



Metropolitan Transportation Authority

Diversity Committee Meeting

May 2020

Committee Members

R. Herman, Chair
S. Metzger, Vice Chair
L. Lacewell
H. Mihaltzes
N. Zuckerman

Diversity Committee Meeting

**2 Broadway
20th Floor Board Room
New York NY 10004**

**Wednesday, 5/20/2020
10:00 AM - 5:00 PM ET**

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Action Item	Responsible Department	Business Case for Action Item	Summary of Action
Title VI and Related Nondiscrimination Laws Policy Statement	Diversity and Civil Rights	<ul style="list-style-type: none"> Affirm MTA's commitment to complying with requirements of Title VI and related Federal Transit Laws. 	Board approval for the All Agency Title VI and Related Nondiscrimination Laws Policy Statement.
Title VI and Related Nondiscrimination Laws Complaint Management (Policy Directive)	Diversity and Civil Rights	<ul style="list-style-type: none"> FTA requires recipients of FTA funding to develop procedures for investigating and tracking Title VI and related discrimination complaints. Establish an agency-wide process for managing and resolving complaints of discrimination filed by non-employees under Title VI and related Federal Transit laws. 	Board approval for the All Agency Title VI and Related Nondiscrimination Laws Complaint Management (Policy Directive).

MTA DIVERSITY COMMITTEE

Meeting Minutes

2 Broadway, 20th Floor

New York, NY 10004

Wednesday, February 26, 2020

9:00 a.m.

Committee members present:

Rhonda Herman, Chair

Susan Metzger, Vice Chair

Linda Lacewell

Neil Zuckerman

The following Committee member was absent:

Haeda Mihaltses

The following is the Public Speaker:

Jason Anthony

The following were also present:

Robert Linn, MTA Board Member

Anthony McCord, MTA Chief Transformation Officer

Michael Garner, MTA Chief Diversity Officer, MTA Department of Diversity and Civil Rights ("DDCR")

George Cleary, Deputy Chief Diversity Officer, Small Business Development Program ("SBDP"), DDCR

Dr. Rosalyn Green, Acting Deputy Chief Diversity Officer, EEO and Title VI, DDCR

Ray Burke, Acting Deputy Chief Diversity Officer, Contract Compliance, DDCR

L. Danny Camacho, Assistant Deputy Chief Diversity Officer, Certification, DDCR

Zenaida Rodriguez, Assistant Director, Business and Diversity Initiatives, DDCR

Maria Amper, Assistant Deputy Chief Diversity Officer, DDCR

Regina Oliver, Manager, DBE Certification, DDCR

Nadara Wade, Manager, Title VI Compliance, DDCR

Patrick Smith, Vice President, Human Resources, MTA Bridges and Tunnels

Joel Andrews, Chief Officer, Office of Equal Employment Opportunity ("EEO"), NYCT

Alana Smith, Director, EEO Compliance, NYCT

Michael Collins, Assistant Vice President, NYCT

Michael Fyffe, Director, Diversity Management, MTA Long Island Rail Road ("LIRR")

Melissa Jones, Assistant Director, Contract Diversity Compliance and Reporting,

MTA Construction and Development ("MTA C&D")

Gwendolyn Harleston, Chief EEO Officer, MTA Bus

Alberto Richardson, HR Business Strategies Officer, MTA Bus
Patrick Isom, Manager, Financial Analysis, MTA Headquarters (“MTAHQ”)
Wael Hibri, Senior Vice President Shared Services, MTAHQ
Mayra Bell, Director, Diversity and EEO, Metro North Railroad (“MNR”)

Chair Herman introduced herself as the chair of the Diversity Committee and acknowledged the presence of Vice Chair Susan Metzger and committee members Linda Lacewell and Neal Zuckerman.

Public Speakers

There was one speaker in the public comments portion of the meeting: Jason Anthony. Mr. Anthony welcomed the interim New York City Transit President Sara Feinberg and commented on how he is hoping that MTA will become more diverse by having more women, veterans, members of LBGQTQ community, Puerto Ricans, etc. in management. Refer to the video recording of the meeting produced by the Metropolitan Transportation Authority at <https://new.mta.info/transparency/board-and-committee-meetings/> for the content of his statements.

Approval of Minutes

Upon a motion duly made and seconded, the minutes of the Diversity Committee meetings held on June 24, 2019, September 23, 2019, and December 18, 2019 were approved.

2020 Diversity Committee Work Plan

Upon a motion duly made and seconded, the 2020 Work Plan was approved.

Chair Herman asked if there were any updates to the 2020 Work Plan. Mr. Garner stated the only update was due to the shortened timeframe of today’s meeting, and that the Agency Presidents who were scheduled to report would instead present their EEO Workforce Best Practices during the September 2020 Diversity Committee meeting. Commissioners Zuckerman and Lacewell expressed concern about waiting until September to get the EEO information.

Ms. Lacewell pointed out the importance for the entire operating committee to get an update on workforce utilization since they have been striving to achieve a diverse workforce. She asked that workforce analytics be discussed and presented in all committee meetings moving forward and the All Agencies Best Practices in Recruitment Strategies be presented in the next meeting in May instead of the September meeting.

Executive Summary

Business and Diversity Initiatives

Ms. Rodriguez began the presentation by highlighting the upcoming MWDBE/SDVOB events. The Annual Competitive Edge that will be held on March 27 is an SDVOB networking event that will provide information on contracting opportunities. The Connect Conference to be held on April 30 at the CUNY Graduate Center is an annual event specifically for the agency-wide procurement staff to build relationships with the small business community.

Mr. Garner added that the annual MWBE Conference will be attended by prime contractors, consultants, and operating agencies, each of whom will speak about upcoming opportunities at the MTA. This major event has historically attracted 200 to 300 MWBE firms.

Certification Activity Report

Mr. Camacho reported that 2019 was a record year with 90 DBE firms receiving certification compared to 59 firms in 2018. Of the 90 firms certified in 2019, 10 have already received contract awards from the MTA totaling \$16 million.

Mr. Garner conveyed the importance of actively recruiting more MWDBEs in spite of the budget cuts and restraints currently affecting the MWDBE Outreach program due to the competition with other agencies that are looking at the same pool of MWDBE firms. The current expanded capital plan that others view as a challenge is an opportunity to go out and bring in more MWDBE firms. Once these firms are certified the focus must be to make sure these firms are actively engaged in contracting activities here at MTA.

Mr. Garner indicated the MWDBE outreach staff interacted with 1,700 firms in 2019. The metrics on the number of those firms ultimately getting certified and receiving contracts will be reported in the next diversity committee meeting.

Commissioner Metzger asked Mr. Camacho what could account for the discrepancy in the number of firms getting certified in light of the cutbacks in the outreach efforts. Mr. Camacho indicated that not only are firms attracted to working with MTA through word of mouth, but also, through monthly DBE certification workshops which historically had low attendance of 2-3 firms, but currently the number of attendees is often 15-20.

Commissioner Metzger inquired if MTA maintained reciprocity agreements on certifications with other agencies. Mr. Garner confirmed that once a DBE firm is certified by MTA, the Port Authority, the state of New Jersey, Niagara Frontier Transportation Authority, or New York State DOT, the certification covers all federal requirements. Mr. Garner further stated that due in part to this coordination, there are currently 2,800 federally certified DBEs statewide, with 800 of those certified by MTA and another 8,000 state certified firms. The reciprocity agreements do not extend to MWDBEs, there is only one state agency that performs the state certification process.

Ms. Lacewell acknowledged the presence of the Chief Transformation Officer Mr. McCord and asked him to comment on how important diversity is as a factor in the transformation. He reported that he looked at the business processes with Mr. Garner to make sure that objectives are easier to achieve and critical to that is getting in early so best practices can be designed into the systems. Mr. McCord additionally emphasized how important this would be with the construction process.

Commissioner Lacewell asked what could be done to help facilitate participation by MWBEs in MTA's larger contracts. Mr. Lieber responded, stating that there is a 30% DBE goal on all contracts. Firms who compete for the contracts are obligated to find subcontractors to help achieve that goal and the 6% goal set for SDVOB participation which is how the larger contracts yield significant participation.

Mr. Garner stated that the new paradigm is to create opportunities for MWDBEs to work for the MTA as prime contractors and the Small Business Mentoring Project helps with that. The new shift is to designing smaller packages and actively recruiting minority women owned firms to bid as prime contractors, giving the minority firms the opportunity to grow and develop. He further stated that on mega projects like design-builds, MWDBE goals would be strictly enforced, with further anticipated opportunities on the design side as well as the construction side, between \$3 million to \$24 million.

Mr. Garner agreed to report back to the committee how many prime contracts were awarded to MTA's pool of MWBE and DBE firms.

Mr. Garner explained to the board members the diversity matrix currently included in all MTA RFPs which requires respondents to state the number and diversity of their partners, and other work force metrics. Contractors are further required to submit monthly EEO reports showing the diversity of their workforce and pay equity.

SBDP Small Business Development Program Update

Mr. Cleary began his presentation by reporting that 2019 is a record year. The \$80 million goal was exceeded by \$6 million on the 58 contracts that were awarded. Since the inception of the program 427 contracts have been awarded, totaling \$446 million. Additionally, the program successfully recruited 11 service veteran owned businesses that were prequalified over the last 10 years with three of these firms awarded contracts totaling \$1 million. The small business loan program over the last 10 years has issued 120 loans totaling to \$16.8 million. The SBDP bond program has assisted 24 firms in securing \$412 million in surety bonding. The program is currently achieving its goals and trending upwards.

The funding for the SBDP was to expire at the end of 2019. However, due to the program's sustained success, the legislature and the Governor approved an extension through 2029.

Fourth Quarter 2019 EEO Activities

Mr. Sang provided an update on the 4th quarter EEO activities stating that the MTA's overall workforce is currently comprised of 73,939 employees. With regards to new hires, women and minorities were hired at a higher percentage than their current workforce representations in spite of the limited opportunities for hiring during 2019. The utilization of women and minorities in the workforce has remained constant in comparison to the same period in 2018.

Commissioner Lacewell again expressed that the numbers were unacceptable, stressing her expectation that the team "think outside the box" and develop policy initiatives and strategy for improving the recruitment of women and minorities. She expressed that the committee is here to assist in whatever resources are needed to achieve these goals.

Commissioner Zuckerman asked Mr. Sang to provide an analysis of whether the 455 reported EEO complaints received by MTA in 2019 is considered a low number in comparison to other agencies of similar size, or is that number a poor showing.

Commissioner Zuckerman expressed his concern at the low number of employed veterans, and that more of an effort is necessary to reach a more reasonable goal of 10%.

M/W/DBE and SDVOB Contract Compliance Report

Mr. Burke reported that the MTA's overall MWBE goal is 30%, and the current attainment is 26% in contract payments during the first three quarters of the state fiscal year 2019. Mr. Burke also reported that MTA's overall SDVOB goal is 6%. For the same period, he said that 4% SDVOB participation was achieved in payments made to ongoing contracts.

Mr. Burke said the DBE goal was 18% but a 26% DBE participation was achieved on payments to ongoing contracts for the 2019 Federal Fiscal Year.

Mr. Burke mentioned that the DDCR is currently monitoring approximately 1,050 active contracts with goals, which is an increase from the previous years. In 2019, DDCR averaged 56 monthly site visits, exceeding the 50 visits per month goal. For the same period, DDCR averaged 9 closed contracts per

month.

Mr. Burke stated that the WBE and SDVOB contract goals are not being met. As a strategy for improvement, the DDCR will expand outreach efforts to actively recruit various women, veteran and ethnic trade group and associations to identify best practices in the minority community. Last year the MTA's threshold was increased to \$1 million while the rest of the agencies increased their threshold to \$400,000.

