the program available for inspection in the Human Resources Department during normal

business hours.

**Responsibility for EEO Program:**

The responsibility for implementing an EEO Program lies with the Director of Human Resources, who is the EEO Officer and reports to the Chief Executive Officer (CEO). The EEO Officer is responsible for ensuring that the RTC's recruitment and selection program adheres to all equal opportunity employment laws, regulations, and is also responsible for the administration of a grievance procedure for all RTC employees and applicants.

The EEO Officer is assigned to report to the CEO on a regular basis regarding the agency's adherence to the program and the progress toward achieving the stated goals. The EEO Officer is assigned to assist with responding to inquiries, processing complaints, recommending changes in procedures and practices, and providing documentation for preparation, monitoring, maintenance, and reporting of EEO activities. The EEO Officer is further assigned the responsibility of maintaining the integrity of investigations and will ensure any potential conflicts are avoided. This will be accomplished by doing the following:

- Communicating details of the complaint with the CEO immediately after it is received.
- Ensuring the complainant and alleged harasser understand the investigatory process.
- Ensuring that every complaint is taken seriously and investigated thoroughly and timely.
- Ensuring confidentiality and impartiality during the investigation.
- Ensuring no person interferes with the investigation. This includes employees, supervisors, managers, and members of the executive team.
- Ensuring that retaliation does not occur during and after the investigation.
- Ensuring that every complaint is concluded and recommendations, if any, are made and followed through with.
- Determining what, if any, relationship the complainant has with the accused, witnesses and/or a member of the Investigatory Team.
- If a conflict of interest is identified, the RTC will hire a third-party investigator.

If the EEO Officer recognizes a conflict, they will:

- Identify the conflict and immediately communicate it to the CEO.
- Recuse themselves from the investigation by removing themselves completely from the process.
- Hire a third-party to handle the investigation if necessary.

**Applicant and employee rights:**

All applicants and employees have the right to file complaints alleging discrimination. Further, the RTC recognizes its obligation to provide a workplace that is free from discrimination and recognizes that certain types of harassment may be unlawful, whether they are encountered as a condition of employment, employment decision, or where the conduct interferes with work performance or creates an otherwise offensive working environment. Any applicant or employee that feels they have been subject to unlawful harassment or denied equal opportunity has the right to file a complaint alleging discrimination or harassment with Dachresha Harris, EEO Officer, at 702-676-1514 or [harrisd@rtcsonv.com](mailto:harrisd@rtcsonv.com). Applicants and employees may also file a complaint with the Nevada Equal Rights Commission (NERC), or the Equal Employment Opportunity Commission (EEOC).

If an employee chooses to remain anonymous, they may file a complaint through the RTC Safe Hotline at <https://safehotline.com/>.

**No retaliation:**

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.

**Reasonable accommodation:**

The RTC 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.

The RTC is committed to the community in providing equal opportunity while continuing to provide the citizens within the region with the highest level of service. The RTC recognizes its obligation to utilize the best employees possible in conducting this service and understands that efforts made toward successful achievement of EEO goals can only serve to enhance our ability to meet this obligation through a more full utilization and development of previously underutilized human resources. These efforts include identifying and utilizing additional sources of qualified members of minority groups, women, veterans, and individuals with disabilities for employment with the RTC. At the same time, it is RTC's policy to provide employees at every level in the organizational structure with an equal opportunity to participate in education and training programs that will further their ability to provide the highest level of service.

**Management and supervisory personnel responsibility:**

All RTC officials, managers, and supervisors share the responsibility for the application of this policy within their area of control. The RTC further demonstrates its commitment to the program by identifying the responsibility of all staff to adhere to and further the elements of the EEO Program. Annual performance measurement factors for management and supervisory staff will include responsibility for working towards the current EEO goals within their area of control by ensuring effectiveness in promotions and supporting the RTC's EEO Program, successful achievement of EEO goals and cooperating in resolving complaints of discrimination. All management and supervisory staff are charged with working with the EEO Officer to ensure furtherance of the program through their involvement with all aspects of employment actions. Additionally, it is the obligation of each employee to always conduct themselves in conformity with the principles of equal employment opportunity. Any employee who fails in this obligation will be subject to disciplinary action up to and including termination.

