

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 5/26/2021

Staff Report No. 21-237

TO: AC Transit Board of Directors
FROM: Michael A. Hursh, General Manager
SUBJECT: Diversity, Equity, Access and Inclusion Efforts

BRIEFING ITEM

RECOMMENDED ACTION(S):

Consider receiving a report on the District's Diversity, Equity, Access and Inclusion Efforts.

STRATEGIC IMPORTANCE:

Goal - Strong Public and Policymaker Support
Initiative - Employee Recruitment, Training and Retention

The development and implementation of a formal Diversity, Equity, Access, and Inclusion (DEAI) Plan will strengthen the District's efforts to support the ability of employees, suppliers, key constituencies and ultimately, the riding public to thrive in the AC Transit environment. Recent events highlighting inequity and the turbulent racial relations in America over the last year have increased the need to analyze and improve the District's efforts.

BUDGETARY/FISCAL IMPACT:

There is no budgetary impact for the activities associated with Diversity, Equity, Access, and Inclusion efforts at this time.

BACKGROUND/RATIONALE:

The District has historically and currently participates in a number of DEAI external and internal programs and activities to encourage diversity, ensure a cross-cultural understanding, increase equitable outcomes, and provide environments that include people of different backgrounds and abilities. The external facing programs and activities include development of and participation in industry associations, industry affinity groups, community organizations and diversity vendor suppliers. The internal facing programs and activities include employee cultural celebrations, workforce recruitment, retention and training programs, Title VI considerations in service and fare planning, the Women Leadership in Maintenance program, and the Race and Equity Team effort.

External Diversity, Equity, Access and Inclusion Efforts

Industry Associations

American Public Transportation Association (APTA): District staff participate on the APTA Diversity and Inclusion Council which recently unveiled its Racial Equity Action Plan to engage and support member agencies in their racial equity efforts. Additionally, the Director of Legislative Affairs & Community Relations developed and moderated a panel on industry DEI efforts for the current Leadership APTA Training Program.

California Transit Association (CTA): At the urging and support of the General Manager, CTA created a Task Force on a more Inclusive, Diverse, and Equitable Association (IDEA), which is chaired by AC Transit's Executive Director of External Affairs, Marketing & Communications. IDEA is charged with identifying opportunities for education, training, and peer organization exchange. The Association centers on racial justice, diversity, inclusion and equity in its governance structure, as well as its policy and advocacy endeavors and positions.

Industry Affinity Groups

The District is an agency member and provides leadership to a number of industry affinity groups that support the professional growth and development of women and people of color:

Conference of Minority Transportation Officials (COMTO): AC Transit is a long-time agency member of COMTO. The District was honored with the *Northern California Chapter 2014 Agency of the Year Award* for supporting employees of color and historically underutilized businesses (or disadvantaged businesses). Several staff are members of the COMTO Northern California Chapter. The Executive Director of External Affairs, Marketing & Communications serves on the COMTO National Board of Directors.

Latinos in Transit (LIT): AC Transit was the first agency sponsor of LIT, an organization that promotes the advancement and development of Latinos and other minorities in transportation. AC Transit's Chief Operating Officer is the National Vice President of LIT and several District staff are members.

Women's Transportation Seminar (WTS): AC Transit is a public agency member of WTS, an organization that is dedicated to creating a more diverse, inclusive, and equitable transportation industry through the global advancement of women. AC Transit's General Manager received the *2017 Ray LaHood Award*. This year, the District will be honored with the *2021 WTS San Francisco Chapter Employer of the Year Award*.

Vendor Diversity

The District engages in a number of outreach efforts to diversify its vendor supplier resources. The Contracts Compliance Department is an active member of the *Business Outreach Committee (BOC)*. The BOC is a consortium that pools resources and combines efforts to encourage small, local, and disadvantaged businesses to register with public transportation agencies and submit responses to proposals or join with prime vendors for work on AC Transit projects.

Community Relations

Given the diversity across the AC Transit District, staff maintains and nurtures relationships with several ethnic organizations, some of whom primarily communicate in languages other than English. The District memberships include the Oakland African American Chamber of Commerce, Oakland Chinatown, Vietnamese, Korean, and Hispanic Chambers of Commerce, as well as several diverse community-based organizations. These organizations provide important communication bridges between the District and these communities as well as professional development opportunities for AC Transit through their Leadership Training Programs.