Capital Projects

Mr. Burke reported that for the first half of the Federal Fiscal Year 2019, the DBE goal was 18%, and 20% DBE was achieved in awards for federally funded capital projects. Payments on ongoing contracts achieved a 20% DBE participation. For state-funded capital projects, the goal was 15% and 10% of the MBE participation goal was achieved in contract awards. Payments made on ongoing contracts during the first three quarters of the Fiscal Year 2020 had a 10% participation. WBEs with the goal of 15%, achieved 15% in awards and 10% in payments. Mr. Burke also reported 4% SDVOB participation in awards and less than 1% participation in payments on ongoing contracts.

Legal Fees

Mr. Garner stated that in 2017 when Former Vice Chair Freddie Ferrer asked to start looking at MWBE participation on legal fees, MTA was averaging 4% legal fees to minority firms. It was increased to 8% in 2018 and in 2019 it was at 19%. He thanked the agencies for the progress that was made and indicated that we will not rest until we achieve Governor Cuomo's 30 % goal with respect to legal fees being assigned to MWBE law firms.

Financial Services

Mr. Isom provided an update on financial services. For the reporting period, the MTA has exceeded the state's goal, by achieving 58% on MWBE/SDVOB participation despite the limited number of negotiated bond transactions.

Asset Fund Managers

Ms. Bannon, MTA's new chief investment officer reported that the total defined benefit plan has \$8.5 billion in assets, of which MWBE asset management firms manage \$1.45 billion or 17% in assets as of December 31, 2019. She mentioned that in terms of initiatives going forward, they have an in-house committee that has committed a fair number of resources and is very dedicated in expanding the universe of MWBE resources.

Adjournment

Chair Herman concluded the meeting, and upon a motion duly made and seconded, the meeting was adjourned.

Respectfully submitted,
Maria Amper
Assistant Deputy Chief Diversity Officer
Department of Diversity and Civil Rights

2020 Diversity Committee Work Plan

I. RECURRING AGENDA ITEMS	<u>Responsibility</u>
Approval of Minutes	Committee Chair & Members
Committee Work Plan	Committee Chair & Members
MTA Agency-wide Business and Diversity Initiatives and EEO Programs Activities	Dept. of Diversity/Civil Rights
MTA DBE Certification Program Activities	Dept. of Diversity/Civil Rights
M/W/DBE and SDVOB Contract Compliance Activities	Dept. of Diversity/Civil Rights
Action Items (if any)	As listed
II. SPECIFIC AGENDA ITEMS	<u>Responsibility</u>
<u>February 2020</u>	
2020 Departmental Goals	Dept. of Diversity/Civil Rights
2019 Year-End Report	Dept. of Diversity/Civil Rights
Diversity Committee Charter Review	Committee Chair and Members
<u>May 2020</u>	
2020 EEO, ADA and Sexual and Other Discriminatory Harassment Policy Statements	Dept. of Diversity/Civil Rights
All Agency Title VI Policy Statement	
All Agency Title VI Procedure	
1st Quarter 2020 Report	Dept. of Diversity/Civil Rights
<u>September 2020</u>	
2nd Quarter 2020 Report	Dept. of Diversity/Civil Rights
Recruitment Strategies for MTAHQ and MTA Agencies	Dept. of Diversity/Civil Rights, MTAHQ and Agency Staff
<u>December 2020</u>	
3 rd Quarter 2020 Report	Dept. of Diversity/Civil Rights
Status Report on MTA Inter-Agency M/W/DBE and SDVOB Task Force	Dept. of Diversity/Civil Rights
2021 Diversity Committee Work Plan	Dept. of Diversity/Civil Rights

Detailed Summary

I. RECURRING

Approval of Minutes

Approval of the official proceedings of the previous month's Committee meeting.

Diversity Committee Work Plan

An update of any edits and/or changes in the work plan.

MTA Agency-wide Business and Diversity Initiatives Program Activities

The MTA Department of Diversity and Civil Rights update of planned Agency-wide Business and Diversity Initiatives Program activities.

MTA Agency-wide EEO Program Activities

The MTA Department of Diversity and Civil Rights update of agency-wide workforce analysis, new hires and EEO and Title VI complaints.

MTA DBE Certification Program Activities

MTA Department of Diversity and Civil Rights update of DBE Certification Program activities.

M/W/DBE and SDVOB Contract Compliance Activities

MTA Department of Diversity and Civil Rights update of M/W/DBE and SDVOB contract activities and program initiatives.

Action Items

Staff summary documents presented to the Board for approval of items affecting business standards and practices.

II. SPECIFIC AGENDA ITEMS

February 2020

Overview of 2020 MTA Department of Diversity/Civil Rights Departmental Goals

The MTA Department of Diversity and Civil Rights will present an overview of Departmental goals and objectives for 2020.

2019 Year-End Report

The Department of Diversity and Civil Rights will present 2019 year-end update on MTA Agency-wide EEO and M/W/DBE and SDVOB contract compliance activities.

Recruitment Strategies

Staff from the Department of Diversity and Civil Rights, MTAHQ and MTA Agencies will present recruitment strategies to address underutilization of minorities and women in the workforce.

Diversity Committee Charter Review

The Diversity Committee will review and assess the adequacy of its charter and recommend changes as necessary.

May 2020

Recommitment to Equal Employment Opportunity (“EEO”)

Each year, the MTA disseminates Policies addressing the Americans with Disabilities Act (“ADA”), Sexual and Other Discriminatory Harassment Prevention and EEO in order to reaffirm MTA’s commitment to ensuring a work place environment free from illegal discrimination and to ensure continued compliance with all applicable laws and regulations. The Department of Diversity and Civil Rights will present the 2020 EEO Policy.

All Agency Title VI Policy Statement presented for approval

All Agency Title VI Procedure presented for approval

1st Quarter 2020 Report

The Department of Diversity and Civil Rights will present 1st quarter 2020 update on MTA Agency-wide EEO, and M/W/DBE and SDVOB contract compliance activities.

September 2020

2nd Quarter 2020 Report

The Department of Diversity and Civil Rights will present 2nd quarter 2020 update on MTA Agency-wide EEO, and M/W/DBE and SDVOB contract compliance activities.

Title VI Program Approval

Recruitment Strategies

Staff from the Department of Diversity and Civil Rights, MTAHQ and MTA Agencies will present recruitment strategies to address underutilization of minorities and women in the workforce.

December 2020

3rd Quarter 2020 Report

The Department of Diversity and Civil Rights will present 3rd quarter 2020 update on MTA Agency-wide EEO and M/W/DBE and SDVOB contract compliance activities.

Status Report on MTA Inter-Agency M/W/DBE and SDVOB Task Force

The Department of Diversity and Civil Rights report will address progress made by the Task Force to improve M/W/DBE and SDVOB participation.

2021 Diversity Committee Work Plan

The Department of Diversity and Civil Rights will present an updated Diversity Committee Work Plan for 2021.

Staff Summary

Subject: Title VI Policy Statement and Title VI Policy Directive
Department Diversity and Civil Rights
Department Head Name Michael J. Garner, Chief Diversity Officer
Department Head Signature
Project Manager/Division Head Dr. Rosalyn Green, Acting Deputy Chief Diversity Officer

Date: May 20, 2020
Vendor Name N/A

Board Action					
Order	To	Date	Approval	Info	Other
1	Diversity Committee				
2	Board				

Internal Approvals			
Order	Approval	Order	Approval
1	Legal		
2	Corporate Compliance		

Purpose:

To obtain Board approval of the Title VI and Related Nondiscrimination Laws Policy Statement and the associated Title VI and Related Nondiscrimination Laws Complaint Management policy directive.

Discussion:

As a recipient of FTA funds, certain of the MTA agencies (listed below) must be in compliance with the requirements of FTA Circulars 4702.1B (Title VI), 4703.1 (Environmental Justice), and 4704.1A (EEO), and related Federal Transit Laws, 49 U.S.C. § 5332. Accordingly, the MTA is required to develop procedures for investigating and tracking Title VI and related discrimination complaints filed against the relevant agencies, and make this process available to the public.

The Title VI and Related Nondiscrimination Laws Policy Statement affirms the MTA's commitment to complying with the requirements of Title VI and related Federal Transit Laws with respect to all of its federally-funded programs and activities.

The associated Title VI and Related Nondiscrimination Laws Complaint Management policy directive establishes a process for managing and resolving complaints of discrimination under Title VI and related Federal Transit laws. The policy directive details the process by which individuals or groups of individuals who believe they have been discriminated against on the basis of race, color, national origin, including limited English proficiency (LEP) access, age, sex, religion, and disability may make a complaint against MTA and certain of its affiliated agencies and subsidiaries including the New York City Transit Authority ("NYCT"), and its subsidiaries, the Manhattan and Bronx Surface Transit Operating Authority ("MaBSTOA") and the Staten Island Railway ("SIR"); the Long Island Rail Road Company ("LIRR"); Metro-North Commuter Railroad Company ("MNR"); MTA Bus Company ("Bus Co."); and MTA Construction and Development ("C & D").

Recommendation:

It is recommended that the Board approve the Title VI and Related Nondiscrimination Laws Policy Statement and the associated policy directive, Title VI and Related Nondiscrimination Laws Complaint Management, in satisfaction of the requirements of the above-mentioned FTA Circulars and related Federal Transit Laws.

TITLE VI AND RELATED NONDISCRIMINATION LAWS POLICY STATEMENT

Statement of Commitment to Title VI and Related Nondiscrimination Laws

Title VI of the Civil Rights Act provides that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

In addition, the Federal Transit Laws, (49 U.S.C. § 5332) prohibit discrimination in any Federally Assisted Programs on the basis of age, sex, religion, and disability.

The Metropolitan Transportation Authority and certain of its its subsidiary and affiliate agencies (the “MTA”) is committed to complying with the requirements of Title VI and the related Federal Transit Laws with respect to all of its federally funded programs and activities.¹

Nondiscrimination Policy

It is the policy of the MTA to prohibit discrimination in MTA’s federally assisted programs. No person shall, on the grounds of race, color, or national origin, including matters related to limited language proficient (LEP) access, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MTA program or activity receiving federal financial assistance. In compliance with the Federal Transit Laws, (49 U.S.C. § 5332), MTA also prohibits discrimination on the basis of religion, sex, disability and age.

Title VI and Related Discrimination Complaints

Any person who believes that they have been discriminated against by the MTA on the basis of race, color, national original (including matter related to LEP access), religion, sex, disability or age, may file a complaint by completing and submitting the Title VI and other Discrimination Complaint Form to the appropriate agency provided on the form. Complaints must be filed no more than **180 days** from the date(s) of the alleged incident.

An individual may elect to complete the complaint form online or print the form and mail directly to the relevant MTA subsidiary or affiliate agency. Additionally, a person may, at any time, file a complaint directly with the U.S. Department of Transportation at:

U.S. Department of Transportation,

¹ The MTA Triborough Bridge and Tunnel Authority is not subject to this Policy Statement due to its funding status.

Federal Transit Administration's Office of Civil Rights:
Complaint Team, East Building 5th Floor—TCR,
1200 New Jersey Ave. SE,
Washington, DC 20590.

