

# Honolulu Authority for Rapid Transportation

## RESOLUTION NO. 2011- 7

RELATING TO THE EQUAL EMPLOYMENT OPPORTUNITY POLICY OF THE BOARD OF DIRECTORS OF THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION

WHEREAS, the Honolulu Authority for Rapid Transportation (HART) has been established pursuant to Article XVII of the Revised Charter of the City & County of Honolulu 1973, as amended (Charter); and

WHEREAS, Federal Transit Laws, 49 U.S.C. § 5332 (b), provide that “a person may not be excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance under this chapter because of race, color, creed, national origin, sex, or age;” and

WHEREAS, under Federal law, agencies employing more than fifty employees and requesting or receiving capital or operating assistance in excess of \$1 million are required to prepare and implement a formal equal employment opportunity program; and

WHEREAS, HART currently employs more than fifty employees and has requested or received more than \$1 million in capital or operating assistance; and

WHEREAS, HART continues to be committed to the principles of affirmative action and equal Employment opportunity;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of HART as follows:

1. That the Equal Employment Opportunity Policy, shown in Exhibit A attached hereto and made a part hereof by reference, be and hereby are, adopted as the policy of HART; and
2. That the Executive Director is authorized to implement the policies described in Exhibit A and to ensure that Authority staff and contractors, as appropriate, adhere to these policies; and
3. That this Resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of the Honolulu Authority for Rapid Transportation on

\_\_\_\_\_.

Exhibit A – Equal Employment Opportunity Policy of the Honolulu Authority for Rapid Transportation

\_\_\_\_\_  
Board Chair

ATTEST:

\_\_\_\_\_  
Board Administrator

# Honolulu Authority for Rapid Transportation

## STAFF SUMMARY

<b>TITLE: Adopting an Equal Employment Opportunity Policy for HART</b>			<b>STAFF CONTACT:</b> Charles Bayne	<b>DATE:</b> July 21, 2011
<b>Type:</b>	<b>Goal</b>	<b>Focus</b>	<b>Area</b>	<b>Reference Notes</b>
<input checked="" type="checkbox"/> Action/Approval	<input type="checkbox"/> Project Delivery	<input type="checkbox"/> Livability/Land Use		Federal Transit Laws, 49 U.S.C. § 5332 (b) Civil Rights Act of 1964, as amended, Titles VI & VII
<input type="checkbox"/> Information	<input type="checkbox"/> Service Delivery	<input type="checkbox"/> Partnerships		Americans with Disabilities Act of 1990
<input type="checkbox"/> Follow-up	<input type="checkbox"/> Resource Stewardship	<input checked="" type="checkbox"/> Agency Admin.		HRS Chapter 378

**1. Purpose:** By approving this action the Board will establish an Equal Employment Opportunity Policy for the Authority.

**2. Background/Justification:** The proposed EEO Policy declares HART to be an equal opportunity employer in compliance with federal and state laws. The policy affirms HART's commitment to treat all applicants for employment and employees equally without regard to race, religion, creed, color, national origin, sex, age, disability, veteran status, marital status or other class protected by local, state, or federal law. HART and its employees are prohibited to discriminate against an applicant for employment or employee on the basis of race, color, religion, creed, sex, age, national origin, or any other basis protected by local, state, or federal law, or to be excluded from participation in, or denied the benefits of, or be subject to discrimination under any project, program, or activity funded in whole or in part through federal financial assistance.

The policy supports the concept of an active affirmative action program consistent with federal laws, court decisions, executive orders, and regulations, including goals and timetables, in order to overcome the effects of past discrimination on minorities and women.

Staff will develop an EEO Program to implement the policy adopted by the Board. The responsibility for the implementation of the EEO Policy and resulting Program will be assigned to an EEO Officer that reports to the Executive Director in conformance with FTA requirements. The management of the EEO Program & day-to-day responsibilities shall be the responsibility of the EEO Officer. All HART managers and supervisors will share in the responsibility of ensuring compliance is achieved through understanding, communicating, and active involvement in the support of this policy. Performance evaluations of managers and supervisors shall include evaluating the success of the EEO Program in the same manner as performance on other goals.

**3. Procurement Background:** Does not apply.

**4. Financial/Budget Impact:** There is no direct financial or budgetary impact from this action.

**5. Policy Impact:** This action establishes new policy for the Authority. The policy extends to all areas of employment including recruitment, selection and placement, compensation, promotion, transfer, discipline, demotion, lay-off, termination, training, daily working conditions, benefits and all other terms and conditions of employment. All new employees will receive training on the policy. Managers and supervisors will periodically discuss the status of the implementation of the policy and the associated EEO program elements in the Authority's day-to-day operations. Finally, the policy will be subject to review and updating at least every three years.

**6. Public Involvement:** Does not apply.

7. **Alternatives:** None. It is important for the Board to adopt an EEO Policy to ensure the Authority is in compliance with federal and state law and with FTA requirements.

8. **Exhibits:** A – HART EEO Program Policy Statement

**Certified and Recommended by:**

\_\_\_\_\_  
**Interim Executive Director**



HONOLULU AUTHORITY for RAPID TRANSPORTATION

## Equal Employment Opportunity Program

### Policy Statement

1. The Honolulu Authority for Rapid Transportation (HART) is an Equal Employment Opportunity (EEO) employer. HART affirms its commitment to treat all applicants for employment and employees without regard to race, religion, creed, color, national origin, sex, age, disability, veteran status, marital status or any other class protected by local, state, or federal law. HART and its employees are prohibited to discriminate against an applicant for employment or employee on the basis of race, color, religion, creed, sex, age, national origin, or any other basis protected by local, state, or federal law, or to be excluded from participation in, or denied the benefits of, or be subject to discrimination under any project, program, or activity funded in whole or in part through federal financial assistance.
2. This policy extends to all areas of employment including recruitment, selection and placement, compensation, promotion, transfer, discipline, demotion, lay-off, termination, training, daily working conditions, benefits and all other terms and conditions of employment.
3. The HART supports the concept of an affirmative action program including goals and timetables.
4. The responsibility for the implementation and day to day management of the HART EEO Program is assigned to the HART EEO Officer. All HART managers and supervisors share in the responsibility of ensuring compliance is achieved through understanding, communicating, and active involvement in the support of this policy.
5. Applicants and employees have the right to file complaints alleging discrimination with the HART EEO Office, the City and County of Honolulu's Equal Employment Office, the Hawaii Civil Rights Commission, the Equal Employment Opportunity Commission (EEOC) and the Federal Transit Administration's Office of Civil Rights.

This policy will be updated a minimum of every three years. All new hires will receive a copy of the HART EEO Policy. A copy of this policy is posted on the HART's website.

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HART Executive Director

Adopted by the HART Board of Directors on \_\_\_\_\_.