

<b>BD 3.2</b>	<b>EQUAL EMPLOYMENT OPPORTUNITY POLICY</b>	Resolution Number	12-65
		Resolution Date	04/18/12
		Effective Date	04/18/12
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		Procedure Number	

<b>PURPOSE</b>	To reaffirm that it has been and will continue to be the policy of the North Texas Tollway Authority (NTTA) to be an equal opportunity employer.
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<b>POLICY STATEMENT</b>	<p><u>Basic Equal Employment Opportunity (EEO) Policy</u></p> <ul style="list-style-type: none"> <li>a) The NTTA's policy is to recruit, hire, promote, train, compensate and reassign for all job classifications without regard to race, color, religion, sex, sexual orientation, gender identity, age, national origin, disability or veteran status.</li> <li>b) All applicants for employment will be considered without regard to race, color, religion, sex, age, national origin, disability or veteran status.</li> <li>c) There will be no discrimination with regard to race, color, religion, sex, sexual orientation, gender identity, age, national origin, disability or veteran status in employment matters relative to all employees of the NTTA. Such matters include, but are not limited to, facilities, promotions, demotions, transfers, layoffs, terminations or other terms and conditions of employment.</li> <li>d) Every employee of the NTTA shall adhere to this policy.</li> <li>e) Employment practices of the NTTA will conform to the requirements of all applicable laws and regulations regarding non-discrimination in employment.</li> <li>f) An Affirmative Action Plan will be adopted annually to ensure that EEO policy of the NTTA, as well as its legal obligations, are translated into positive efforts that will improve employment opportunities for employees and applicants without regard to race, color, religion, sex, sexual orientation, gender identity, age, national origin, disability or veteran status.</li> </ul> <p><u>Compliance with Guidelines on Sex Discrimination</u></p> <p>It has been and continues to be the policy of the NTTA not to discriminate on the basis of sex, sexual orientation, gender</p>
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identity, and to this end, the NTTA shall continue to require the following:

- a) The NTTA actively recruits both men and women for all jobs. Referral sources are informed that the Authority has no specific sex preference and seeks only qualified applicants without regard to race, color, religion, sex, sexual orientation, gender identity, age or national origin.
- b) Advertisements, when placed, are placed with no sex preference indicated. The statement "An Equal Opportunity Employer" will follow all advertisements.
- c) All written personnel policies clearly stipulate that there is no distinction between the employment treatment of males and females on the basis of marital status.
- d) The NTTA provides appropriate and equal physical facilities to both female and male employees.
- e) No distinction is made between males and females in regard to retirement.
- f) Wage schedules and rates are not related to the sex of any employee.
- g) Jobs in all classifications are open to all qualified employees regardless of sex, sexual orientation, or gender identity.

#### Pregnancy and Medical Conditions

Neither women nor men are penalized in their employment because of time spent away on account of childbearing or related medical conditions. The NTTA leave policy includes provisions for leave due to disability for a pregnancy-related condition. Disabilities caused or contributed to by pregnancy, childbearing or related medical conditions are treated the same as disabilities caused or contributed to by other medical conditions.

#### Sexual Harassment

The NTTA does not tolerate sexual harassment of any kind in its workplace and has adopted policies that establish guidelines to respond to allegations of sexual harassment.

#### Compliance with Guidelines on Discrimination Because of Religion or National Origin

The NTTA does the following to ensure that all applicants and employees are not discriminated against because of religion or national origin:

- a) The NTTA reviews employment practices to ensure that members of various religious and/or ethnic groups are given equal job opportunities.

	<ul style="list-style-type: none"> <li>b) To ensure non-discrimination based on religion or national origin, the NTTA is involved in outreach and recruitment activities.</li> <li>c) The NTTA communicates its obligations to provide equal employment opportunity without regard to religion or national origin to all employees, including managers and supervisors.</li> <li>d) Internal procedures exist at each level to implement equal employment opportunity without regard to religion or national origin.</li> <li>e) The NTTA informs all employees of its commitment to equal employment opportunity without regard to religion or national origin.</li> <li>f) Recruitment sources provide equal employment opportunity without regard to religion or national origin.</li> </ul> <p><u>Religious Observances and Practices</u></p> <p>The NTTA accommodates the religious observance and practices of employees or prospective employees except where such accommodation causes undue hardship in the conduct of the Authority's business. The extent of the NTTA's obligation is determined by considering business necessity and expense.</p> <p><u>Code of Business Compliance</u></p> <p>All NTTA employees must comply with the Authority's Code of Business Ethics and conduct their business activities with honesty, fairness, and integrity, action impartially and not giving preferential treatment on the basis of race, color, religion, sex, age, or national origin. Employee shall not use their position with the organization for personal or private gain.</p>
<b>RESPONSIBILTIES</b>	<p><u>Executive Director</u></p> <p>The Executive Director, as the Board-appointed executive official of the NTTA, has the overall responsibility for the effective development and implementation of the EEO policy. As Executive Director, the responsibilities include:</p> <ul style="list-style-type: none"> <li>a) Assistance in the identification of problem areas and establishment of goals and objectives for the NTTA;</li> <li>b) Periodic review of training programs, hiring, career and promotion patterns to remove impediments to the attainment of career goals and objectives;</li> <li>c) Discussions with department heads and supervisors to ensure that NTTA policies are being followed;</li> <li>d) Periodic review to ensure that each facility is in compliance in areas such as: <ul style="list-style-type: none"> <li>i. Required posters are properly displayed;</li> </ul> </li> </ul>

- ii. Minority and female employees are afforded a full opportunity and are encouraged to participate in all NTTA-sponsored educational, training, recreational, and social activities;
- iii. Reasonable accommodations are made for employees with a disability.