Signature

Date

Title

Title VI and Related Nondiscrimination Laws Complaint Management

1. PURPOSE AND OBJECTIVE

1.1 The purpose of this Policy Directive is to establish a process for managing and resolving complaints of discrimination under Title VI and related nondiscrimination laws, brought by any individual or group of individuals who believe they were subjected to discrimination on the basis of race, color, national origin (including limited English proficiency (LEP) access), age, sex, religion, and disability in connection with any federally-funded program or activity of the Metropolitan Transportation Authority (“MTA”) and the following affiliated and subsidiary agencies: MTA Long Island Rail Road, MTA Metro-North Railroad, MTA Construction & Development, MTA Bus Company, and MTA New York City Transit, including the Manhattan and Bronx Surface Transit Operating Authority and the Staten Island Rapid Transit Operating Authority, (collectively, the “MTA Agencies”).¹

2. SCOPE

2.1 This Policy Directive is in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., the Federal Transit Laws, (49 U.S.C. § 5332), and the guidance of FTA Title VI Circular 4702.1B, FTA Environmental Justice Policy Guidance for Federal Transit Administration Recipients 4703.1, and FTA EEO Circular 4704.1A.

2.2 This Policy Directive does not apply to complaints of employment discrimination, harassment or retaliation under the MTA Agencies, Equal Employment Opportunity and related policies. Such complaints are managed and resolved by the Internal Discrimination Complaint Management Policy Directive, No. 11-062.

3. DEFINITIONS

3.1 **Administrative Closure** – A complaint that is closed without the MTA Agency issuing an investigatory determination. The reasons for an Administrative Closure may include, but are not limited to: (1) A Complainant fails to pursue the complaint, which includes (a) his/her failure to respond to a request for information needed to determine the

¹ The MTA Triborough Bridge and Tunnel Authority is not subject to this Policy Directive due to its funding status.

acceptability of the complaint and/or (b) his/her failure to cooperate with the investigation; (2) The Complainant did not provide enough information to investigate the complaint. (3) The Complainant has filed or files the same complaint with a court or administrative agency.

- 3.2 Complainant** - An individual or group of individuals alleging discrimination on the grounds of race, color, national origin (including LEP access), age, sex, religion and disability in connection with any federally-funded program or activity, including the services and other transit-related programs provided by the MTA Agencies.
- 3.3 Customer Service** – Any Department, Division or Sub-division designated by the MTA Agencies to receive verbal or written complaints by customers, whether centralized or specific to such Department, Division, or Sub-division.
- 3.4 Designation of Representative Form** – A form used by an individual or group to designate an authorized representative to assist them in making their complaint. An authorized representative may be a friend, family member, relative, or other person or organization of an individual’s choosing.
- 3.5 Discrimination** - Any action or inaction in any federally-funded program or activity of an MTA Agency, contractor or subcontractor that results in disparate treatment, disparate impact, or that perpetuates the effects of such, based on race, color, national origin (including LEP access), age, sex, religion or disability.
- 3.6 Investigation** – A formal inquiry into the allegations of a complaint for the purpose of determining whether there has been a violation of policy as stated in MTA’s Title VI and Related Nondiscrimination Laws Policy Statement.
- 3.7 Letter of Finding** – Letters of Finding (s) are issued as the result of the investigation and determination of a complaint received by the responding MTA Agency and sets forth the conclusion as to Reasonable Cause, No Reasonable Cause or Administratively Closed finding.
- 3.8 No Reasonable Cause** - An investigation determination that a Complainant’s allegations are unsubstantiated.
- 3.9 Reasonable Cause** - An investigation determination that a Complainant’s allegations are substantiated.
- 3.10 Respondent** - The MTA Agency or Agency’s employee(s) that an alleged Title VI or other discrimination complaint has been filed against.
- 3.11 Complaint** - Any verbal or written communication received by an MTA Agency from an individual, group of individuals or organization(s), alleging discriminatory treatment

in any federally-funded activity or program of an MTA Agency on the grounds of race, color, national origin (including LEP access), age, sex, religion or disability.

- 3.12 Withdrawal** – After a complaint has been submitted, the Complainant requests that the complaint investigation be closed prior to completion.

4. RESPONSIBILITIES

- 4.1** Every MTA employee is responsible for compliance with the policy as stated in MTA's Title VI and Related Nondiscrimination Laws Policy Statement, which provides that no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in, any federally-funded program or activity including the services and other transit-related programs provided by the MTA Agencies, on the grounds of race, color, national origin (including LEP access), age, sex, religion or disability.
- 4.2** Each MTA Agency's Diversity/EEO Office shall be responsible for receiving, acknowledging, reviewing, investigating, tracking, reporting, referring to other designated departments, and when applicable, making recommendations for appropriate action, for all Complaints, with the exception of Complaints handled by an MTA Agency's Law Department (see 4.5 below).
- 4.3** Each MTA Agency's Diversity/EEO Office shall also be responsible for developing and implementing a training program for managers and supervisors of the customer complaint process and front-line employees with direct customer interaction, on how to identify potential complaints of Title VI or other discrimination.
- 4.4 Customer Service Department/Division/Sub-division at each MTA Agency**
- 4.4.1 Each agency shall keep a record of all customer complaints of potential Title VI and other forms of discrimination as identified herein.
- 4.4.2 Prior to the investigation, the individual receiving the complaint should follow the process below:
- 4.4.2.1 Identify whether the Complainant (s) allegation is a potential violation of Title VI or whether other discrimination is alleged.
- 4.4.2.2 Enter the complaint into a tracking system, assign a unique identifier number to the complaint, and indicate whether the complaint alleges a potential Title VI violation or whether other discrimination is alleged.
- 4.4.2.3 Route the complaint electronically to the appropriate MTA Agency's Diversity/EEO office within 3 business days of receipt.

4.4.2.4 Acknowledge receipt of the customer's complaint by letter or email and advise the customer of the following:

1. The complaint has been forwarded to the Diversity/EEO office where a determination will be made regarding whether the complaint constitutes a potential Title VI violation or whether other discrimination is alleged;
2. A Diversity/EEO Office or departmental investigator will contact the customer directly if more information is needed in order to conduct an investigation;

4.4.3 Within seven (7) business days after the complaint has been provided to the appropriate MTA Agency's Diversity/EEO Office, that office will provide notice back to the MTA Agency personnel receiving the complaint whether or not the complaint is accepted by their office, or referred back to customer service for appropriate referral to another department.

4.4.4 Any complaints determined by the Diversity/EEO Office investigator not to constitute a discrimination matter subject to this Policy Directive shall be handled in accordance with the relevant MTA Agency's standard processes for handling customer complaints.

4.4.5 Where a complaint is filed against an employee of a vendor or contractor with whom an MTA Agency has a direct contractual relationship, such complaint will be investigated by such vendor or contractor in accordance with the applicable contract. The MTA Agency will keep a record of such complaint and the outcome of such Complaint, and will ensure that the vendor has in place a Complaint procedure that comports with this Policy Directive.

4.5 MTA Agency's Law or Legal Department

4.5.1 Each MTA Agency law or legal department shall be responsible for handling all Complaints that have been filed with courts and administrative agencies or whenever deemed appropriate by the MTA Agency.

5. FILING A COMPLAINT

5.1 Under MTA's Title VI and Related Nondiscrimination Laws Policy Statement, any person who believes they have been subject to discrimination in any federally-funded program or activity, including the services and other transit-related programs provided by MTA Agencies, on the grounds of race, color, national origin (including LEP access), age, sex, religion or disability, may file a complaint.

5.2 A complaint under this Policy Directive must be made within 180 days of the alleged discrimination occurrence. A complaint is considered untimely if it is filed more than 180 days after the complaint event(s). A complaint shall be deemed filed on the date it is received by any Customer Service as defined in section 3.3.

**MTA All Agency Title VI and Related Nondiscrimination Laws Complaint Management
May, 2020**

5.3 A complaint may be made via phone, email, to customer service or by submitting a completed, dated and signed Title VI and Other Discrimination Complaint Form to an MTA Agency’s Diversity/EEO Office. Any written complaint may be submitted, in person or by U.S. Mail, to the Diversity/EEO Office, by the Complainant or their representative. The Title VI and Other Discrimination Complaint Form can be downloaded from the MTA website at [Filing a Title VI Complaint](#).

5.4 MTA Agency’s Diversity/EEO Offices

MTA Headquarters Chief Diversity Officer Department of Diversity and Civil Rights 2 Broadway, 16 th Floor New York, NY 10004 1-800-466-8577 EEO Hotline (646) 252-1385	MTA Metro-North Railroad Director Office of Diversity and Equal Employment Opportunity 420 Lexington Avenue, 12 th Floor New York, NY 10170 (212) 340-3350, EEO Hotline
MTA New York City Transit Vice President Department of EEO & Diversity 130 Livingston Street, 3 rd Floor Brooklyn, NY 11201 (718) 694-1730	MTA Long Island Rail Road Director Office of Diversity Management Jamaica Station, 4 th Floor Mail Code #1141 Jamaica, NY 11435 (718) 558-8170
MTA Bus Company Chief Equal Opportunity Officer Office of Equal Employment Opportunity 2 Broadway, 21 st Floor New York, NY 10004 (646) 252-8545	MTA Construction & Development Chief Equal Opportunity Officer Department of Diversity and Equal Opportunity 2 Broadway, 8 th Floor New York, NY 10004 Phone: (646) 252-4379

5.5 If a Complainant is physically unable to provide a written complaint, an MTA representative may transcribe a written record. A Complainant may also choose to have a third party representative file the complaint on their behalf. If a Complainant is represented by a third party, the Complainant may complete a Designation of Representative Form to notify the MTA Agency’s Diversity/EEO Office.

5.6 If a complaint is made via telephone to the MTA Agency Diversity/EEO Office, the Complainant may be provided a Title VI and Other Discrimination Complaint Form via

mail to complete. MTA Agencies will provide translation services in accordance with individual Language Assistance Programs.

- 5.7** A complaint should, to the best of a Complainant's ability, set forth:
- 5.7.1 The Complainant's name, address, telephone number or other method of communicating with them. If the complaint is filed on behalf of another person, it should include the Complainant's name, address, telephone number, and the relationship to the person filing the complaint (e.g., friend, attorney, parent, etc.).
 - 5.7.2 The location, date and time of the alleged discrimination.
 - 5.7.3 Names, addresses and telephone numbers of any witnesses that the MTA Agency could contact for relevant information to support or clarify the allegations.
 - 5.7.4 A description of the alleged violation detailing how and why the Complainant believes they were discriminated against. The complaint should include as much background information as possible about the alleged act(s) of discrimination.
 - 5.7.5 The names of any individual(s) against whom the complaint is filed or as much identifying information as possible.

6. COMPLAINT INVESTIGATION PROCESS

- 6.1** The Agency Diversity/EEO Office staff or designee will review and determine whether an allegation sufficiently alleges a violation as covered within this Policy Directive, is submitted timely, and is duplicative of a previous complaint filed by the same Complainant.
- 6.2** If the Agency Diversity/EEO Office staff or designee determines that a complaint does not allege a basis of discrimination as covered in this Policy Directive, is reported outside the 180 day requirement or a duplicative incident that has already been investigated, the Agency Diversity/EEO Office staff will notify the Complainant in writing within 15 business days, that the complaint would not be accepted for investigation and administratively close the complaint.
- 6.3** The MTA Agency Diversity/EEO Office staff or designee may ask a Complainant to clarify allegation(s) in writing or provide additional information necessary for its investigation. If the Complainant does not respond within the time requested, a complaint may be administratively closed.
- 6.4** Once an Agency Diversity/EEO Office staff or designee has determined that a complaint is timely, involves a covered basis of discrimination, and is non-duplicative, the investigator will assign the complaint a case number, send the Complainant acknowledgment that the complaint has been accepted for investigation and inform the Complainant, of the right to file directly with the Federal Transit Administration's Office of Civil Rights.

