

Reference: AFFIRMATIVE ACTION  
Title: EQUAL OPPORTUNITY IN SERVICE AND EMPLOYMENT POLICY  
Policy Number: 05-01-01  
Issue Date: 9/30/2001  
Revision Date: 9/01/2016

## **I PURPOSE**

The purpose of this policy is to state the Authority's position on Equal Opportunity in Service and Employment.

## **II APPLICABILITY**

This policy applies to all employees, applicants for employment, patrons, contractors and sub-contractors doing business with the NFTA.

## **III POLICY**

The Niagara Frontier Transportation Authority (NFTA) is committed to providing equal access and opportunity in the provision of services and equal employment opportunity for all employees and applicants for employment regardless of race, color, religion, national or ethnic origin, alienage, citizenship, ancestry, gender, genetic disposition or carrier status, sexual orientation, marital status, liability for service in the Armed Forces of the United States, arrest/conviction record, or disability. All personnel, including management personnel, share in the responsibility to ensure compliance with the NFTA's Equal Opportunity Policy

It is a violation of this policy for any employee, contractor, or sub-contractor doing business with the NFTA to engage in discrimination against or to retaliate against an employee, or applicant for employment for filing a complaint under this policy, or for participating in the investigation of a complaint.

The Authority's policy incorporates, as applicable, the nondiscrimination and affirmative action obligations set forth in federal and state law, including, but not limited to: Executive Order 11246, as amended; the Equal Pay Act of 1963, as amended; Titles VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Act of 1991; the Age Discrimination in Employment Act of 1967, as amended; Sections 503 and 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act of 1990, the New York State Human Rights Law, as well as the policies of the Board of Commissioners of the Niagara Frontier Transportation Authority.

To further this policy, the NFTA:

- Ensures that all personnel actions, including but not limited to: recruitment, hiring, termination, compensation, transfer, layoff, recall, benefits, promotion, demotion, and selection for company sponsored training, will be administered without regard to race, color, religion, national or ethnic origin, alienage, citizenship, ancestry, gender, genetic disposition or carrier status, sexual orientation, marital status, liability for service in the Armed Forces of the United States, prior arrest record, or disability. Managers and Supervisors will be evaluated for their compliance with the NFTA's EEO program and goals.

- Bases decisions affecting service such as access, seating, routing, scheduling and quality of service to further the principles of Equal Opportunity, and without regard to: race, color, religion, national or ethnic origin, alienage, citizenship, ancestry, gender, genetic disposition or carrier status, sexual orientation, marital status, liability for service in the Armed Forces of the United States, prior arrest record, or disability.
- Has established internal procedures for processing and promptly investigating complaints received under this policy. Employees, applicants for employment, patrons, contractors or sub-contractors who believe that they have been discriminated against in a manner prohibited by the NFTA's Equal Opportunity Policy should contact their supervisor, or the Manager of Equal Employment Opportunity/Diversity Development at 181 Ellicott Street, Buffalo NY 14203; telephone 716-855-7489. All applicants and employees have the right to file complaints alleging discrimination with the appropriate official.
- Makes reasonable accommodation for an individual's disability and religious beliefs and practices, to the extent that the accommodation does not create an undue hardship for the Authority. Persons who wish to request reasonable accommodation for these reasons should contact the Manager of Equal Employment Opportunity/Diversity Development, 181 Ellicott Street, Buffalo NY 14203; telephone 716-855-7489.

This policy statement will be distributed to all employees and will be made available via posting on bulletin boards in conspicuous locations at all NFTA properties. Questions about this policy should be addressed to the Manager of Equal Employment Opportunity/Diversity Development, 181 Ellicott Street, Buffalo NY 14203; telephone 716-855-7489. The responsibility for implementation of the NFTA's EEO program and ensuring compliance with this policy is assigned to the Manager of Equal Opportunity/Diversity Development.

Equal Opportunity is not only the law but is in keeping with the NFTA's commitments to valuing diversity and to operating with integrity. A violation of the Authority's Equal Opportunity Policy is a form of employee misconduct that undermines the integrity of the employment relationship and will not be condoned. Any substantiated violations of this policy will result in discipline up to and including termination of employment. We personally stand behind the principles stated herein and expect each employee to comply with this policy.

Note: The NFTA has also issued an Affirmative Action Equal Opportunity Policy Employment Protection Policy and other policies and procedures condemning discrimination. All employees are expected to familiarize themselves and comply with these policies and procedures.