

Reference: EQUAL OPPORTUNITY
Section: GENERAL
Title: CIVIL RIGHTS COMPLAINTS
Policy Number: 05-01-03
Issue Date: 09-30-2001
Revision Date: 05-14-2021

I. PURPOSE

The purpose of this policy is to set forth the position of the Niagara Frontier Transportation Authority and the Niagara Frontier Transit Metro System, Inc. (collectively referred to as "NFTA" or "Authority") on civil rights complaints.

II. POLICY

Management recognizes the right of every employee to file an external complaint independent of any action the complainant may wish to take, or not take, with the Manager of Equal Opportunity/Diversity Development or designated representative.

III. PROCEDURE

To ensure prompt, fair and impartial internal processing of complaints alleging discrimination; a complainant is urged to use the opportunity for internal discussion of grievances and to consult with the Manager of Equal Opportunity/Diversity Development or designated representative prior to filing a formal complaint of discrimination with New York State Division of Human Rights, the U.S. Equal Opportunity Commission, and/or appropriate Federal Department(s).

Such consultation should be made within ten (10) calendar days from the date of alleged discriminatory act, unless the discrimination is continuing, in which case the complainant should consult with the Manager of Equal Opportunity/Diversity Development as soon as convenient. Any employee who is of the belief that they have been discriminated against because 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 should consult with the Manager of Equal Opportunity/Diversity Development or designated representative in an effort to resolve the matter informally.

The Manager of Equal Opportunity/Diversity Development will:

- Make necessary inquiries to seek a resolution of the matter on an informal basis.
- Have access to officials at all levels when looking into an equal employment opportunity matter in an attempt to resolve/conciliate it.
- Discuss with an appropriate official the findings and their recommendations for resolution of the problem.
- Process the complaint to informal resolution within forty-five (45) working days after the matter is brought to their attention.
- Supervisors at all levels shall insure that the Manager of Equal Opportunity/Diversity Development receives full cooperation at all levels at handling equal opportunity complaints.
- Assure that a complainant may file written complaints with the Manager of Equal Opportunity/Diversity Development and these will be investigated by same.
- Have access to all records, documents, memoranda, etc. necessary to conduct a review of the complaint.
- Respond to formal written complaints with a written report of findings and recommendations for resolving same.
- Assure appropriate follow-up is conducted after complaints are settled to forestall or correct any

harassment or retaliatory actions against the employee.

- Make periodic checks to ensure that agreed upon corrective action is continuing or has been taken.
- Analyze employee complaints, formal or informal, in order to identify conditions and circumstances that may exist beyond the individual case which require further investigation.
- Recommend corrective action where an investigation reveals discriminatory action by a supervisor.
- Ensure the "Complaint Procedures" are posted on all employees' bulletin boards together with information as to whom and where complainants should file their civil rights complaints.