Internal Diversity, Equity, & Inclusion Efforts

Employee Cultural Celebrations

Recognizing the rich cultural heritage and diversity of AC Transit employees, staff produce up to six cultural celebrations every year with financial support from the District:

- Black History Month - February
- Women's History Month - March
- Asian American Pacific Islander Heritage Month - May
- Oakland Pride - September
- Hispanic Heritage Month - September 15 - October 15
- National Disability Employment Awareness Month - October

The District also acknowledges other important cultural events through posting banners at District facilities, social media posts, employee messages, and participating in community events.

Race and Equity Team

The Race and Equity Team (RE Team) is a cross-departmental, collaborative group of passionate staff who meet on a voluntary basis to strategize and put *into action*, ways to advance more equitable outcomes for the local communities we serve. This group formed over the summer in response to the demand for social justice in the Black Lives Matter movement and out of a collective desire to improve internal employee relationships. In 2020, the team accomplished the following:

- Internal Workforce Equity
 - Begun planning for a District-wide Equity, Diversity, Inclusion, and Access Training program to better understand the principles of EDIA and the impact of these on the District's values and vision. The training aims to foster a more inclusive workplace and give staff the tools and the confidence to respectfully address racism and bias in the workplace. The training also aims to operationalize equity strategies in the District's policies
 - Developed a draft Racial Equity Action Plan Scope of work, that would build from the 2019 Strategic Plan core value of Equity.
- Outside Equity Resources
 - Joined the Government Alliance for Race and Equity (GARE)
 - Met with peer leaders of the SFMTA Equity Action Plan Team, VTA Department of Civil Rights, and City of Oakland Department of Race and Equity to learn and strategize.

Representatives from Service Planning, Scheduling, Accessible Services, Legislative Affairs and Community Relations, and the Civil Rights and Compliance departments are part of the RE Team. The working group currently consists of Carissa Lee, Robert del Rosario, Kimberly Ridgeway, Christine Eduok, Chantal Reynolds, and Phillip Halley.

Below is a detailed breakdown of the RE Team's efforts:

Equity, Diversity, Inclusion, and Access Pilot Training (EDIA)

Starting in August 2020, the Working Group began laying the groundwork for District-wide EDIA training.

Through this training, District staff will be able to better understand the principles of EDIA and the impact of these on the District's values and vision. The training aims to foster a more inclusive workplace and give staff the tools and the confidence to respectfully address racism and bias in the workplace. The training also aims to operationalize equity strategies in the District's policies and practices through the following deliverables:

- Further hone the Strategic Plan's core value of Equity, by defining principles such as equality, systemic racism, diversity, inclusion, access, and more.
- A training and education strategy including resources, toolkits, and metrics for success to be used for continual refresher trainings, onboardings, and by multiple departments.
- Recommendations on tangible actions District staff can take to advance equity in their policies, recruitment and retention processes, and programs.

Government Alliance for Race and Equity

With funding from the Planning Department and an application written by the RE Team, the District joined the GARE in January 2021. GARE is a national network of governments working to achieve racial equity and advance opportunities for all. Members of GARE are provided with tools and resources to proactively operationalize racial equity, focusing on eliminating racial disparities and increasing success for all. These tools and resources include guides such as *Racial Equity Action Plans: A How-To*, webinars, book clubs, and trainings. GARE also offers and encourages member connection and information exchange, directories, as well as message and file sharing of racial equity resolutions with members across the United States including BART, VTA, City of Oakland, and many others.

In February 2020, some members of the RE Team attended the *Advancing Racial Equity: The Role of Government* virtual workshop. The objectives of the 7-hour workshop were to gain awareness of the history of race in the United States government; be able to identify instances of implicit and explicit bias on individual, institutional and structural levels, and be motivated to take action. The RE Team continues to seek outside resources that can support staff in their learning process. GARE membership resources are available to all District staff through the online GARE membership portal.

Racial Equity Action Plan (REAP) Scope of Work

A REAP further defines what Equity is for the agency through measurable objectives and goals, develops leaders in the agency that can lead through a racial equity lens, and creates accountability structure for the District's commitment to equity. Using GARE resources including, *Racial Equity Core Teams: The Engines of Institutional Change*, the RE Team has begun to draft a Scope of Work that will set the foundation for a REAP. The RE Team is continuing to familiarize itself with these resources and process for establishing a REAP.

