



Board Document

OVERVIEW			
PRESENTATION NAME	Equal Employment Opportunity Policy	DOCUMENT NO.	300026
ACTION OR INFORMATION	Action		
STRATEGIC TRANSFORMATION PLAN GOAL	Talented teams;		
RESOLUTION	Yes		
EXECUTIVE OWNER			
EXECUTIVE TEAM OWNER	Dickerson, Sherri T.;		
ORGANIZATION	People, Culture, and Inclusion		
DOCUMENT INITIATOR	Leenda M. Chambliss		
OTHER INFORMATION			
COMMITTEE	Board Meeting (Consent)	COMMITTEE DATE	3/27/2025
PURPOSE/KEY HIGHLIGHTS	Provide administrative updates to the Equal Employment Opportunity (EEO) policy to reflect organizational and title changes. In light of certain executive orders (e.g., Executive order 14173 titled, "Ending Illegal Discrimination and Restoring Merit-Based Opportunity) and directives that may impact WMATA, staff has proactively reviewed and made certain changes to the EEO policy.		
DISCUSSION	The current policy was last updated in May 2022, and is due for its regular three-year cycle update.		
INTERESTED PARTIES	There are no interested parties in this matter.		



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RECOMMENDATION/NEXT STEPS	Approval of the updated Equal Employment Opportunity policy.
FUNDING IMPACT	There is no funding impact for updating this policy

SUBJECT: UPDATE OF EQUAL EMPLOYMENT OPPORTUNITY POLICY

RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, In Resolution 2011-12, the Board of Directors delegated to the General Manager and Chief Executive Officer authority to amend all personnel policies, except for the policy regarding equal employment opportunity which is a Board-level policy; and

WHEREAS, The Board last updated the Equal Employment Opportunity Policy (P/I 7.1.1) ("EEO policy") in May 2022 (Res. 2022-12); and

WHEREAS, WMATA policies are reviewed and updated every three years; and

WHEREAS, Staff has reviewed the EEO policy and recommends that the Board approve certain administrative updates and clarifications as shown in the attached updated EEO policy (Attachment A);

NOW, THEREFORE, be it

RESOLVED, That the Board of Directors approves the updated Equal Employment Opportunity Policy (P/I 7.1.1) as set forth in Attachment A, and rescinds all prior versions of the policy; and be it finally,

RESOLVED, That as this Resolution deals solely with the internal management of the Washington Metropolitan Area Transit Authority, it shall be effective immediately.

Reviewed as to form and legal sufficiency,

/s/

Patricia Y. Lee
Executive Vice President, Chief Legal Officer,
and General Counsel

ATTACHMENT A

**POLICY/INSTRUCTION:**
7.1.1/4**Equal Employment Opportunity****SUPERSEDES: P/I 7.1.1/3****APPLICABLE TO: All Metro employees and applicants**

METRO RESERVES THE RIGHT TO ELIMINATE, CHANGE, OR MODIFY THIS POLICY AT ANY TIME. ADDITIONALLY, THE LANGUAGE USED IN THIS POLICY SHOULD NOT BE CONSTRUED AS CREATING A CONTRACT OF EMPLOYMENT BETWEEN METRO AND ANY OF ITS EMPLOYEES OR OTHERWISE ALTERING AN EMPLOYEE'S AT-WILL EMPLOYMENT RELATIONSHIP WITH METRO.

1.00 PURPOSE

- 1.01 The Washington Metropolitan Area Transit Authority (Metro) is committed to Equal Employment Opportunity (EEO) and to complying with all applicable federal laws that prohibit workplace discrimination and retaliation. Metro strictly prohibits all discrimination on the basis of race, color, religion, sex, and national origin, and any other status or classification protected by applicable federal laws, including but not limited to the Civil Rights Act of 1964, as amended. Metro will also make reasonable accommodations for disabled applicants and employees, and for the sincerely held religious beliefs of applicants and employees depending upon individual circumstances.
- 1.02 This commitment extends to all areas of personnel actions, including but not limited to advertising, recruiting, hiring, training, evaluation, promotion, transfer, work assignments, accommodation requests, requests for leave, compensation, benefits, disciplinary actions, layoffs, discharges, terminations, participation in company activities, programs, or events, or any other terms, conditions, or privileges of employment.

2.00 SCOPE

This policy applies to all Metro employees and applicants.

