VETERANS of the UNITED STATES MILITARY

AFFIRMATIVE ACTION PLAN

In compliance with obligations under the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended by the Veterans Employment Opportunities Act of 1998, the Veterans Benefits and Health Care Improvement Act of 2000, the Jobs for Veterans Act of 2002, and 41CFR Parts 60-300 (and 60-250 if applicable) as revised effective March 24, 2014.

Spokane Transit Authority
1230 West Boone Ave.
Spokane, WA 99201

Plan Year Starting: 7/01/2014 **Ending:** 6/30/2015

EMPLOYER ID NUMBER: 91-1151502

Data Prepared By: Date:

Janeine R. Knoll, Human Resources Specialist

Approved By:

Steve Doolittle, Director of Human Resources
Affirmative Action Officer

E. Susan Meyer, Chief Executive Officer 9.12.14

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DRAFT

AFFIRMATIVE ACTION FOR VETERANS

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1. POLICY STATEMENT

– Must be posted for employees and applicants in braille or other accessible formats

To: All Employees, Job Applicants, Supervisors, Managers and Officials
Subject: Affirmative Action - Equal Employment Opportunity for Military Veterans

Spokane Transit Authority, its managers and employees are committed to providing equal employment opportunity to all veterans of U.S. military service and doing our part to remove any employment barriers and reach out to qualified veterans in compliance under the federal Vietnam Era Veterans Readjustment Assistance Act, as amended.

We prohibit discrimination against any qualified applicant or employee based on his or her status as a veteran of the United States military. We have established an Affirmative Action plan for veterans:

1. with a service-connected disability, or
2. in the 3-year period beginning on the date of release from active duty, or
3. who served in a war, campaign or expedition for which a campaign badge has been authorized, or in an operation for which a U.S. Armed Forces service medal was awarded.

This policy applies to all personnel actions including but not limited to recruitment, advertising, hiring, upgrading, promotion, discipline, transfer, layoff, leave or termination, rates of pay, other forms of compensation or benefits, training, apprenticeship, or participation in social or recreational activities. All such decisions will be based only on valid job requirements. Our Affirmative Action plan has the purpose of focusing our efforts to employ and advance in employment, qualified veterans including disabled veterans, and other protected veterans at all levels of employment including the executive level.

I invite all covered veterans to inform our Affirmative Action Officer so that you may be included in required government reporting. No one will be subjected to harassment, intimidation, threats, coercion, or discrimination because of filing a complaint under this policy, assisting in an investigation, opposing a practice prohibited by laws protective of veterans, or exercising any other rights under these laws or related amendments.

The full text of the policy may be reviewed during regular business hours in the offices of the Affirmative Action Officer.

Steve Doolittle, Director of Human Resources, is this facility's EEO and Affirmative Action Officer, and is responsible for maintaining the necessary programs, records, and reports to ensure compliance and our policy objectives. This plan is available for review by employees or applicants by appointment during normal business hours. I expect all of us to give our full support to this effort.

Date: 9.12.14

E. Susan Meyer, Chief Executive Officer

2. PURPOSE & DEFINITIONS 60-300.1, 2

The purpose of this policy is to assure that this facility will take Affirmative Action on behalf of the covered veterans defined below. Its further purpose is to prevent discrimination in accordance with 38 U.S.C. (4212), the Vietnam Era Veterans Readjustment Act of 1974 as amended, the Veterans Employment Opportunities Act of 1998 (VEOA), the Veterans Benefits and Health Care Improvement Act of 2000 (VBHCIA), and the Jobs for Veterans Act of 2002 (JVA).

Definitions of Protected Veterans (60-300.2):

Disabled Veteran - A veteran who (1) is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or (2) who was discharged or released from active duty because of a service-connected disability.

Qualified Disabled Veteran means a disabled veteran who has the ability to perform the essential functions of the employment position with or without reasonable accommodation.

Recently Separated Veteran means any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty.

Other Protected Veteran means a person who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized, under the laws administered by the Department of Defense.

Armed Forces Service Medal Veteran means any veteran who, while serving on active duty in the Armed Forces, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985 (61 FR 1209).