- 6.5 A prompt and thorough investigation will be launched in order to gather facts to determine whether the Respondent may have acted in violation of the policy as stated in MTA's Title VI and Related Nondiscrimination Laws Policy Statement, and to have sufficient factual data on which to base a finding.
- 6.6 The initial scope of the investigation is limited to the immediate issues raised by the Complainant, although it may be expanded to include other potential issues that are uncovered during the investigation.
- 6.7 The investigator will identify and interview relevant parties and witnesses, compile and analyze data, review relevant documents, make site visits if appropriate and prepare a written investigatory report on the investigation findings, and if applicable make recommendations.
- 6.8 The Diversity/EEO Office staff or designee will seek to complete its investigation within 120 business days from the date of the acceptance of the Complaint. If additional time is required to complete the investigation, the MTA Agency will send written notification to the Complainant.
- 6.9 Upon conclusion of the investigation, the investigator will prepare a summary of findings including a determination of reasonable cause/no reasonable cause. If there is a finding of reasonable cause, the investigator may recommend appropriate corrective action. Recommendations, if applicable for corrective action will be determined by the Agency Diversity/EEO Office staff or designee with input from its Legal or Law Department, and or, Labor Relations where appropriate, and administered in accordance with MTA's agencies policies and any applicable collective bargaining agreement(s). Human Resources, Labor Relations (if necessary), and/or Ethics and Legal/Law Departments will assist MTA Agencies in the implementation of corrective actions where appropriate.
- 6.10 Letter of Finding and Complaint Resolution: Upon completion of an investigation, the conclusion and recommended corrective action, if any, is communicated to the Complainant.
- 6.11 The Agency Diversity/EEO Office will retain a record of discussions and documents relating to the investigation in a confidential file.

7. WITHDRAWAL AND REJECTION OF COMPLAINTS

- 7.1 The Complainant may withdraw their complaint during any stage of the process. Although there is no prescribed format for withdrawal, the Agency Diversity/EEO Office staff will ensure that the intent to withdraw is clearly expressed as evidenced by a statement with the Complainant's signature. The statement should indicate reasons for withdrawal. The original withdrawal statement should be made a part of the complaint file.
- 7.2 In the event a Complainant withdraws a complaint, MTA Agencies retain the right to continue the investigation without the Complainant's cooperation, to ensure

compliance with the policy as stated in MTA's Title VI and Related Nondiscrimination Laws Policy Statement.

- 7.3** The Agency Diversity/EEO Office staff or designee has the authority to reject a complaint. Complaints that fail to meet the conditions set forth above in Section 6 shall be formally rejected in writing by sending a closure letter. Where only a part of the complaint is rejected, the remainder of the complaint will be processed.

8. RIGHT TO FILE WITH EXTERNAL AGENCIES

- 8.1** The Letter of Finding will constitute the final internal decision and formally communicate the official findings of the investigation. If applicable, in all correspondence with Complainants, Complainants will be informed of the right, at any time (within the external agencies statute of limitations) to file a complaint with external agencies.

A Complainant may file a complaint against any MTA Agency subject to this Policy Directive alleging discrimination with:

Federal Transit Administration,
Office of Civil Rights,
Attention: Complaint Team, East Building 5th Floor - TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

9. FREEDOM FROM REPRISAL

- 9.1** It is a violation of this Policy Directive to: (1) retaliate against any person because they have filed a complaint under this Policy Directive or participated in an investigation under this Policy Directive; (2) interfere with any person's ability to file a complaint or participate in an investigation under this Policy Directive; or (3) impede or interfere with an investigation conducted by an MTA Agency under this Policy Directive.

10. TRACKING AND REPORTING

- 10.1** Complaints filed pursuant to MTA's Title VI and Related Nondiscrimination Laws Policy Statement (both written and verbal), investigations, and lawsuits will be reported and tracked within each of the MTA Agencies, from the receipt of the complaint to the final disposition. The Department of Diversity and Civil Rights shall monitor the implementation of the MTA Agencies' Title VI and Related Nondiscrimination Laws Complaint Management procedures by reviewing each Agency's annual Title VI Program and periodic review of Title VI and Related Nondiscrimination Laws complaint files. MTA Agencies shall maintain investigation files of complaints under this Policy Directive for ten (10) years from the date of resolution of a complaint. However, records pertaining to an active or resolved lawsuit will be maintained

according to MTA's Record Retention Policy and any application litigation hold instructions.

11. FORMS, EXHIBITS AND ATTACHMENTS

- 11.1 The forms and documentation required by the applicable MTA Agency are to be used in the administration of this Policy Directive.

Metropolitan Transportation Authority Department of Diversity and Civil Rights

Executive Summary

May 20, 2020



Executive Summary

■ Business & Diversity Initiatives

■ Summary of Outreach Efforts - January through December 2019

As a result of DDCR's outreach efforts 280 certified firms received a total of:

\$390,088,329.90 in Awards

\$365,327,559.03 in Payments*

* Payments in 2019 are from recent and historical contract awards.



Executive Summary

■ Certification Activity Report

- DDCR continues to see an **increase** in firms attending the bi-monthly DBE certification workshops. This has resulted in an **increase** of number of firms being certified.

- **Status:** Increased DBE Certifications

■ **Trends**

- Upward
- Constant
- Downward

- **Strategies for Improvement:** n/a



Executive Summary

- **EEO**(full report on pages 51-65)
 - MTA's overall workforce is currently comprised of **73,454** employees; of which **13,190 (18%)** are Females,* **51,291 (70%)** are Minorities and **2,096 (3%)** are Veterans** and **291 (0.4%)** are People with Disabilities.
 - The percentage of Females in the workforce has **remained the same (18%)** as compared to the first quarter 2019. As it relates to race/ethnicity, the percentage of minorities is **higher by (1%)** compared to the first quarter 2019.
 - MTA Agencies conducted an availability analysis of females and minorities in its workforce. The availability analysis consists of comparing MTA Agencies **March 31, 2020** workforce percentages for females and minorities to 80 percent of the females and minorities available within the relevant labor market.
 - Based on the availability analysis, **Females, Asians, Blacks and Hispanics** were underrepresented in some of the job categories at the Agencies.



*Includes minorities, non-minorities, and veterans

**Minorities and Non-minorities

Executive Summary

- **EEO**(full report on pages 66-74)
 - MTA Agencies hired **994** employees; of which **224 (23%)** are females,* **741 (75%)** are Minorities, **31 (3%)** are veterans,** and **9 (0.9%)** are People with Disabilities.
 - Females were **hired at higher** percentage compared to their current representation of **18%** in the workforce. Minorities were **hired at higher** percentage compared to their current representation of **70%** in the workforce.
 - In the first quarter of 2020, MTA Agencies handled a total of **308** EEO complaints; of which **177** were internal and **131** were external. In the first quarter of 2019, MTA Agencies handled a total of **295** EEO complaints; of which **179** were internal and **116** were external complaints.
 - In the first quarter of 2020, MTA Agencies handled a total of **143** Title VI complaints. In the first quarter of 2019, MTA Agencies handled a total of **213** Title VI complaints.



*Includes minorities, non-minorities, and veterans

**Minorities and Non-minorities

Executive Summary

■ Small Business Development Program (as of March 31, 2020)

The Program – Current Status

- First quarter 2020, SBDP awarded **2 contracts** totaling **\$3.6 million ***
- Record year in 2019. The goal was **\$80 million**. SBDP awarded **58 contracts** totaling **\$86.8 million**.
- The Small Business Development Program (SBDP) awarded **429 contracts** totaling **\$450 million**.
- SBDP successfully recruited **eleven (11)** Service Disabled Veteran-Owned Business (SDVOB) certified firms. **Three (3) firms** were awarded contracts totaling **\$1,116,366**.
- The Small Business Development Loan Program issued **123 loans** totaling **\$17.1 million**.
- The Small Business Development Bond Program has assisted Tier 2 and SBFP firms in securing **\$446 million** in surety bonds.
- The Small Business Development Training Program - 700 firms have participated in the training since the inception of the program.



Executive Summary

■ Small Business Development Program (continued)

■ **Status:** Program is achieving its goals.

■ Trends

- Upward
- Constant
- Downward *

■ **Strategies for improvements:** n/a

* Due to the COVID-19 outbreak, all capital contract awards were put on 60-day moratorium.



Executive Summary

■ MWDBE and SDVOB Contract Compliance

■ 30% NY State Fiscal Year 2019-2020 MWBE Goal

- 19% MWBE participation in contract awards
- 27% MWBE participation in contract payments

■ 6% NY State Fiscal Year 2019-2020 SDVOB Goal

- 3% SDVOB participation in contract awards
- 4% SDVOB participation in contract payments

■ 18% Federal Fiscal Year 2019-2020 DBE Goal

- 17% DBE participation in contract awards*
- 16% DBE participation in contract payments on ongoing contracts*
- 17% DBE participation on payments on closed contracts*

* First half of the Federal Fiscal Year 2020



Executive Summary

■ MWDBE and SDVOB Contract Compliance (Continued)

- Currently, DDCR monitors more than **1,008 contracts** for MWDBE and SDVOB goal compliance.
- In 2020, DDCR conducted **139 site visits** for MWDBE and SDVOB contract compliance.
 - Monthly Average: **46***
- In 2020, DDCR has closed **36** contracts.
 - Monthly Average: **12**

* Site visits were suspended on March 16, 2020 due to the COVID-19 outbreak, which has caused site visits to trend downward. The monthly average at the time of suspension was 54.5.



Executive Summary

- **MWDBE and SDVOB Contract Compliance (Continued)**
- **Status:** MWDBE and SDVOB goals are not being met
- **Trends**
 - ✓ Upward: SDVOB participation on contract payments
 - ✓ Constant: MWBE participation on contract payments
 - ✓ Downward: DBE participation on ongoing contract payments
- **Strategies for Improvement:**
 - DDCR will expand on building relationships with various women, veteran and minority trade groups and associations to identify qualified firms in the minority business community.
 - Design smaller contracts for greater participation by MWDBE/SDVOBs.
 - Due to legislative actions in Albany, discretionary spending threshold was increased from \$400k to \$1M.
 - Hiring additional MWDBE/SDVOB Contract Compliance staff.



Executive Summary

■ Capital Projects

■ Federal Participation Goal: 18%

(Federal Fiscal Year 2020 (October 2019 to March 2020))

- Total Awards: \$190M
- Total DBE Awards: \$31M (16%)
- Total Payments: \$428M
- Total DBE Payments: \$93M (22%)

■ New York State MBE Participation Goal: 15%

(NYS Fiscal Year 2019-2020 (April 2019 to March 2020))

- Total Awards: \$1.2B
- Total MBE Awards: \$200M (16%)
- Total Payments: \$1.5B
- Total MBE Payments: \$179M (12%)

■ New York State WBE Participation Goal: 15%

(NYS Fiscal Year 2019-2020 (April 2019 to March 2020))

- Total Awards: \$1.2B
- Total WBE Awards: \$163M (13%)
- Total Payments: \$1.5B
- Total WBE Payments: \$163M (11%)

■ Service Disabled Veteran-Owned Business Participation Goal: 6%

(NYS Fiscal Year 2019-2020 (April 2019 to March 2020))

- Total Awards: \$465M
- Total SDVOB Awards \$17M (4%)
- Total Payments: \$717M
- Total SDVOB Payments: \$2M (.29%)

*Report is based on original contract amount provided by MTA Agencies for third-party design and construction contracts (excluding rolling stock and signals).