**Contractor responsibility:**

The RTC requires contractors to comply with the equal opportunity provisions of Federal law, including but not limited to, Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, Equal Pay Act of 1963, as amended, Age Discrimination in Employment Act of 1967, as amended, Title II of the Genetic Information Nondiscrimination Act of 2008, as amended, 49 U.S.C. § 5332(b) of the Federal Transit Act, U.S. Department of Transportation (DOT) EEO implementing regulations (49 CFR Part 21), FTA Master Agreement, Section 504 of the Rehabilitation Act of 1973, Uniformed Services Employment and Reemployment Rights Act of 1994 as amended, Executive Order Numbers 11375 and 11246 as amended, as supplemented in the Department of Labor Regulations, 41 C.F.R. Part 60, and the rules, regulations and relevant orders of the Secretary of Labor.

**EEO Officer:**

The RTC EEO Officer is Dachresha Harris. The EEO Officer can be reached at 702-676-1514 or [harrisd@rtcsonv.com](mailto:harrisd@rtcsonv.com).

DocuSigned by:  
  
4261937E2244C6  
MJ MAYNARD  
Chief Executive Officer

April 13, 2023  
Date

## **DISSEMINATION AND IMPLEMENTATION OF POLICY**

To ensure that its Equal Opportunity Policy is fully and effectively disseminated, the Regional Transportation Commission of Southern Nevada communicates its policy in the following manner.

### **Internal Policy Dissemination**

The Regional Transportation Commission (RTC) policy on Equal Employment Opportunity has been and will continue to be publicized internally within the agency in the following ways:

1. Each new employee's will be given a copy of the EEO Policy at their time of hire, and the orientation for each new employee shall include a brief explanation of the policy as well as the role of all employees in complying with and furthering the EEO program.
2. The RTC's EEO Policy will be included in the RTC policy manual. The EEO Policy will be reviewed on a bi-annual basis.
3. The RTC's EEO Policy Statement and associated bulletins will be posted in all RTC work locations. A site visit will be conducted at each location semi-annually to ensure that the most recent version of the EEO Policy Statement and any associated bulletins are posted in their most current versions.
4. The RTC will conduct annual training classes and special meetings with executive management and supervisory personnel to explain the intent of the policy, to identify and explain each staff member's individual responsibility and accountability for effective implementation, and to reinforce the Chief Executive Officer's commitment to this policy.
5. The RTC will conduct required bi-annual on-line training courses for all RTC staff covering diversity, general harassment, and sexual harassment.
6. Non-discrimination clauses will be included in all agreements, including union agreements; all contractual provisions will be reviewed to ensure they are non-discriminatory.
7. Articles covering EEO programs and initiatives, progress reports, promotions, of minority and female employees, etc. will be featured in RTC internal publications throughout the year.
8. The EEO Policy Statement will be posted on the RTC Intranet site.

All new employees are required to attend a mandatory new employee training session related to fair employment policies and practices presented by the Human Resources Department. The session includes discussions regarding internal policies, and State and Federal laws as they apply to Equal Employment Opportunity, sexual harassment and discrimination.

Information regarding the complaint process as well as the name of the person(s) available for contact regarding a complaint is disseminated through the distribution of the "RTC Equal Employment Opportunity/Affirmative Action Plan". The Department of Human Resources is located at 600 S. Grand Central Parkway, First Floor, Las Vegas, Nevada 89106, (702) 676-1514, or (702) 676-1810.

### **External Dissemination**

The RTC policy on Equal Employment Opportunity (EEO) has been, and will continue to be disseminated and furthered with outside sources through the following methods:

1. Informing all recruiting partners verbally and in writing of RTC policy and stipulating that these sources actively recruit and refer qualified minorities, female, veterans, and individuals with disabilities for all positions listed.
2. Including standard language indicating the RTC is an Affirmative Action/Equal Employment Opportunity Employer on all recruitment announcements, literature, and application forms.
3. Participating in job fairs, career days, and professional networking events that are designed to reach qualified minorities, female, veterans, and disabled applicants and explaining RTC policy of equal opportunity while participating in these events.
4. Communicating with minority and female organizations, veteran organizations, vocational rehabilitation agencies, community groups, secondary schools, colleges and universities to further reach and educate the public regarding RTC Policy as it relates to EEO.

