

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 5/28/2025

Staff Report No. 25-254a

TO: AC Transit Board of Directors

FROM: Salvador Llamas, General Manager/Chief Executive Officer

SUBJECT: Operator Hiring and Retention Strategies and Long-Term Leave Analysis

BRIEFING ITEM

AGENDA PLANNING REQUEST: ☒

RECOMMENDED ACTION(S):

Consider receiving supplemental information to the report presented to the Board on April 9, 2025, regarding the Human Resources Department's ongoing long-term leave challenges and their impact on Bus Operator availability. [Requested by Directors Walsh and McCalley - 9/25/24 & 12/11/24]

Staff Contact:

James Arcellana, Interim Executive Director of Human Resources

STRATEGIC IMPORTANCE:

Goal - High-Performing Workforce

Staff's activities directly support service continuity and workforce optimization by improving hiring and retention efforts and minimizing disruptions through the curtailment of extended leaves.

BUDGETARY/FISCAL IMPACT:

There is no budgetary or fiscal impact associated with receipt of this report.

BACKGROUND/RATIONALE:

This report is a continuation of Staff Report 25-254, presented to the Board on April 9, 2025, and provides additional information on Long-Term Leave issues facing the District.

Long-Term Leave Defined:

Long-Term Leave (LTL) is defined as a continuous leave of absence exceeding 180 days. For Bus Operators, once this threshold is reached, the employee is transferred from their budgeted division into a holding position that is not counted against the budgeted headcount. This reassignment creates an operational vacancy in frontline service.

District-Wide Leave Oversight

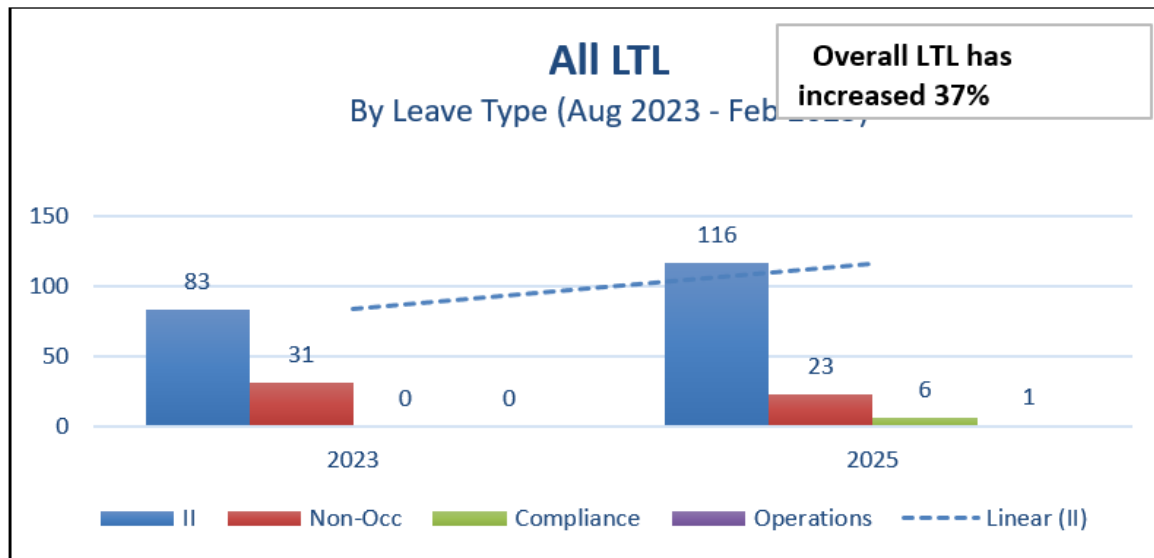
The following internal departments are responsible for the various leave categories that could result in an employee being categorized as off on Long-Term Leave (LTL):