Executive Summary

Capital Projects (Continued)

- **Status:** DBE goals are met

MWBE/SDVOB goals are not being met

- **Trends**

- ✓ Upward : WBE participation on contract payments
- ✓ Constant: MBE participation on contract payments
- ✓ Downward: SDVOB participation in contract payments

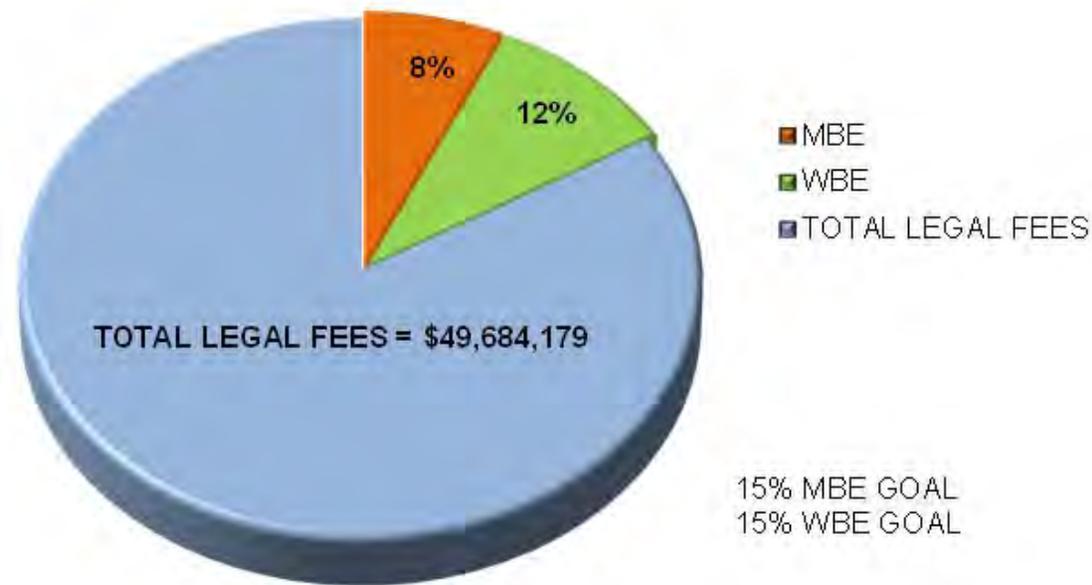
- **Strategies for Improvement:**

- DDCR will expand on building relationships with various women, veteran and minority trade groups and associations to identify qualified firms in the minority community.
- Hiring more MWDBE/SDVOB contract compliance staff



Executive Summary

■ MTA All Agency Legal Fees (April 2019 – March 2020)



Actual MBE Participation = \$4,036,221 or 8%
Actual WBE Participation = \$5,690,790 or 12%



Executive Summary

MTA All Agency Legal Fees (Continued)

- **Status:** MWBE goals are not being met

- **Trends**
 - Upward
 - Constant
 - Downward

- **Strategies for Improvement:**
 - Host an additional all-agency orientation session for prequalified minority law firms.

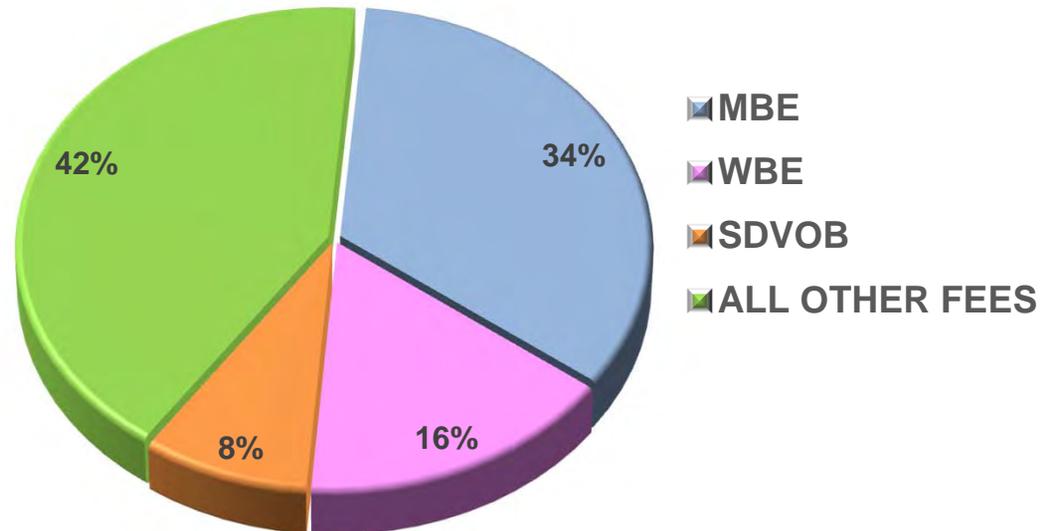
 - Mentor MWBE law firms to handle more specialized cases.



Executive Summary

Financial Services

MTA All Agency Underwriter Fees (April 2019 – March 2020)



Actual WBE Participation = \$157,286 or 16%
Actual MBE Participation = \$331,278 or 34%
Actual SDVOB Participation = \$82,160 or 8%
All Other Underwriting Fees = \$408,497 or 42%
Total Underwriting Fees = \$979,223



Executive Summary

Financial Services (Continued)

- **Status:** All goals were met. Total fees paid to MWBE/SDVOB is **58%!!!**

- **Trends**
 - Upward
 - Constant
 - Downward

- **Strategies for Improvement:** n/a



Executive Summary

Asset Fund Managers – MWBE Participation Combined Plans (as of February 29, 2020)

Combined Plans

- Total assets managed by MWBEs: \$1.34 billion; or 16% of total assets
- Majority of assets are in traditional asset classes
- Traditional assets managed by MWBEs: \$1.24 billion; or 24% of traditional assets
 - MWBE firms manage
 - 56% of US Equities
 - 36% of Real Estate
 - 27% of Non-US Equities
 - 8% of Fixed Income
 - 1 % of Opportunistic
- Alternative investments managed by MWBE's: \$94.9 million; or 3% of alternative investments



Executive Summary

Asset Fund Managers – MWBE Participation Combined Plans (Continued)

New England Pension Consultants (NEPC) Diversity Advisory Committee

“In the interest of promoting equal access to all who seek to provide financial services to the MTA sponsored defined benefit plans, the MaBSTOA Investment Committee and the MTA Defined Benefit Pension Plan Board of Managers of Pensions has directed its investment advisor, NEPC, to review whether minority-owned and women-owned investment management firms are qualified in connection with every investment manager search that the investment advisor performs.”



Metropolitan Transportation Authority Department of Diversity and Civil Rights

Business and Diversity Initiatives

May 20, 2020



Business and Diversity Initiatives

January

Tri-State Chapter National Association of Minority Contractors presents

“Meet and Greet: Doing Business with the MTA”

February

DDCR presents Quarterly “ New Firm Orientation Session”

DDCR presents MTA DBE Certification Workshop

49th Annual New York State Association of Black and Puerto Rican Legislative Conference

Association of Minority Enterprise of New York presents 41st Annual Legislative Business Conference

South Bronx Overall Economic Development Corporation presents

“How to do Business with the MTA”

March

The New York State Assembly/ Senate Hispanic Task Force presents “SOMOS” Conference

The General Contractor’s Association presents “Contractor’s Opportunity Expo”



Business and Diversity Initiatives

Awards and Payments Based on Outreach Efforts
January 2019 – December 2019

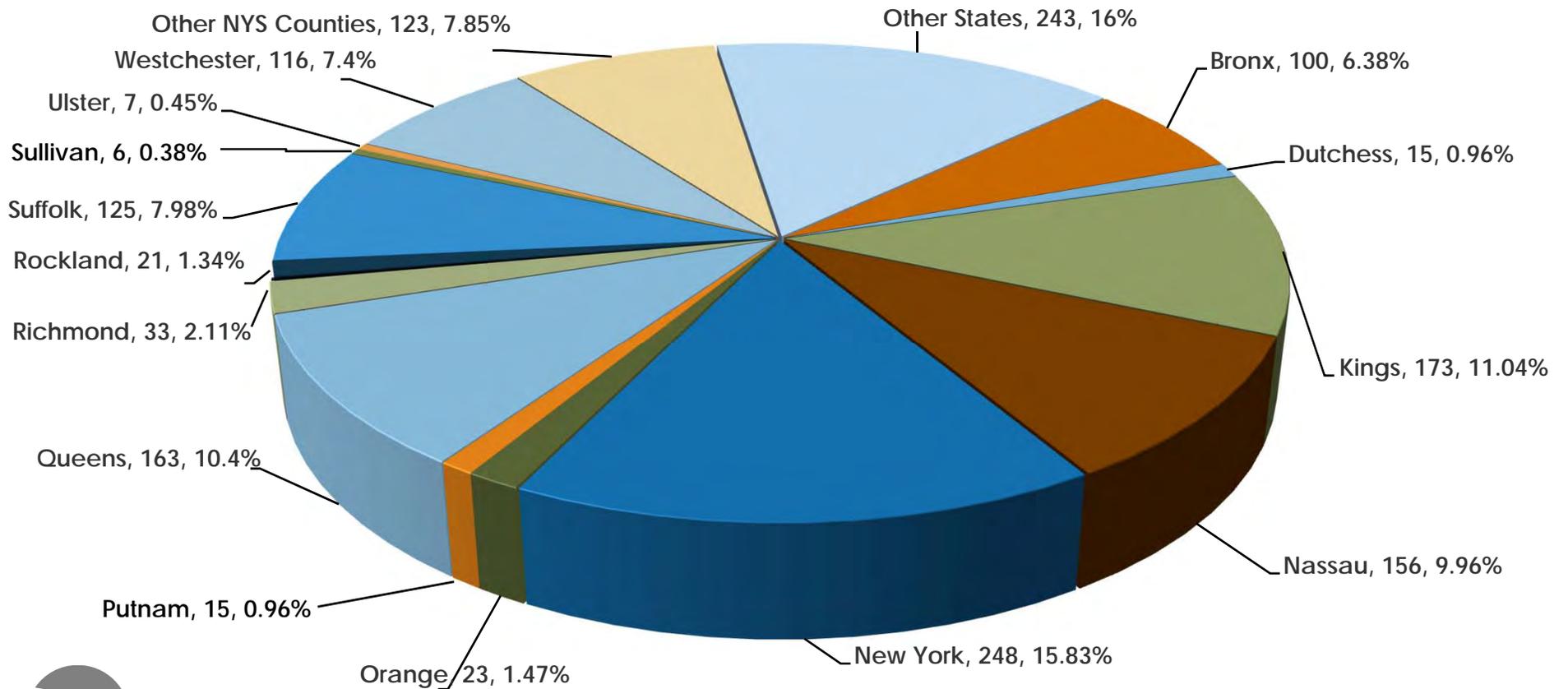


* Payments are from recent and historical contract awards.