### **RESPONSIBILITY FOR IMPLEMENTATION**

The overall responsibility for implementation of the RTC's Equal Opportunity Program is assigned to the Chief Executive Officer. The Chief Executive Officer is further responsible for its development, compliance, and oversight through the Director of Human Resources. The Director of Human Resources is also responsible for the administration of a grievance procedure for all employees and applicants as it relates to recruitment, hiring, promotions, and termination as outlined in the RTC Merit Personnel System.

The Chief Executive Officer has designated the Director of Human Resources as the EEO Liaison. The EEO liaison is delegated responsibility for the planning, management and reporting activities related to the EEO Program. The Human Resources Manager is assigned to assist with the administration and the performance of the EEO/AA Program with the consent of the Chief Executive Officer or designee.

#### **Responsibilities of the EEO Liaison**

The responsibilities of the EEO Liaison, include but are not limited to:

1. Developing and recommending EEO Policy, a written EEO Program and internal and external communication procedures.
2. Assisting management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables, and developing programs to achieve goals.
3. Designing, implementing, and monitoring internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed.
4. Reporting periodically to the Chief Executive Officer and Deputy Chief Executive Officers, on progress of each unit in relation to the agency's goals.

5. Serving as liaison between the RTC and federal, state and local governments, regulatory agencies, minority, handicapped and female organizations and other community groups.
6. Ensuring that current legal information affecting affirmative action is disseminated to responsible officials.
7. Keeping management informed of the latest developments within the equal opportunity area.
8. Ensuring that all employees, including minorities, female, handicapped, and veterans, are given full equal opportunity for training and other employment activities.
9. Assisting senior management in the identification of problem areas.
10. Serving as liaison between the RTC and enforcement agencies.
11. Informing management of the latest developments in the area of equal opportunity.
12. Investigating alleged practices of discrimination against any person or group because of race, color, religion, creed, sex, pregnancy, age, national origin, disabled status, veteran status, sexual orientation, gender identity or gender expression and conduct hearings with regard thereto, whenever appropriate.
13. Identifying potential conflicts with regard to complaint investigation and enlisting the assistance of an outside neutral third-party to assist with investigating claims in such situations where a perceived conflict of interest may exist.
14. Forbidding retaliation against any employee, contractor or customer that files a charge of discrimination, opposes an action deemed to be inappropriate or unlawful, reports harassment or participates in an investigation.
14. Periodically reviewing training programs, as well as hiring and promotion patterns, to make recommendations for removing impediments to the attainment of RTC's EEO objectives.
15. Providing training on fair employment laws and workplace diversity as requested.

### **Responsibilities of Managers and Supervisors**

All management/supervisory personnel are advised that they share in the responsibility for carrying out equal employment opportunity as an integral part of their jobs.

Management/supervisor responsibilities shall include but are not limited to the following:

1. Assisting in the identification of problem areas.
2. Assisting in the establishment of goals and objectives, including timetables for completion.
3. Establishing and maintaining an environment that is conducive to equal employment opportunity.



4. Ensuring that all qualified applicants are treated fairly with respect to selection processes.
5. Ensuring that all employees are treated fairly with respect to all employment actions and activities, including but not limited to:
  - a. Job assignment
  - b. Training opportunities
  - c. Disciplinary action
  - d. Performance evaluation
  - e. Promotional opportunities
  - f. Employee Engagement
6. Acting to prevent any form of harassment of employees based on race, color, religion, creed, sex, pregnancy, age, national origin, disabled status, veteran status, sexual orientation, gender identity or gender expression and immediately reporting employee complaints to the Director of Human Resources and/or designee.
7. Communicating to the employees and prospective employees of the RTC's EEO Policy and Program.

### **Responsibilities of all Employees**

It is the responsibility and obligation of every employee to always conduct themselves in conformity with the principles of equal opportunity. Any employee who fails to cooperate with this policy will be subject to disciplinary action, which may include dismissal, as indicated in the policy statement.