3.00 DEFINITIONS

- 3.01 **Applicant** - any person who submits an expression of interest in employment for a specific job opening at Metro.
- 3.02 **Employee** - a person employed by Metro.

4.00 RESPONSIBILITY

- 4.01 The Board of Directors is responsible for approving policies that ensure Metro complies with all applicable federal laws governing nondiscrimination in employment and EEO, Federal Transit Administration (FTA) rules and regulations. The Board authorizes the General Manager & Chief Executive Officer (GM & CEO) to delegate authority to accomplish these objectives, and to revise this policy as necessary for legal compliance.

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- 4.02 The GM & CEO is responsible for executing and issuing an EEO policy statement that complies with applicable federal laws and FTA requirements, designating an EEO Officer who has full authority with respect to EEO, giving the EEO Officer support and assigning sufficient staff to successfully carry out the EEO Program.
- 4.03 The EEO Officer (currently the Director of the Office of Equal Employment Opportunity (OEEO)) is delegated by the GM with full authority to plan, develop, manage and administer Metro's EEO policies and programs.
- (a) Reports directly to the GM & CEO on the status and implementation of the EEO Program.
 - (b) Responsible for developing and implementing the programs and practices that support the goal of EEO, including compliance with the FTA EEO Circular, as amended
- 4.04 The Executive Vice President and Chief People Officer (EVP-CPO) is responsible for advising employees and applicants of position entrance requirements, training programs, and professional development opportunities; ensuring new employees acknowledge in writing that they have received, read and understand this policy; conducting training for employees, managers, and supervisors; and stating in all recruitment ads that Metro is an equal employment opportunity employer.
- 4.05 The Director of Labor and Employee Relations or designee is responsible for working collaboratively with the EEO Officer to ensure recommended corrective actions are taken and providing consent to management before any personnel action is taken regarding employees who have engaged in protected activity.
- 4.06 Managers and supervisors are responsible for carrying out the provisions of this policy and the EEO Program; cooperating with the EEO Officer in investigations of discrimination; encouraging employee participation to support the advancement of the EEO Program; and ensuring employees and applicants who file complaints under this policy are not subjected to retaliation, penalty or any resulting differences in treatment.
- 4.07 The Vice President & Chief Procurement Officer (VP-CPRO) is responsible for requesting EEO Program documentation from contractors who meet the EEO Program threshold and providing contractor EEO Programs to the EEO Officer.
- 4.08 Employees are responsible for:
- (a) complying with this policy;
 - (b) fully cooperating in an investigation initiated under this policy;

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- (c) maintaining the confidentiality of matters pertaining to the investigation and investigatory process and not engaging in workplace discussions about a complaint or investigation; and
- (d) immediately reporting matters covered by this P/I to their managers, supervisors or the EEO Officer.

5.00 POLICIES AND PROCEDURES**5.01 Rehabilitation Act and Vietnam Era Veteran's Readjustment Assistance Act of 1974; EEO Program**

- (a) Metro has established affirmative action programs (AAPs) to comply with its affirmative action, antidiscrimination, and accommodation obligations for individuals with disabilities under Section 503 of the Rehabilitation Act, and protected veterans under the Vietnam Era Veteran's Readjustment Assistance Act of 1974.
- (b) The EEO Officer shall develop AAPs for qualified individuals with disabilities and protected veterans that satisfy federal requirements.
- (c) The EEO Officer will make the AAPs available for inspection by any employee or applicant upon request.
- (d) The EEO Officer shall develop an EEO Program that complies with applicable federal laws, including applicable FTA rules and regulations.

5.02 Reporting and Investigation Procedures

Employees or applicants who witness or believe they have been subjected to discrimination or harassment are encouraged to promptly bring such claim to the attention of their managers, supervisors, and/or management, including the EEO Officer. Employees are not required to report violations of this policy to their supervisors, managers, or any other person engaging in the unwelcome behavior if that supervisor, manager, or other person is the subject of the report.

- (a) All supervisors or managers who witness any discriminatory or harassing misconduct, or receive complaints of such misconduct, are required to immediately report the conduct to the EEO Officer.
- (b) Employees or applicants who believe they have been subjected to or witnessed violations of this policy may file a written complaint with the EEO Officer using the following contact information:

EEO Officer Number (202) 962-1082, OEEOHotline@wmata.com

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Any Employee or Applicant who believes the facts or the circumstances make it inappropriate to file a written complaint with the EEO Officer may report the matter immediately to the EVP-CPO, who will then serve in the role of EEO Officer for the matter.