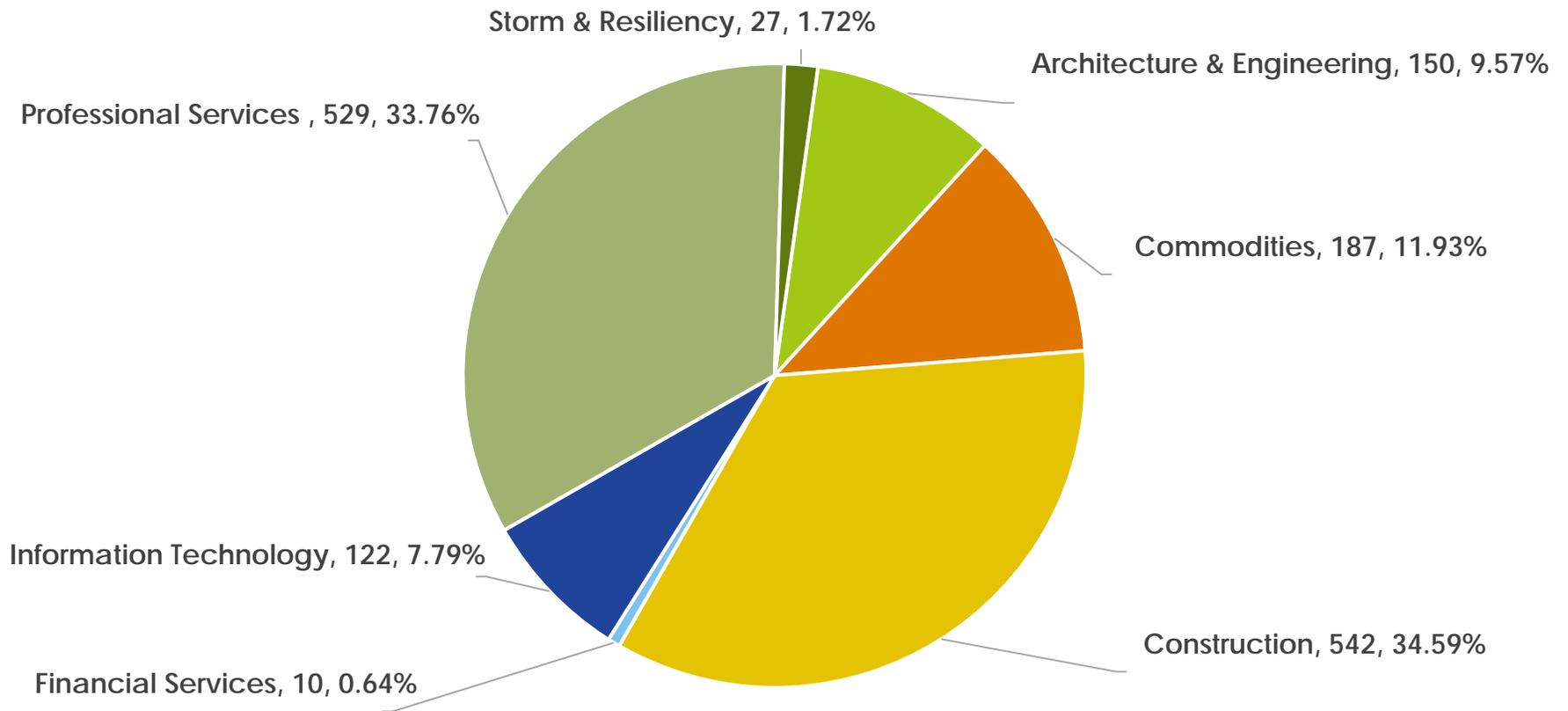
Business and Diversity Initiatives

Outreach Conducted In MTA Region Service Area (14 Counties) January 2019 – December 2019



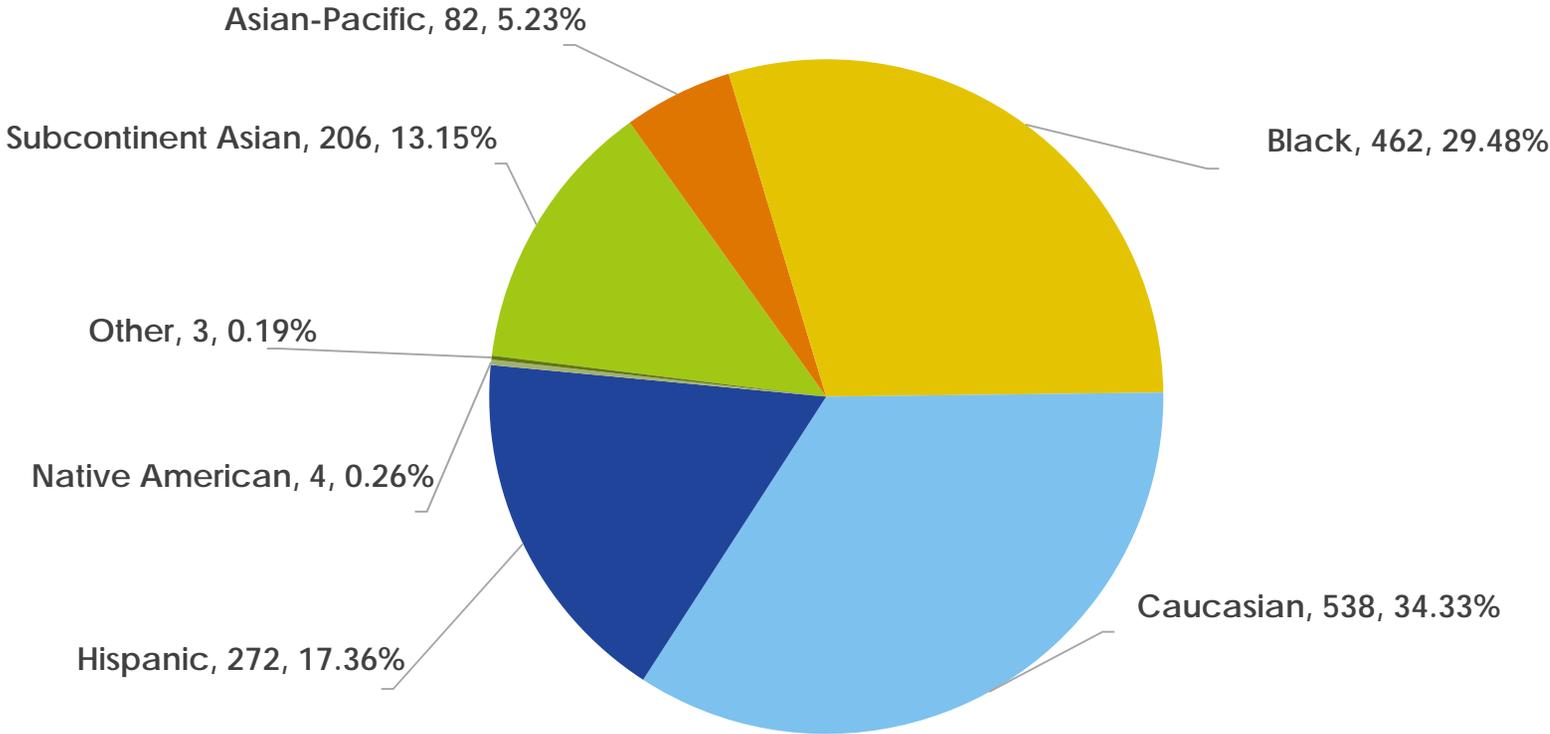
Business and Diversity Initiatives

Outreach Results By Business Type January 2019 – December 2019



Business and Diversity Initiatives

Outreach Results By Ethnicity January 2019 – December 2019



Metropolitan Transportation Authority Department of Diversity and Civil Rights

DBE Certification Activity Report

May 20, 2020



MTA DBE Certification Unit

CERTIFICATION APPLICATIONS RECEIVED FIRST QUARTER 2018-2020

	2020	2019	2018
January	8	12	19
February	6	0	6
March	12	6	11
TOTAL	26	18	36

CERTIFICATION ACTIVITIES FOR NEW APPLICATIONS FIRST QUARTER 2018-2020

	2020	2019	2018
CERTIFIED	22	18	12
DENIED	0	0	0
RETURNED	4	1	0
WITHDRAWN	6	4	6
TOTAL	32	23	18



Metropolitan Transportation Authority Department of Diversity and Civil Rights

MTA-Wide Workforce
as of March 31, 2020

May 20, 2020



MTA-Wide Workforce as of March 31, 2020

Agency	TOTAL		Minorities		WHITES		BLACKS		HISPANICS		ASIANS		AI/AN*		NHOPI**		2+ RACES		VETERANS		
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
B&T		1,271		722	57%	549	43%	324	25%	240	19%	90	7%	5	0%	1	0%	62	5%	78	6%
	F	271	21%	217	17%	54	4%	130	10%	53	4%	21	2%	2	0%	0	0%	11	1%	15	19%
	M	1,000	79%	505	40%	495	39%	194	15%	187	15%	69	5%	3	0%	1	0%	51	4%	63	81%
BUS		4,141		3330	80%	811	20%	1,874	45%	875	21%	367	9%	10	0%	11	0%	193	5%	57	1%
	F	526	13%	477	12%	49	1%	300	7%	131	3%	24	1%	1	0%	0	0%	21	1%	6	11%
	M	3,615	87%	2853	69%	762	18%	1,574	38%	744	18%	343	8%	9	0%	11	0%	172	4%	51	89%
C&D		118		65	55%	53	45%	19	16%	12	10%	30	25%	0	0%	0	0%	4	3%	3	3%
	F	45	38%	34	29%	11	9%	12	10%	9	8%	12	10%	0	0%	0	0%	1	1%	1	33%
	M	73	62%	31	26%	42	36%	7	6%	3	3%	18	15%	0	0%	0	0%	3	3%	2	67%
HQ		2,800		1580	56%	1,220	44%	613	22%	388	14%	425	15%	6	0%	1	0%	147	5%	91	3%
	F	901	32%	647	23%	254	9%	323	12%	130	5%	132	5%	0	0%	1	0%	61	2%	8	9%
	M	1,899	68%	933	33%	966	35%	290	10%	258	9%	293	10%	6	0%	0	0%	86	3%	83	91%
LIRR		7,558		2793	37%	4,765	63%	1,286	17%	877	12%	323	4%	22	0%	4	0%	281	4%	506	7%
	F	1,114	15%	590	8%	524	7%	345	5%	132	2%	61	1%	2	0%	1	0%	49	1%	21	4%
	M	6,444	85%	2203	29%	4,241	56%	941	12%	745	10%	262	3%	20	0%	3	0%	232	3%	485	96%
MNR		6,639		2602	39%	4,037	61%	1,328	20%	752	11%	206	3%	25	0%	1	0%	290	4%	500	8%
	F	849	13%	556	8%	293	4%	321	5%	127	2%	55	1%	3	0%	1	0%	49	1%	19	4%
	M	5,790	87%	2046	31%	3,744	56%	1,007	15%	625	9%	151	2%	22	0%	0	0%	241	4%	481	96%
NYCT		50,927		40199	79%	10,728	21%	23,639	46%	8,800	17%	6,151	12%	117	0%	19	0%	1,473	3%	861	2%
	F	9,484	19%	8788	17%	696	1%	6,498	13%	1,505	3%	478	1%	19	0%	3	0%	285	1%	69	8%
	M	41,443	81%	31411	62%	10,032	20%	17,141	34%	7,295	14%	5,673	11%	98	0%	16	0%	1,188	2%	792	92%
Total		73,454		51,291	70%	22,163	30%	29,083	40%	11,944	16%	7,592	10%	185	0%	37	0%	2,450	3%	2,096	3%

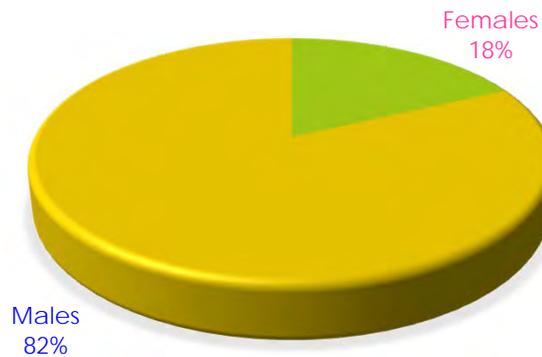
*American Indian/Alaskan Native

**Native Hawaiian Other Pacific Islander

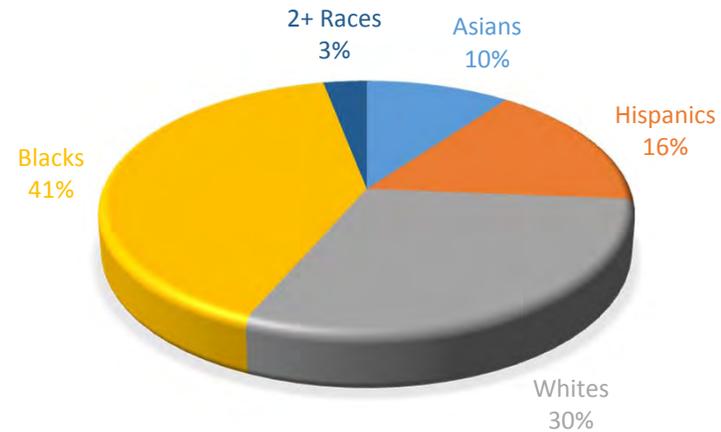


MTA-Wide Workforce as of March 31, 2020

Workforce By Gender



Workforce By Race/Ethnicity



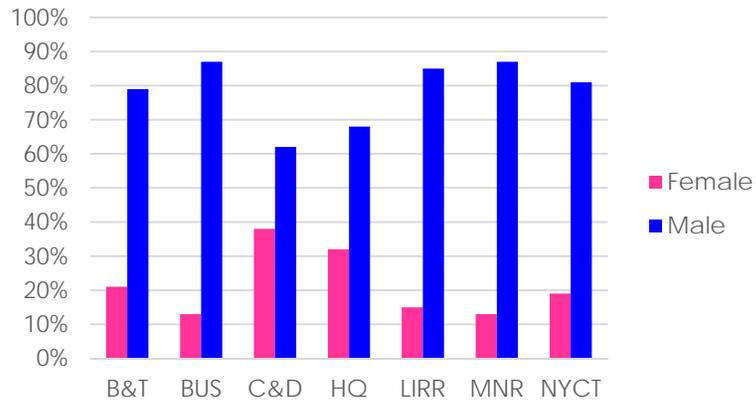
MTA employed **73,454** people: **18%** of the workforce were females, **70%** minorities, and veterans comprised **3%**.