Department	Leave Type(s)	Notes
Leave Management (Human Resources)	Statutory non-occupational leave types including: <ul style="list-style-type: none"> • Family Medical Leave Act (FMLA) • California Family Rights Act (CFRA) • Pregnancy Disability Leave (PDL) 	Timelines may be altered by collective bargaining agreement provisions
Industrial Injuries (Office of the General Counsel)	Work-related or industrial injuries (physical or psychological) under California Workers' Compensation law	Oversees compliance with state workers' compensation regulations
Compliance (Office of Civil Rights and Compliance)	Leave triggered by: <ul style="list-style-type: none"> • DOT violations (e.g., failed medical certification, license suspensions) • Participation in the Substance Abuse Program 	
Other Departments (e.g., Labor Relations, Operations)	Leave for: <ul style="list-style-type: none"> • Personal reasons • Administrative actions • Disciplinary actions 	Typically rare for LTL designation but may meet threshold in limited or case-specific circumstances

FINDINGS AND TRENDS

Analysis of recent data trends reveals the following:

- Operator Long-Term Leave is increasing, driven primarily by Industrial Injury.
- Industrial Injury-related leave accounts for over 80% of all LTL.
- All employees out for 1.5 years or more are Industrial Injury (II) cases.
- Non-occupational leave has declined by 19% due to proactive case management.



The chart above shows the total number of employees on long-term leave, categorized by leave type, comparing August 2023 to February 2025. The overall increase of 37% is driven primarily by growth in Industrial Injury cases (39% increase), while Non-Occupational leave shows a moderate decline.

DURATION OF LEAVE ANALYSIS

LTL - Breakdown Based on Length of Absence

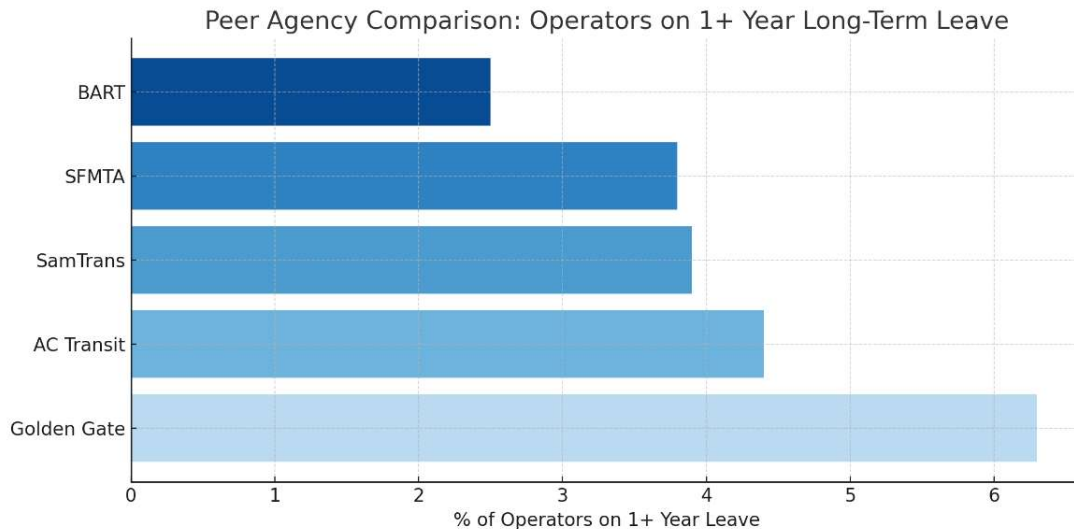
Absence Length	Industrial Injury	Non-Occ	Compliance	Total
< 1 Year	52	20	2	74
1 - 1.5 Years	19	4	3	26
1.5 - 2 Years	18	0	0	18
2 - 5 Years	30	0	0	30
5+ Years	3	0	0	3
Total	122	24	5	151

A further emerging trend is length of leave. All 51 employees currently out for 1.5 years or more are off due to industrial injury. A review of duration trends shows that industrial injuries are far more likely to exceed the 180-day LTL threshold than any other leave type.

AGENCY PEER COMPARISON

There is no uniform definition of Long-Term Leave among regional transit agencies, with definitions ranging from three months of consecutive leave up to one year. The District finds itself in the middle of the pack, defining Long-Term Leave as six-months or more.

In conversations with staff at local transit agencies, staff found that other agencies are similarly lacking significant data on their long-term leave trends and were unable to provide staff with much historical information. When looking at current data, AC Transit has the second highest percentage of operators on long-term leave for 1+ year.