Following 2002, the law no longer uses the term "Vietnam Era Veteran" because it is included in the new definitions above. However, we preserve the original definition here for informational purposes - "A person who served on active duty for a period of more than 180 days, and was discharged with other than a dishonorable discharge, if any part of such duty occurred in the Republic of Vietnam between February 28, 1961 and May 5, 1975; or between August 5, 1964 and May 7, 1975 in all other cases."

3. REVIEW OF PROCESSES and CONSIDERATION of QUALIFICATIONS 60-300.44(b), .80

Records of all personnel actions with respect to known covered veterans, accommodations made, complaints or grievances, and action taken hereunder shall be maintained for at least two years. This shall include personnel file notations of each vacancy or promotion for which covered veterans are considered, and, if rejected, a statement comparing the qualifications of the person selected with the covered veterans, the accommodations considered, and the reason for rejection. Such information will be provided to the applicant or employee on request. All personnel processes will be reviewed at least annually to determine whether they assure careful, thorough and systematic consideration of the job qualifications of known veteran applicants or employees for all job openings and training opportunities.

Records of training programs for which covered veterans were considered and those which were attended will also be kept. Where an accommodation to a disability is made to enable

placement of a covered person, a file separate from the personnel file will contain a description, and such will be logged and reported annually.

4. PHYSICAL and MENTAL QUALIFICATIONS 60-300.44(c)

Any physical or mental job requirements will be reviewed at least annually to ensure that they do not tend to screen out qualified covered veterans unless they are validly related to the specific job for which the individual is being considered and are consistent with business necessity.

Medical examinations, if required, are applied only in accordance with business necessity, job safety and performance related to the specific job(s) for which the individual is being considered. Such exams, other than drug screenings, will not be required of applicants until after a contingent offer of employment. Information obtained from such exams will be kept confidential except on a need to know basis such as supervisors who may be informed regarding accommodations or work restrictions, safety personnel regarding conditions requiring emergency treatment, or government compliance officials.

5. AUDIT & REPORTING 60-300.44(h)

This affirmative action plan will be reviewed and updated annually by the Affirmative Action Officer. If this review produces significant changes in this plan, these changes will be communicated to employees and applicants in writing. All plan records, reports and personnel files will be available to government auditors upon request.

VETS 100 Report - An annual report to the Department of Labor, the VETS-100 Report, will be prepared and submitted as required.

We will design, implement and document annually an audit and reporting system that will:

1. Measure the effectiveness of our Affirmative Action Plan
2. Indicate any need for remedial action
3. Determine the degree to which our objectives have been attained
4. Determine whether known protected veterans have had the opportunity to participate in all company sponsored educational, training, recreational and social activities;
5. Measure compliance with specific AAP regulations and our programs.
6. Correct any deficiencies to bring our programs into compliance.

6. ANNUAL DATA COLLECTION 60-300.44(k)

As required, we will annually track and tally: 1) the number of applicants identifying as veteran, 2) the number of jobs opened and filled, 3) the number of applicants for all jobs, 4) the number of protected veteran hires, and 5) the number of all applicants hired and retain same for at least three (3) years.

7. ANNUAL BENCHMARKS & PROGRESS MEASUREMENT 60-300.45

We will annually set a "hiring benchmark" for Veterans using either the percent of Veterans nationally as estimated by OFCCP (**7.2%,** for 2014-2015), or our own estimate taking into account: (i) the average percentage of veterans in the civilian labor force in the State(s) where we are located over the preceding three years, as calculated by the Bureau of Labor Statistics; (ii) the number of veterans, over the previous four quarters, who were participants in the employment service delivery system in the States where we are located, as published by the Veterans' Employment and Training Service; (iii) the applicant ratio

and hiring ratio for the previous year, based on our data collected above; (iv) our recent assessment of the effectiveness of our external outreach and recruitment efforts; and (v) any other factors, including but not limited to the nature of our job openings and locations, which would tend to affect the availability of qualified protected veterans.

This "benchmark" and our actual progress against it will be included in our annual plan report and all related records will be retained for at least three (3) years.

8. ANNUAL WRITTEN ASSESSMENT of OUTREACH 60-300.44(f) 3

We annually write a review of our outreach and recruitment efforts over the previous twelve months to evaluate their effectiveness in recruiting qualified protected veterans. This will include the criteria used to evaluate the effectiveness of each effort and our conclusion as to whether each effort was effective. Among these criteria shall be the data collected in section 6 above, our annual data collection, for the current year and the two most recent previous years. Records will be retained for three (3) years.