- (c) This policy is not intended to prohibit employees or applicants from filing complaints with the U.S. Equal Employment Opportunity Commission.
- (d) Employees or applicants who elect to file a written complaint with the EEO Officer are encouraged to do so within 30 calendar days of the alleged discriminatory act(s) to ensure a timely resolution. The complaint should be submitted to the EEO Officer in person or through the email address provided above.
- (e) The written complaint should provide the following information to the extent possible:
 - (1) The protected class (i.e., race, sex, age, etc.) of the alleged discrimination.
 - (2) Name(s) and title(s) of the individuals who allegedly engaged in the discriminatory behavior.
 - (3) A detailed description of the alleged discriminatory act(s) or behavior including all pertinent facts and circumstances.
- (f) The EEO Officer shall decide whether the complaint warrants investigation. If the EEO Officer determines that the complaint does not warrant investigation, the EEO Officer or designee shall provide written notice to the complainant.
- (g) If the EEO Officer determines that an investigation is warranted, the EEO Officer or designee shall assign OEEO staff to investigate the matter and provide written notice to the complainant.
- (h) After concluding the investigation, the EEO investigator shall prepare a written report of investigation that includes a statement of the allegations, factual findings and conclusions based on the evidence collected.
- (i) In those instances where the investigation is referred to Metro's Legal Department and is under the supervision and direction of the Legal Department, all communications shall be conducted at the express and sole directions of the Legal Department.
- (j) The EEO Officer has, except as noted in subsection (i), final approval authority over the investigation findings and authority to require corrective actions, if any.
- (k) Upon the EEO Officer's direction, management will promptly implement appropriate corrective actions and provide documentation of the corrective action taken to the EEO Officer.

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- (l) The EEO Officer will provide the complainant with the results of the investigation outcome.

5.03 Non-retaliation

- (a) Metro strictly prohibits retaliation in any way against anyone who has in good faith reported, pursued a complaint about, cooperated or participated in an investigation of, or opposed harassment, discrimination, or retaliation.
- (b) It is a violation of Metro policy for an employee or applicant to be disciplined, or otherwise disadvantaged, for properly following the procedures described in this policy.
- (c) Persons engaging in any form of retaliation will be subject to disciplinary action, up to and including termination.
- (d) Supervisors and managers must obtain the consent of the Director – Labor and Employee Relations and/or designee before taking any personnel actions against an employee who has exercised rights under this policy.
- (e) Employees who believe they have been subject to retaliation under this policy, or have observed retaliation, should report the retaliation immediately to the EEO Officer.

5.04 Pay Transparency

- (a) Metro will not discharge or in any other manner discriminate or retaliate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant.
- (b) Employees who have access to the compensation information of other employees or applicants as a part of their essential job functions may not disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is:
- (1) in response to a formal complaint or charge;
 - (2) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by Metro; or
 - (3) consistent with a legal duty to furnish information.

5.05 Confidentiality

- (a) All reports or complaints of discrimination, harassment, or retaliation made to the EEO Officer will be kept confidential to the extent possible.

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- (b) Unauthorized discussions, communications, or correspondence between or among Metro employees or other individuals about matters directly or indirectly related to reports or complaints of discrimination, harassment, or retaliation are strictly prohibited.

6.00 ENFORCEMENT

- 6.01 Any employee who engages in discrimination, retaliation, or otherwise violates this policy, and any supervisor or manager who knowingly permits such conduct to occur, fails to report such conduct, or otherwise violates this policy will be subject to disciplinary action, up to and including termination.
- 6.02 Employees who fail to cooperate in good faith with the investigative process may be subject to discipline, up to and including termination.

7.00 EXCEPTIONS

Not applicable.

8.00 RELATED POLICIES, REGULATIONS & RESOLUTIONS

- 8.01 Board Resolution 2022-12
- 8.02 Title VII of the Civil Rights Act of 1964, as amended
- 8.03 FTA C 4704.1A - EEO Circular
- 8.04 P/I 7.1.2, Anti-Harassment
- 8.05 P/I 7.1.3, Americans with Disabilities Act – Employment
- 8.06 P/I 7.1.4, Religious Accommodation
- 8.07 P/I 7.1.5, Non-Retaliation

9.00 LIST OF APPENDICES, ATTACHMENTS OR FORMS

Not applicable.

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