Peer Agency Strategies and Emerging Best Practices

AC Transit has reviewed examples of strategies that some local transit agencies are considering or beginning to implement in response to long-term leave challenges. These approaches tend to fall into four general categories:

Automated Tracking and Predictive Analytics

- Development of automated reporting tools that use data to identify trends and monitor leave risk across departments
- Exploration of predictive models, including AI-based tools, to help identify employees who may be at higher risk of transitioning into long-term leave, based on patterns such as attendance history and prior workplace injuries

Preventative Programs

- Implementation of injury prevention routines, including pre-shift stretch and flex exercises, to reduce soft tissue injuries
- Strengthened collaboration between the Workers' Compensation, Operations, and Safety department staff to analyze injury causation and proactively reduce preventable injuries
- Campaigns focused on operator awareness, combined with facility upgrades designed to improve ergonomics and safety
- Enhanced promotion of the Employee Assistance Program (EAP), ensuring employees have access to counseling, crisis intervention, and mental health resources to address burnout, grief, and chronic stress

Modified Duty Utilization

- Renewed focus on maximizing the use of Modified Duty assignments as a transitional path back to work for employees recovering from injuries or other medical conditions

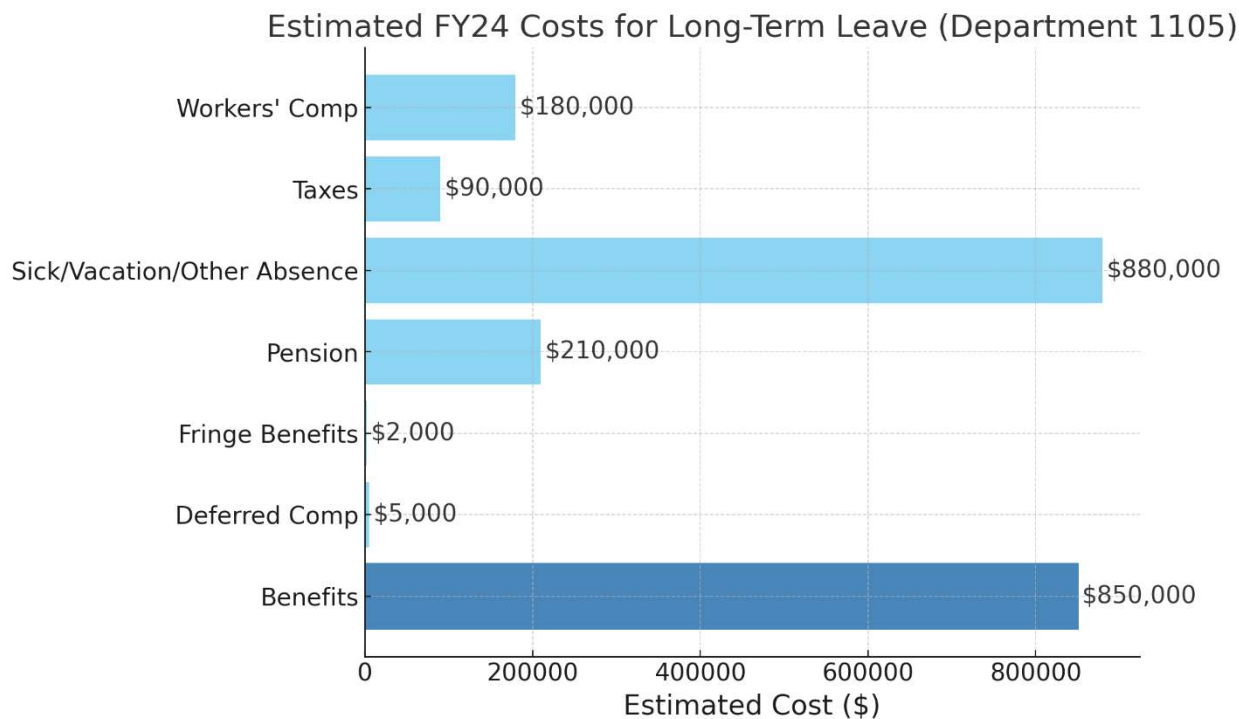
Employee Wellness and Engagement

- Continued development of wellness incentives that support physical and mental health, including programs focused on fitness, smoking cessation, and chronic disease management

MONETARY IMPACTS

To better understand the financial impact of LTL, staff analyzed estimates of expenditures associated with employees out on LTL during FY24.