9. REASONABLE ACCOMMODATION 60-300.44(d)

Spokane Transit Authority will make reasonable accommodation for otherwise qualified disabled veterans. Accommodations are reasonable only if they do not create undue hardship on the conduct of business when considering such factors as business necessity, costs and other objective factors. If it reasonably appears that a significant performance difficulty may be related to a known disability, we will confidentially notify the employee of the performance problem, inquire whether it is related to the disability, and if so, inquire as to needs for accommodation.

10. COMPENSATION 60-300.21(i)

Offers of employment or promotion to protected veterans shall not be reduced because of any disability or military pension income or benefits derived from another source. Benefits including, but not limited to vacation, holiday, leave of absence, or retirement will be provided without discrimination because of veteran status.

11. ANTI-HARASSMENT 60-300.44(e)(f)

Spokane Transit Authority has developed and implemented procedures to ensure that its employees are not harassed because of their status as a disabled veteran or other protected veteran.

12. MANDATORY JOB LISTING WITH STATE 60-300.5

We will list all employment openings with the local office of the State Employment Service at least concurrent with any other recruiting activity and express our desire for priority referral. Referral of qualified veterans will be accepted.

"All employment openings" shall include jobs not generated by the contract and those occurring at establishments other than the one wherein the contract is being performed, but excluding those of independently operated corporate affiliates. Also excluded are openings which are to be filled exclusively from within the contractor's organization (with no consideration of any external candidates), or from leave, layoff/recall lists, executive or top management jobs, or jobs lasting less than 3 days.

We must also advise the employment service delivery system in each state where we have establishments that we are federal contractor, that we desire priority referrals of protected

veterans for job openings at each facility, and we also provide them the name, location and contact information for each hiring official at each location.

13. EXTERNAL DISSEMINATION 60-300.5, 44(f)

Spokane Transit Authority will comply with the following requirements:

1. Applicant websites if any will include the veterans rights notice (poster) provided by the Secretary of Labor, and capture and store it with or as part of our e-application. (41 CFR60-300.05(49)
2. Recruiting ads shall state that "all qualified applicants will receive consideration for employment without regard to their protected veteran status." (41 CFR60-300.05(12)
3. The posted Policy Statement (see page 3) must include Braille versions or other accommodations to make it accessible. (41 CFR60-300.05,21, 41, 43, 44a)
4. Send notice to all vendors, suppliers, including recruiting sources, and any unions to request cooperation and appropriate action.
5. Develop appropriate outreach and recruitment actions, **such as**:
   a) Enlisting the help of state Veteran Employment Representatives, Dept. of Veterans Affairs, veteran's counselors on college campuses, or veteran service groups for both recruiting and technical assistance in workplace veterans issues.
   b) Formal briefings and tours for veterans representatives as appropriate to our recruiting needs, including explanations of hiring process, current and future openings, job descriptions and referral methods.
   c) Efforts to reach covered veterans in college/school recruiting, if any.
   d) Including our veteran employees in any such outreach efforts.
   e) Taking positive steps to attract veterans not currently in the workforce.
   f) Using language on any employment brochures, advertisements, bulletin boards, and applications to inform veterans of this policy.
   g) We will review personnel records to determine availability and promotability of known covered persons for each opening.

14. CONTRACT AND PURCHASE ORDER CLAUSES 60-300.5(a)

Our vendors, contractors and suppliers will be informed of our policy, and all purchase orders or contracts of $100,000 annual value or more will contain **in bold text** the following clause:

41 CFR 60-300.5(a) requires all contracts and purchase orders to incorporate this language: "This contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a). This regulation prohibits discrimination against qualified protected veterans, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans." (May be combined with other required AAP statements)

This is only a summary statement of the requirements of 41 CFR 60-300.5(a). This will apply for the full duration of such contract regardless of changes in the annual value. This clause is also deemed to be part of such contracts by operation of the law.