- ❑ The percentage of females employed in the workforce has **remained constant** when compared to 1Q19.
- ❑ The percentage of minorities in the workforce has **increased by 1%** when compared to 1Q19.

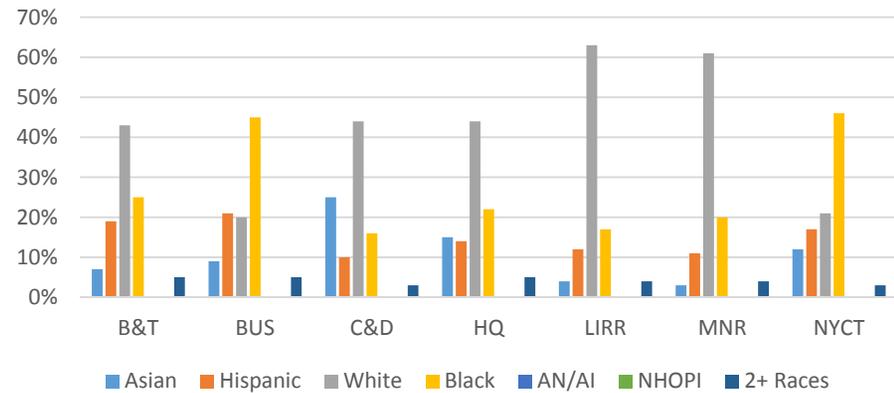


MTA-Wide Workforce by Gender and Race/Ethnicity as of March 31, 2020

MTA Agencies By Gender



MTA Agencies By Race/Ethnicity



Agency	Employees	Females	Minorities
B&T	1271	21%	57%
BUS	4141	13%	80%
C&D	118	38%	55%
HQ	2800	32%	56%
LIRR	7558	15%	37%
MNR	6639	13%	39%
NYCT	51,467	19%	79%



Definitions of EEO Job Categories

- ❑ **Officials & Administrators** - Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis.
- ❑ **Professionals** - Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge.
- ❑ **Technicians** - Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training.
- ❑ **Protective Services** - Occupations in which workers are entrusted with public safety, security and protection from destructive forces.



Definitions of EEO Job Categories

- ❑ **Paraprofessionals** - Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status.
- ❑ **Administrative Support** - Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office.
- ❑ **Skilled Craft** - Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs.
- ❑ **Service Maintenance** - Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property.



MTA-Wide Underutilization Analysis Overview

MTA and all agencies conducted a utilization analysis of females and minorities in its workforce. The utilization analysis consists of comparing the percentage of females and minorities in the workforce to the percentages of qualified females and minorities in the relevant labor market.

As of March 31, 2020, a majority of the underrepresentation of **females, Asians, Blacks** and **Hispanics** occurred within the Technicians, Skilled Craft, Administrative Support and Service Maintenance job categories.

The following charts provide shaded/bolded areas that represent underutilization for each agency by EEO job category: (1) the female and minority workforce percentages for each agency; (2) estimated availability of females and minorities based on 2010 Census data by EEO job category; and (3) whether or not the estimated availability percentages were met for females and minorities within each of the EEO job categories.



Note: The following numbers and information do not reflect underutilization for specific job groups. In addition, the numbers and information provided do not show statistical disparities or explain the reasons or provide a root cause analysis for any identified underutilization.

MTA-Wide Underutilization Analysis as of March 31, 2020

Job Category	Gender	Blacks		Hispanics		Asians		AI/AN*		NHOPI**		2+ Races		Whites	
		Est Avail	Actual %												
Officials & Administrators															
B&T	F	7%	11%	3%	2%	3%	5%	0%	0%	0%	0%	1%	2%	10%	7%
	M	8%	11%	7%	7%	6%	9%	0%	0%	0%	0%	3%	5%		
BUS	F	5%	10%	2%	3%	2%	3%	0%	0%	0%	0%	1%	2%	15%	5%
	M	6%	16%	6%	11%	5%	10%	0%	0%	0%	0%	2%	4%		
C&D	F	4%	9%	3%	5%	3%	7%	0%	0%	0%	0%	0%	0%	15%	11%
	M	4%	4%	3%	2%	9%	19%	0%	0%	0%	0%	1%	3%		
HQ	F	5%	13%	3%	4%	4%	6%	0%	0%	0%	0%	1%	2%	16%	13%
	M	7%	8%	4%	3%	6%	11%	0%	0%	0%	0%	1%	4%		
LIRR	F	6%	5%	2%	2%	1%	2%	0%	0%	0%	0%	1%	1%	9%	9%
	M	8%	9%	6%	8%	3%	5%	0%	0%	0%	0%	2%	4%		
MNR	F	5%	5%	2%	4%	2%	4%	0%	0%	0%	0%	1%	1%	10%	10%
	M	8%	9%	5%	6%	3%	5%	0%	0%	0%	0%	2%	4%		
NYCT	F	6%	12%	2%	2%	1%	2%	0%	0%	0%	0%	0%	1%	9%	6%
	M	15%	19%	8%	10%	8%	11%	0%	0%	0%	0%	1%	4%		

Note: The underutilized areas of representation are shaded. *American Indian/Alaskan Native. **Native Hawaiian Other Pacific Islander
 Note: Pursuant to FTA Circular 4704.1A EEO Requirements and Guidelines, white males have been excluded from the underutilization analysis.



MTA-Wide Underutilization Analysis as of March 31, 2020

Job Category	Gender	Blacks		Hispanics		Asians		AI/AN*		NHOP>**		2+ Races		Whites	
		Est Avail	Actual %												
Professionals															
B&T	F	8%	17%	4%	11%	3%	5%	0%	0%	0%	0%	1%	2%	15%	12%
	M	7%	7%	8%	11%	4%	6%	0%	0%	0%	1%	1%	6%		
BUS	F	7%	17%	5%	11%	4%	9%	0%	0%	0%	0%	1%	2%	15%	7%
	M	5%	12%	4%	4%	7%	17%	0%	0%	0%	0%	1%	4%		
C&D	F	11%	14%	7%	7%	11%	36%	0%	0%	0%	0%	0%	0%	23%	7%
	M	9%	14%	6%	0%	8%	0%	0%	0%	0%	0%	1%	0%		
HQ	F	6%	15%	4%	5%	4%	7%	0%	0%	0%	0%	1%	3%	20%	8%
	M	5%	12%	4%	8%	5%	15%	0%	0%	0%	0%	1%	4%		
LIRR	F	3%	2%	2%	2%	2%	4%	0%	0%	0%	0%	0%	1%	14%	7%
	M	6%	13%	5%	9%	6%	12%	0%	0%	0%	0%	1%	3%		
MNR	F	7%	12%	6%	6%	4%	4%	0%	1%	0%	0%	1%	2%	22%	11%
	M	5%	9%	4%	8%	4%	8%	0%	0%	0%	0%	1%	4%		
NYCT	F	6%	17%	4%	5%	4%	7%	0%	0%	0%	0%	0%	2%	19%	7%
	M	7%	15%	5%	5%	8%	19%	0%	0%	0%	0%	1%	2%		

Note: The underutilized areas of representation are shaded. *American Indian/Alaskan Native. **Native Hawaiian Other Pacific Islander

Note: Pursuant to FTA Circular 4704.1A EEO Requirements and Guidelines, white males have been excluded from the underutilization analysis.



MTA-Wide Underutilization Analysis as of March 31, 2020

Job Category	Gender	Blacks		Hispanics		Asians		AI/AN*		NHOPI**		2+ Races		Whites	
		Est Avail	Actual %												
Technicians															
B&T	F	11%	5%	3%	6%	0%	1%	0%	0%	0%	0%	0%	1%	2%	4%
	M	16%	10%	17%	20%	3%	5%	0%	0%	0%	0%	2%	2%		
BUS	F	5%	8%	11%	15%	0%	0%	0%	0%	0%	0%	0%	0%	32%	31%
	M	0%	0%	0%	0%	5%	8%	0%	0%	0%	0%	5%	8%		
C&D	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
HQ	F	3%	0%	2%	0%	0%	0%	0%	0%	0%	0%	1%	1%	6%	4%
	M	7%	7%	11%	8%	3%	5%	0%	0%	0%	0%	1%	0%		
LIRR	F	3%	8%	3%	0%	2%	0%	0%	0%	0%	0%	0%	0%	6%	0%
	M	10%	8%	9%	15%	7%	8%	0%	8%	0%	0%	0%	8%		
MNR	F	3%	4%	1%	2%	1%	0%	0%	0%	0%	0%	0%	2%	4%	3%
	M	13%	19%	9%	7%	3%	6%	0%	1%	0%	0%	2%	4%		
NYCT	F	3%	21%	5%	4%	4%	2%	0%	0%	0%	0%	0%	1%	19%	7%
	M	6%	21%	5%	7%	6%	12%	0%	0%	0%	0%	0%	4%		

Note: The underutilized areas of representation are shaded. *American Indian/Alaskan Native. **Native Hawaiian Other Pacific Islander
 Note: Pursuant to FTA Circular 4704.1A EEO Requirements and Guidelines, white males have been excluded from the underutilization analysis.



MTA-Wide Underutilization Analysis as of March 31, 2020

Job Category	Gender	Blacks		Hispanics		Asians		AI/AN*		NHOPI**		2+ Races		Whites	
		Est Avail	Actual %												
Protective Services															
B&T	F	9%	13%	4%	3%	0%	0%	0%	0%	0%	0%	0%	1%	3%	2%
	M	12%	19%	15%	21%	3%	4%	0%	0%	0%	0%	1%	3%		
BUS	F	9%	0%	4%	17%	1%	0%	0%	0%	0%	0%	0%	0%	3%	17%
	M	27%	50%	16%	17%	4%	0%	0%	0%	0%	0%	0%	0%		
C&D	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
HQ	F	3%	3%	2%	4%	0%	0%	0%	0%	0%	0%	0%	1%	7%	6%
	M	7%	10%	8%	16%	2%	5%	0%	0%	0%	0%	1%	2%		
LIRR	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
MNR	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
NYCT	F	8%	11%	3%	3%	1%	0%	0%	0%	0%	0%	0%	1%	3%	1%
	M	26%	37%	15%	23%	3%	6%	0%	0%	0%	0%	0%	2%		

Note: The underutilized areas of representation are shaded. *American Indian/Alaskan Native. **Native Hawaiian Other Pacific Islander
 Note: Pursuant to FTA Circular 4704.1A EEO Requirements and Guidelines, white males have been excluded from the underutilization analysis.