A key step is establishing a Racial Equity Core Team with representation from departments across the agency. Racial Equity Core Teams are responsible for designing, coordinating, and organizing racial equity plans. Support from the Board and executive leadership is key for a Racial Equity Plans to be successful. As mentioned above, the RE team hopes to expand participation from other departments but would need guidance to dedicate staff time and help encourage staff who are passionate about this work to learn about Core Teams.

Peer Informational Interviews

In addition to GARE, the RE Team learned from neighboring jurisdictions about their Race and Equity work.

The RE Team conducted peer informational interviews with the following:

- San Francisco Municipal Transportation Authority (SFMTA)'s Race and Equity Core Team
- Valley Transportation Authority (VTA) Office of Civil Rights and Employee Relations
- City of Oakland's Department of Race and Equity staff

Throughout the conversations some common themes emerged:

- All agencies are participants in GARE
- Agencies that have staff whose job is dedicated to supporting Equitable change management within the agency saw better results
- Some agencies had ongoing HR-led Equity, Diversity, and Inclusion Trainings
- Agencies were in the process of developing, updating, or adopting a Racial Equity Action Plan, including metrics for keeping the agency accountable
- Agencies that saw the most change had executive leadership and agency financial support
- Having a clear definition established of Race, Equity, and Inclusion helped employees start at the same baseline of understanding
- Agencies had formed community advisory groups, rider advisory groups, and provided strong support at bus yards (for VTA and SFMTA)
- Agencies first took a look at internal employee relations then moved towards external community engagement.

Service Development & Planning Department

The Civil Rights & Compliance and Service Development & Planning departments take on the responsibility for conducting service equity analyses in compliance with federal civil rights and environmental justice obligations under Title VI of the Civil Rights Act and Executive Order 12898. When the District undergoes a major service change as defined by board policies, this triggers the Federal Transit Administration (FTA) mandate for a service equity analysis. The department recently analyzed the District's pandemic-related emergency service plans to confirm the service changes placed no disparate impact on people of color and no disproportionate burden on low-income individuals. Our core analysis methodology has remained consistent, but staff strives to explore ways to improve upon how our analysis gauges impacts on communities throughout the District.

In keeping with the commitment to improving our processes to ensure equitable outcomes, staff has estimated the number of jobs accessible across the entire District for each service change undertaken. The analysis leveraged free and open source tools, including the r5 multimodal routing engine, OpenStreetMap, and District GTFS feeds to generate average transit travel times between all Census block groups in the District. Combined with federal employment datasets, staff estimated the average number of jobs accessible for the entire district for each service change that took place during the pandemic, for communities of color, non-communities of color, low-income communities, and not low-income communities. Staff hopes to apply this type of robust methodology and other quantitative geographic tools early and often in the process to ensure equitable service outcomes as we move into a post-pandemic future.

In addition to conducting the Title VI service equity analysis, the Service Development & Planning and Legislative Affairs & Community Relations Departments, along with the entire District, are committed to

ensuring that the District's post-pandemic recovery plan is equitable for historically marginalized groups. While this hasn't been explicitly defined for AC Transit, according to the SFMTA's COVID Recovery Plan, historically marginalized groups include:

- People of Color
- Older adults
- Youth
- Women
- People with disabilities
- People with Limited-English Proficiency
- People experiencing homelessness or housing insecurity
- Undocumented people
- People with lower income

Within the context of this definition, it is important to acknowledge that inequities are often intensified when people of varying gender identities, ability, age, income status, sexuality, national origin, etc. are also racialized. Staff are continuing to research the best practices for pairing financial and data driven decisions with thoughtful community engagement and the lived experiences of our riders.

Equal Employment Opportunity Department

AC Transit is an Equal Opportunity Employer that prohibits all forms of discrimination and/or harassment, in addition to prohibiting retaliation against any person who engages in activities protected under our policies.