#### **I. Harassment**

- A. The Commission recognizes that harassment based on race, color, religion, creed, sex, pregnancy, age, national origin, disabled status, veteran status, sexual orientation, gender identity or gender expression is unlawful, whether it is encountered as a condition of employment, employment decision, or where such conduct interferes with work performance or creates an otherwise offensive working environment. The RTC is committed to a work environment in which all employees are treated with respect and dignity. The RTC strives to provide all employees with the opportunity to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices. In conjunction with the objectives of this policy and in accordance with the various state and federal laws, rules, and regulations applicable to equal opportunity, the Commission is committed to maintaining a work environment that is free from discriminatory behavior and actions, with regard to the categories described above.
- B. The RTC Equal Opportunity Plan as adopted by the RTC clearly prohibits

discriminatory practices as described above, including the continuance or maintenance of, or permission to continue or maintain any practice, custom or activity which perpetuates, condones, permits, creates, or allows harassment in the workplace. Including, but not limited, to any and all offensive conduct and speech implicated considerations of race, color, religion, creed, sex, pregnancy, age, national origin, disabled status, veteran status, sexual orientation, gender identity or gender expression. Prohibited comments, behavior or actions include those that create a hostile work environment for another employee, customer, or contractor.

## II. Definition of Harassment

A. Sexual Harassment constitutes discrimination and is in violation of RTC policy and illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of sexual nature when, for example:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an employee's employment;
2. submission to or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee; or
3. such conduct has the purpose or effect of unreasonably interfering with an employees work performance or creating an intimidating, hostile or offensive working environment.

*Sexual harassment based-conduct may include a range of subtle and or not subtle behaviors and may involve the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; taunting, sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; displays in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.*

B. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an employee because of their race, color, religion, creed, sex, pregnancy, age, national origin, disability status, veteran status, sexual orientation, gender identity or gender expression. This includes any other characteristic protected by law such as:

1. Has the purpose or effect to create a work environment a reasonable person would consider intimidating, hostile or abusive.
2. Has the purpose or effect of unreasonably interfering with an employees work performance.

*Harassing conduct includes, but is not limited to: epithets, slurs or negative*

*stereotyping; threatening, intimidating or hostile acts; derogatory remarks; denigrating jokes; and written or geographic material that denigrates, shows universally recognized symbols of hatred, or shows hostility or aversion toward an employee or group and that is posted or otherwise circulated in the workplace.*

### **III. Retaliation Prohibited**

- A. RTC policy, consistent with law, prohibits retaliation. Employees who come forward with a good faith complaint of discrimination or form of harassment and/or who participate in any discrimination/harassment investigation are to be free from retaliation.
- B. Anyone found to have retaliated against an employee for coming forward with a complaint or against an employee who participated in the investigation of such a complaint will be subject to discipline up to and including termination.

### **IV. Complaint Procedure**

- A. The RTC encourages the prompt reporting of all perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. In addition, the RTC encourages employees who believe they have been subjected to such conduct to promptly advise the offender that their behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. However, if for any reason an employee does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the employee should contact the Director Human Resources or designee directly.
- B. If a supervisor or manager becomes aware that harassment or discrimination may be occurring, either from personal observation or as a result of an employee coming forward, the supervisor or manager must immediately report it to Human Resources.
- C. All managers and supervisors are responsible for taking prompt action in response to harassment and/or discrimination complaints by notifying their immediate supervisor.
- D. Upon notification or awareness of an alleged violation of this policy, the supervisor shall promptly notify the alleged offender that a complaint has been filed and to cease the alleged behavior and to refrain from any retaliatory actions. Depending on circumstances, the RTC reserves the right to temporarily alter the alleged offender's work assignment or to place the employee on paid leave pending further investigation.
- E. Human Resources shall coordinate and conduct an inquiry into the facts of the situation using the protocol established within the appropriate collective bargaining agreement.
- F. Upon completion of the investigation, Human Resources will issue a confidential summary and recommendations to the Chief Executive Officer or designee.
- G. Employees making false or malicious complaints of harassment, discrimination or retaliation (as opposed to complaints which even if erroneous, are made in good faith) will be subjected to appropriate disciplinary action up to and including

termination.

## **V. Confidentiality**

- A. The RTC wishes to create a safe environment in which employees are not afraid to discuss concerns and complaints, or to seek general information about discrimination, harassment, and retaliation. The RTC recognizes that employees may be concerned about the confidentiality of information they share and will strive to preserve confidentiality to the fullest extent possible.
- B. RTC administration and managers have the duty to report and/or act on confidential information that involves potential unlawful conduct or allegations of unlawful conduct, conduct that is inconsistent with RTC's EEO and/or fair employment laws.
- C. Any information gathered during the course of an EEO related investigation will be kept confidential (as possible) except as otherwise mandated by law.