15. INTERNAL DISSEMINATION 60-300.44(g)

1. This policy will be communicated to all employees and managers through inclusion in any policy manuals and any Employee Handbooks.
2. Manager and supervisor meetings on EEO/Affirmative Action will include discussion of this policy.
3. Orientation packets and presentations for new employees and all corporate personnel will include this policy.
4. All persons involved in recruitment, screening, selection discipline or any personnel decision shall be trained to ensure implementation of this policy.
5. Any newsletters should periodically reinforce the policy through special features or announcements and stories on accomplishments of veterans.
6. The policy will be posted on appropriate bulletin boards in all facilities.

16. RESPONSIBILITY FOR IMPLEMENTATION 60-300.44(i)

1. The Affirmative Action Officer

   The designated official, reporting to and with the full support of top management, Steve Doolittle, Director of Human Resources, is responsible for coordinating all compliance activities of the staff and management and filing related reports. Among the specific duties are:

   a. Developing communications materials, policies and procedures, and arranging for their approval and dissemination.
   b. Identifying problem areas in conjunction with management and veteran employees and suggesting resolutions, including prevention of harassment, and career counseling.
   c. Serving as liaison with relevant agencies.
   d. Keeping management informed of new developments and advising them that their performance evaluations are based on their affirmative action results and efforts.
   e. Reviewing job requirements, evaluating selection practices, and training those involved in selection and placement to support this policy.
   f. Developing auditing and reporting methods.
   g. Preparing the annual update and report.

2. Other Managers and Employees

   All managers shall observe this policy and cooperate fully in its administration as part of their job performance. Employees shall report any problems or complaints to the Affirmative Action Officer or Chief Executive Officer promptly.

17. PLAN ACCESS by EMPLOYEES or APPLICANTS 60-300.41, .44

Notices will be placed on bulletin boards informing employees that this policy will be available for inspection by any employee or applicant for employment upon request during the hours and at the location posted at each establishment.

18. INVITATION TO SELF-IDENTIFY 60-300.42

Spokane Transit Authority invites employees and applicants who believe themselves to be covered by this policy to identify themselves voluntarily in order to take part in our Affirmative Action Plan prior to a job offer on a form designed for that purpose and again after a job offer but before the applicant begins his or her job duties on another form designed for that purpose. Employees may respond to this invitation to self-identify at any time. No adverse treatment will result from refusal to provide information which the employee wishes not to provide. Such information will remain confidential and be used only for purposes of compliance with the law and regulations. Employees or applicants shall be protected from intimidation, coercion or retaliation for filing a grievance or assisting in an investigation applicable to this policy.

Additional invitations to employees must be made at least every 5 years with a reminder in between. (.42)

PLEASE SEE THE FOLLOWING PAGES FOR THE EMPLOYMENT FORMS DEEMED TO COMPLY WITH 41 CFR 60-300.42 AND RECOMMENDED BY THE US DEPARTMENT OF LABOR

VETERANS PRE-OFFER

VOLUNTARY SELF-IDENTIFICATION INVITATION FOR JOB APPLICANTS

US GOVERNMENT REQUIREMENT FOR EMPLOYERS WITH FEDERAL VETERANS AFFIRMATIVE ACTION PLANS - 41 CFR 60-300.42(a)

This employer is a Government contractor subject to the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended by the Jobs for Veterans Act of 2002, 38 U.S.C. 4212 (VEVRAA), which requires Government contractors to take affirmative action to employ and advance in employment: (1) disabled veterans; (2) recently separated veterans; (3) active duty wartime or campaign badge veterans; and (4) Armed Forces service medal veterans, defined as follows:

A "disabled veteran" is one of the following:

- a veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs; or
- a person who was discharged or released from active duty because of a service-connected disability.

A "recently separated veteran" means any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval, or air service.

An "active duty wartime or campaign badge veteran" means a veteran who served on active duty in the U.S. military, ground, naval or air service during a war, or in a campaign or expedition for which a campaign badge has been authorized under the laws administered by the Department of Defense.

An "Armed forces service medal veteran" means a veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

Protected veterans may have additional rights under USERRA - the Uniformed Services Employment and Reemployment Rights Act. In particular, if you were absent from employment in order to perform service in the uniformed service, you may be entitled to be reemployed by your employer in the position you would have obtained with reasonable certainty if not for the absence due to service. For more information, call the U.S. Department of Labor's Veterans Employment and Training Service (VETS), toll-free, at 1-866-4-USA-DOL.