The chart below provides a breakdown of the most significant costs incurred by the District for employees who were out on LTL:



Other costs that are difficult to quantify include backfill, overtime, or project pay incurred to cover responsibilities of employees out on leave. Preliminary FY25 year-to-date expenses indicate a continued upward trend, with long-term leave costs on pace to meet or exceed FY24 totals.

LEGAL AND CONTRACTUAL CONSIDERATIONS

All the leave categories covered above, except for management leave, are entitlements based on either the law or Collective Bargaining Agreements (CBAs). For example, the Family Medical Leave Act, California Family Rights Act, Pregnancy Disability Leave, reasonable accommodations and workers' compensation are all codified laws with leave allowances that result in employees being out on LTL. As for the CBAs, some provisions have extended the duration of legal entitlements, and some provisions have also created new leave entitlements.

Similarly, the District's Substance Abuse Program, which was bargained for with our Unions, goes above and beyond legal requirements, providing more and longer leave entitlements than the law requires.

In all of the situations where the leave is an entitlement, the District must be careful to ensure it is not violating any contractual or legal rights in its efforts to bring down the LTL numbers.

Management leave is the only category that is not considered an entitlement and currently has few or no employees on long-term leave.

MITIGATION EFFORTS TO DATE

While Workers' Compensation-related long-term leave remains the District's most pressing challenge, there has been measurable progress in reducing other leave categories-particularly non-occupational leave. Between FY24 and FY25 YTD, AC Transit has achieved a 25% reduction in non-occupational LTL cases. This improvement is the result of sustained, cross-functional mitigation efforts, including:

- **Dedicated Case Review Taskforce:**

A cross-departmental taskforce established to review all LTL cases, focusing on early intervention, case clarity, and reinstatement timelines. The group ensures no gaps in communication between departments and ensures cases are handled efficiently. This group played a large role in decreasing the number of non-occupational LTL cases.

- **Leave Management Committee (LMC) Implementation:**

The LMC was launched to centralize review of the LTL process to create more efficient tracking and mitigation of LTL in the District. This group is spearheading the efforts to track and use data as a tool for better understanding the LTL issue.

- **Bargaining Provision Updates:**

Several union-negotiated provisions related to leave and return-to-work were reviewed in collaboration with Labor Relations and are the subject of ongoing negotiations.

DISTRICT INITIATIVES UNDERWAY

As was discussed in the April report, the following initiatives represent ongoing, system-level efforts to reduce long-term leave duration and improve return-to-work outcomes:

- **Modified Duty Program Expansion:**

The District is expanding its modified duty program with pilot programs at three locations (Division 4, Division 6 and the Training and Education Center) that have already shown promising results providing new modified duty options for workers out on LTL.

- **Workers' Compensation Investigations and Early Intervention:**

The District actively works with its third-party administrator to strengthen claim reviews. Claims are evaluated to ensure medical legitimacy, fraud indicators, or administrative errors do not result in unnecessary long-term absences.

- **Alternative Dispute Resolution:**

The District has begun an alternative dispute resolution program within the workers' compensation program. This is aimed at creating an outlet for more efficient resolution of workers' compensation claims.

- **Data Development and Trend Monitoring:**

Historically, LTL data was fragmented and manually tracked. The District is now building integrated dashboards to visualize leave volume by type, department, cost impact, and average duration.

- **Negotiations:**

The District will propose changes to specific provisions in union contracts to balance employee recovery and minimization of disruption to operations due to long-term absences.

ADVANTAGES/DISADVANTAGES:

Staff found no advantages or disadvantages to receiving this report.

ALTERNATIVES ANALYSIS:

Staff found no practical alternatives. This report is informational and aligns with the Board's prior request.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Staff found no prior relevant board action or policies.

ATTACHMENTS:

1. Long Term Leave Update Presentation
2. Agenda Planning Request Form - Long Term Leave (Walsh-McCalley)
3. Agenda Planning Request - Director Walsh (Employee Retention)

Prepared by:

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Approved/Reviewed by:

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James Arcellana, Interim Executive Director of Human Resources