Director of Human Resources

The day-to-day responsibilities for the implementation of the policy are delegated to the Director of Human Resources, who is accountable to the Executive Director or the Executive Director's designee. As the manager with equal employment responsibilities, the Director of Human Resources has the full support of the Board of Directors, the Executive Director or the Executive Director's designee, and the NTTA staff. The responsibilities of the Director of Human Resources include but are not limited to:

- a) Development of policy statements, Affirmative Action Programs, and internal and external communication related to equal opportunity in employment;
- b) Review of available data to assist in the identification of EEO problem areas;
- c) Assistance to supervisors to arrive at solutions to EEO problems;
- d) Design and implementation of reporting systems that will:
  - i. Measure the effectiveness of the EEO programs by department;
  - ii. Indicate the need for remedial action;
  - iii. Determine the degree in which EEO goals and objectives have been attained;
  - iv. Maintain active personnel files and job applicant registers; maintain lists of employees by area and classification, and report job openings to the state employment agency.
- e) Serve as liaison between organizational units and enforcement agencies;
- f) Serve as liaison between each organizational unit and minority organizations, women's organizations and community-action groups concerned with employment opportunities of minorities and women;
- g) Inform management of the latest developments in the entire equal employment opportunity area.

Department Heads and Supervisors

Department heads and supervisors will be responsible for initiating, administering and controlling activities within their

	<p>respective areas of responsibility in order to ensure full implementation of the NTTA's EEO policy. Department heads and supervisors will have the following responsibilities:</p> <ul style="list-style-type: none"> <li>a) Undertake appropriate and required EEO efforts and work place analysis as an integral part of their work performance.</li> <li>b) Take action to prevent harassment of all employees and in particular of employees placed through affirmative action efforts;</li> <li>c) Ensure decisions regarding employment including hiring, wages, benefits, promotions, transfers, terminations, and demotions are administered in a non-discriminatory manner.</li> </ul> <p>The Director of Human Resources is responsible for the establishment and implementation of the auditing and reporting system. He/she reviews this system on a quarterly basis. The reporting and auditing system includes:</p> <ul style="list-style-type: none"> <li>a) Accurate and up-to-date records on all applicants, hires, promotions, transfers and terminations by race and sex;</li> <li>b) Records of all promotions, transfers, and terminations by department and classification;</li> <li>c) Review of all selection, promotional and training procedures to be certain that they are non-discriminatory;</li> <li>d) Inform, on a regular basis, top management of the effectiveness of the Policy and making recommendations for improvement as needed.</li> </ul>
<b>SCOPE</b>	All employees of the NTTA.
<b>DEFINITIONS</b>	<p><b>Affirmative Action:</b> Actions, policies, and procedures undertaken by the NTTA in recruiting, hiring, promotions and all other personnel actions that are designed to achieve equal employment opportunity and eliminate the present effects of past discrimination. Affirmative action requires: (1) thorough, systematic efforts to prevent discrimination from occurring or to detect and eliminate it as promptly as possible; and (2) recruitment and outreach measures.</p> <p><b>Affirmative Action Plan:</b> detailed set of objectives and plans designed to achieve prompt and full utilization of minorities and women at all levels and in all areas of the covered work force.</p> <p><b>Applicant:</b> An applicant is one who 1) either submits a written application or an expression of interest in employment through</p>

the Internet or related electronic data technologies; 2) is considered by the NTTA for employment in a particular position; 3) has an expression of interest that indicates the individual possesses the basic qualifications of the position; and 4) at no point in the selection process prior to receiving an offer of employment removes himself or herself from consideration or otherwise indicates that (s)he is no longer interested in the position.

**Disability:** A physical or mental impairment that substantially limits one or more major life activities. One who has a record of, or is known to have, such impairment. And also, one who is regarded as having such impairment.

**Discrimination:** Illegal or prohibited treatment of a person or group of persons based on race, sex, sexual orientation, gender identity, or membership in another protected class.

**EEOC Equal Employment Opportunity Commission:** Federal commission which handles discrimination and harassment complaints, investigations, and legal action on behalf of employees.

**Protected Class/Categories:** Although there is no single definition, this usually refers to segments of the general population, which have been determined by law to constitute legitimate minority groups. Protected class/category is subject to interpretation and can refer to any, a part, or all of the following: race, color, religion, sex, or national origin under Title VII; persons who are age 40 and over under the Age Discrimination in Employment Act; the disabled under the Americans with Disabilities Act of 1990; women and minorities under Executive Order 11246; and veterans under the Vietnam Era Readjustment Assistance Veteran Act of 1974.

**Underrepresentation:** Having fewer minorities or women in a particular job group than would reasonably be expected by their availability in the applicable labor area.

**Workforce Analysis:** A listing of job titles from lowest to highest paid within each department that indicates the number of individuals found in each classification that belong to protected classes as well as other classes that are employed by the NTTA.