In keeping with our commitment to EEO and the Federal Transit Laws, 49 U.S.C. 5332(b), AC Transit has an EEO Administrator, Ms. Cera Clark, who is responsible for all the required elements of an effective and compliant EEO program. General Manager Michael Hursh recently reaffirmed our commitment with the signing of the EEO Policy Statement dated February 26, 2021. He also meets monthly with Ms. Clark to discuss the EEO program progress and identify areas of focus or needed change and to provide leadership support to the program. Updated EEO Compliance Posters, along with the newly signed EEO Policy statement have been posted in each Division, as well as each floor of the General Office. Ms. Clark actively participates in AC Transit staff meetings (at all levels) to talk about the EEO program and EEO regulations that protect staff from discrimination, harassment, or retaliation, as well as how they can file a complaint should they have a concern. She is currently working on a training program for all AC Transit supervisors so they will know how to prevent complaints, and/or address a concern should it arise.

The EEO staff (in collaboration with the Human Resources Department) is preparing the Federal Transit Administration (FTA) revised/updated triennial Equal Employment Opportunity (EEO) Program due March 2022. AC Transit's EEO office recently passed the 2021 Federal Transit Administration Triennial Audit, with no EEO findings.

As a key agency in the Bay Area we recognize and value our approximately 2160 employees, and the ethnic and cultural diversity they represent. Our workforce reflects the many cultures co-existing and thriving in the community AC Transit serves. As of March 31, 2021, AC Transit has 1906 (88%) Minorities or people of color, and 840 (39%) woman working in our divisions and general office.

The following is the breakdown by ethnicity and gender identity of our current staff:

Ethnicity within AC Transit as of 3.31.2021	EE Count	Percentage
African American/Black	1262	58%
Asian	294	14%
Hispanic	294	14%
Pacific-Islander	27	1%
2 or More	10	0%
American Indian	11	1%
White	246	11%
Not Specified	16	1%
Grand Total	2160	100%

<u>Female</u>	<u>Male</u>	<u>Non-Binary</u>
840	1320	0
39%	61%	0%

Human Resources (HR) Department

Human Resources continues to review and revise practices, procedures and policies to ensure fair and equitable opportunities for all employees, including underrepresented racial and ethnic groups and women. This includes, but is not limited to, outreach to employees regarding career opportunities, support of District programs to encourage career progression, and standard operating procedures for recruitments, acting assignments and promotions. Comprehensive reviews of classification series continue in an effort to create streamlined career paths that encourage vertical, lateral and diagonal job opportunities for internal career mobility within the District, reduce barriers to advancement, and enrich career development and learning opportunities at the District.

Outreach

The HR staffing units' external outreach is directed towards the communities we serve, including those of

color and the underserved throughout the District's service area. The Mobile Recruitment Lab (MRL), equipped with three wi-fi enabled computer terminals for applicants to apply and staff to answer any questions, participates in local community events. In 2019, prior to the COVID-19 pandemic, the MRL was a part of the Oakland Pride, Oakland Black Cowboy Parade & Festival, Fruitvale Dia de los Muertos Festival, Alameda 4th of July Parade, Castro Valley Fall Festival, San Leandro Cherry Blossom Festival, and Laurel Street Fair. The MRL also visits job readiness centers and veteran organizations throughout our community. The staffing team hosted an onsite interview day at the Training and Education Center in Hayward and holds multiple informational sessions throughout the year. This approach has been highly effective for creating a diverse, qualified applicant pool and balancing the impact of traditional forms of outreach.

Resume reviews and interview panels

To help neutralize the impact of individual internal biases while reviewing resumes, recruiters meet with the hiring manager to complete a recruitment plan. This solidifies the goals for filling the vacancy and how they tie to the District's equity goals.

Recruiters focus on creating a diverse interview panel with a balanced representation of people of color and gender. They also seek out panel participants from similar industries in the communities that AC Transit serves. Prior to interviews, panel members review potential biases and how to avoid them, familiarize themselves with the job description, and review what skills and experience are needed to be successful in the role.

ADVANTAGES/DISADVANTAGES:

The advantages of developing a formal Diversity, Equity and Inclusion Program clearly communicate to our constituency - riders, people who live in the east bay, community based organizations, vendors, businesses, and policymakers - that AC Transit is committed to developing an organization where all of these constituencies can thrive. There are no disadvantages to conveying the District's current DEI efforts.

ALTERNATIVES ANALYSIS:

No alternatives were considered.

PRIOR RELEVANT BOARD ACTION/POLICIES:

None

ATTACHMENTS:

None

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