If you believe you belong to any of the categories of protected veterans listed above, please indicate by checking the appropriate box below.

[ ] I IDENTIFY AS ONE OR MORE OF THE CLASSIFICATIONS OF PROTECTED VETERAN LISTED ABOVE

[ ] I AM NOT A PROTECTED VETERAN

Submission of this information is voluntary and refusal to provide it will not subject you to any adverse treatment. The information provided will be used only in ways that are not inconsistent with the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended.

As a Government contractor subject to VEVRAA, we request this information in order to measure the effectiveness of the outreach and positive recruitment efforts we undertake pursuant to VEVRAA.

If you receive a job offer, the US government requires us to invite further voluntary identification of your veteran status at that time, as you enter employment, and at any time you wish to disclose said status.

_____ _____

PLEASE ENTER YOUR NAME HERE **TODAY'S DATE**

A Special Note From the employer - Affirmative Action under these US laws means facilitating equality of job opportunities and targeted recruiting, not quotas or preferences, which are prohibited. It also means reasonable accommodation to make our application and selection process accessible to persons with disabilities. If you would like to discuss a potential accommodation during this process please let us know.

Employer Use Only: Job Group Code: _____ If current opening, Job Applied For: _____

Rev. 9/11/2013

VETERANS POST-OFFER

VOLUNTARY SELF-IDENTIFICATION INVITATION FOR JOB CANDIDATES AND EMPLOYEES

US GOVERNMENT REQUIREMENT FOR EMPLOYERS WITH FEDERAL VETERANS AFFIRMATIVE ACTION PLANS - 41 CFR 60-300.42(b)

As a Government contractor subject to VEVRAA, we are required to submit a report to the United States Department of Labor each year identifying the number of our employees belonging to each specified "protected veteran" category, and to take affirmative action to employ and advance in employment protected veterans, defined as follows:

A "disabled veteran" is one of the following:

- a veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs; or
- a person who was discharged or released from active duty because of a service-connected disability.

A "recently separated veteran" means any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval, or air service.

An "active duty wartime or campaign badge veteran" means a veteran who served on active duty in the U.S. military, ground, naval or air service during a war, or in a campaign or expedition for which a campaign badge has been authorized under the laws administered by the Department of Defense.

An "Armed forces service medal veteran" means a veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985.

If you believe you belong to any of the categories of protected veterans listed above, please indicate by checking the appropriate box (or boxes) below.

I BELONG TO THE FOLLOWING CLASSIFICATIONS OF PROTECTED VETERANS (CHOOSE ALL THAT APPLY):

[ ] DISABLED VETERAN

[ ] RECENTLY SEPARATED VETERAN

[ ] ACTIVE WARTIME OR CAMPAIGN BADGE VETERAN

[ ] ARMED FORCES SERVICE MEDAL VETERAN

[ ] **I am a protected veteran, but I choose not to self-identify the classifications to which I belong.**

[ ] **I am NOT a protected veteran.**

If you are a disabled veteran it would assist us if you tell us whether there are accommodations we could make that would enable you to perform the essential functions of the job, including special equipment, changes in the physical layout of the job, changes in the way the job is customarily performed, provision of personal assistance services or other accommodations. This information will assist us in making reasonable accommodations for your disability.

This information is voluntary and refusal to provide it will not subject you to any adverse treatment. The information provided will be used only in ways that are not inconsistent with the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended.

The information you submit will be kept confidential, except that (i) supervisors and managers may be informed regarding restrictions on the work or duties of disabled veterans, and regarding necessary accommodations; (ii) first aid and safety personnel may be informed, when and to the extent appropriate, if you have a condition that might require emergency treatment; and (iii) Government officials engaged in enforcing laws administered by the Office of Federal Contract Compliance Programs, or enforcing the Americans with Disabilities Act, may be informed.

PLEASE ENTER YOUR NAME HERE _____ TODAY'S DATE _____

A Special Note from the employer - Affirmative Action under these US laws means facilitating equality of job opportunities and targeted recruiting, not quotas or preferences, which are prohibited. It also means working with employees on reasonable accommodations to disabilities. If you would like to discuss a potential accommodation during your employment please let us know.

Employer Use Only: Job Group Code: _____ If current opening, Job Applied For: _____

Rev. 9/11/2013