MTA-Wide Underutilization Analysis as of March 31, 2020

Job Category	Gender	Blacks		Hispanics		Asians		AI/AN*		NHOPI**		2+ Races		Whites	
		Est Avail	Actual %												
Para-Professionals															
B&T	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	
BUS	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
C&D	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
HQ	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
LIRR	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
MNR	F	12%	17%	12%	8%	4%	0%	0%	0%	0%	0%	1%	0%	41%	25%
	M	2%	0%	2%	0%	1%	0%	0%	0%	0%	0%	0%	8%		
NYCT	F	5%	33%	5%	16%	2%	5%	0%	0%	0%	0%	0%	4%	16%	4%
	M	2%	20%	1%	5%	1%	4%	0%	0%	0%	0%	0%	2%		

Note: The underutilized areas of representation are shaded. *American Indian/Alaskan Native. **Native Hawaiian Other Pacific Islander
 Note: Pursuant to FTA Circular 4704.1A EEO Requirements and Guidelines, white males have been excluded from the underutilization analysis.



MTA-Wide Underutilization Analysis as of March 31, 2020

Job Category	Gender	Blacks		Hispanics		Asians		AI/AN*		NHOP1**		2+ Races		Whites	
		Est Avail	Actual %												
Administrative Support															
B&T	F	27%	65%	11%	9%	6%	4%	0%	0%	0%	0%	0%	0%	21%	4%
	M	1%	0%	1%	0%	4%	4%	0%	0%	0%	0%	0%	0%		
BUS	F	7%	14%	5%	9%	1%	2%	0%	0%	0%	0%	1%	3%	6%	3%
	M	21%	19%	9%	3%	8%	14%	0%	0%	0%	0%	5%	10%		
C&D	F	12%	11%	12%	33%	3%	0%	0%	0%	0%	0%	2%	11%	26%	0%
	M	1%	11%	1%	11%	1%	0%	0%	0%	0%	0%	0%	0%		
HQ	F	11%	32%	11%	8%	4%	4%	0%	0%	0%	0%	1%	6%	41%	23%
	M	2%	10%	2%	7%	1%	4%	1%	0%	0%	0%	0%	0%		
LIRR	F	13%	19%	6%	6%	3%	2%	0%	0%	0%	0%	1%	2%	17%	20%
	M	7%	10%	5%	4%	3%	2%	0%	0%	0%	0%	2%	2%		
MNR	F	10%	21%	5%	7%	1%	2%	0%	0%	0%	0%	1%	3%	11%	9%
	M	13%	15%	7%	8%	2%	1%	0%	0%	0%	0%	2%	3%		
NYCT	F	15%	35%	16%	6%	7%	3%	0%	0%	0%	0%	0%	1%	16%	3%
	M	6%	21%	8%	7%	4%	16%	0%	0%	0%	0%	0%	1%		

Note: The underutilized areas of representation are shaded. *American Indian/Alaskan Native. **Native Hawaiian Other Pacific Islander
 Note: Pursuant to FTA Circular 4704.1A EEO Requirements and Guidelines, white males have been excluded from the underutilization analysis.



MTA-Wide Underutilization Analysis as of March 31, 2020

Job Category	Gender	Blacks		Hispanics		Asians		AI/AN*		NHOP1**		2+ Races		Whites	
		Est Avail	Actual %												
Skilled Craft															
B&T	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
BUS	F	1%	0%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%
	M	25%	34%	12%	15%	9%	12%	0%	0%	1%	1%	5%	7%		
C&D	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
HQ	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
LIRR	F	5%	3%	2%	1%	0%	0%	0%	0%	0%	0%	1%	0%	5%	5%
	M	13%	12%	9%	11%	3%	3%	0%	0%	1%	0%	3%	3%		
MNR	F	1%	1%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	1%
	M	13%	16%	10%	10%	2%	1%	0%	1%	0%	0%	2%	4%		
NYCT	F	4%	4%	2%	1%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%
	M	20%	33%	17%	13%	8%	15%	0%	0%	0%	0%	1%	3%		

Note: The underutilized areas of representation are shaded. *American Indian/Alaskan Native. **Native Hawaiian Other Pacific Islander
 Note: Pursuant to FTA Circular 4704.1A EEO Requirements and Guidelines, white males have been excluded from the underutilization analysis.



MTA-Wide Underutilization Analysis as of March 31, 2020

Job Category	Gender	Blacks		Hispanics		Asians		AI/AN*		NHOPI**		2+ Races		Whites	
		Est Avail	Actual %												
Service Maintenance															
B&T	F	1%	1%	4%	2%	0%	0%	0%	0%	0%	0%	0%	0%	1%	1%
	M	15	20%	16%	14%	3%	4%	0%	1%	0%	0%	2%	5%		
BUS	F	7%	8%	5%	3%	0%	0%	0%	0%	0%	0%	0%	0%	5%	1%
	M	28%	43%	16%	20%	4%	7%	0%	0%	0%	0%	2%	3%		
C&D	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
HQ	F	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	M	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%		
LIRR	F	6%	8%	3%	3%	1%	0%	0%	0%	0%	0%	1%	1%	6%	5%
	M	11%	19%	13%	12%	2%	2%	0%	0%	0%	0%	2%	2%		
MNR	F	5%	8%	6%	3%	1%	0%	0%	0%	0%	0%	0%	1%	3%	7%
	M	16%	17%	19%	10%	2%	2%	0%	0%	0%	0%	2%	3%		
NYCT	F	5%	16%	9%	4%	2%	0%	0%	0%	0%	0%	0%	0%	3%	1%
	M	16%	40%	28%	19%	4%	6%	0%	0%	0%	0%	0%	2%		

Note: The underutilized areas of representation are shaded. *American Indian/Alaskan Native. **Native Hawaiian Other Pacific Islander
 Note: Pursuant to FTA Circular 4704.1A EEO Requirements and Guidelines, white males have been excluded from the underutilization analysis.



Metropolitan Transportation Authority Department of Diversity and Civil Rights

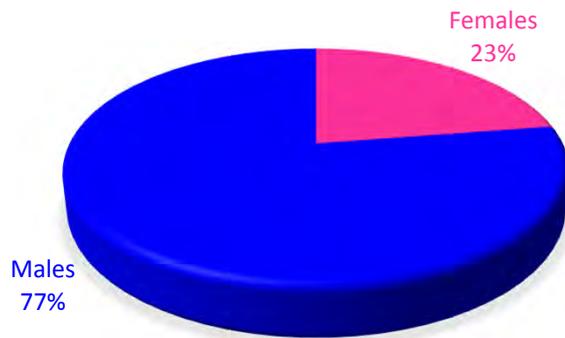
MTA-Wide New Hires and Veterans
First Quarter 2020

May 20, 2020

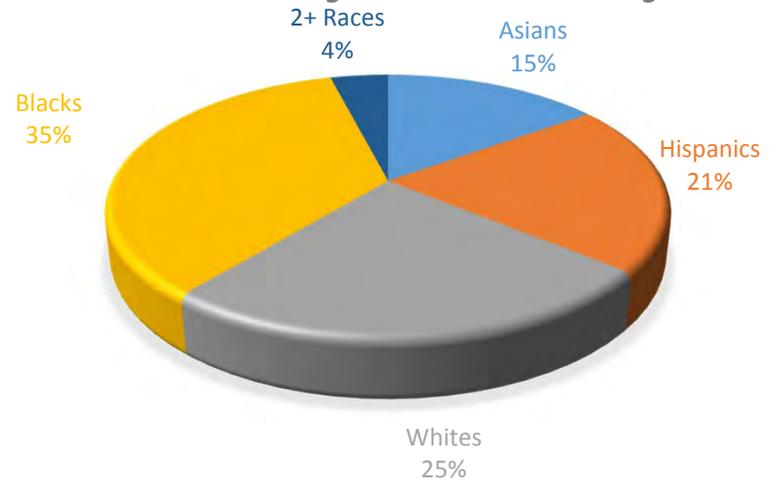


MTA-Wide New Hires January 1, 2020 to March 31, 2020

New Hires By Gender



New Hires By Race/Ethnicity



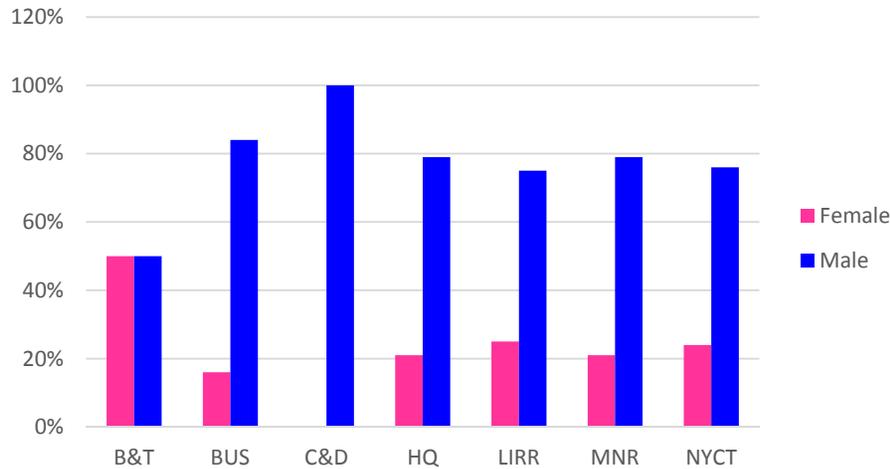
MTA hired **994** employees, including **31** veterans: **23%** of new hires were females and minorities comprised **75%**.

- ❑ Females were hired above their percentage of representation in the workforce.
- ❑ Minorities were hired above their percentage of representation in the workforce.

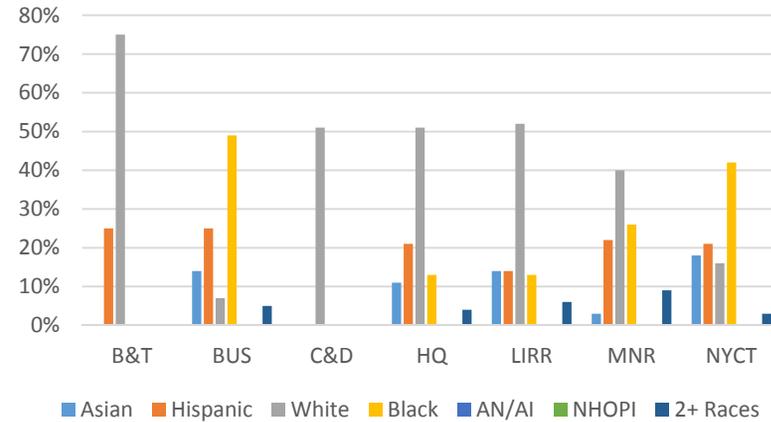


New Hires By Agency January 1, 2020 to March 31, 2020

MTA Agencies New Hires By Gender



MTA Agencies New Hires By Race/Ethnicity



Agency	New Hires	Females	Minorities
B&T	4	50%	25%
BUS	124	16%	93%
C&D	1	0%	0%
HQ	179	21%	49%
LIRR	63	25%	48%
MNR	58	21%	60%
NYCT	565	24%	84%



Metropolitan Transportation Authority Department of Diversity and Civil Rights

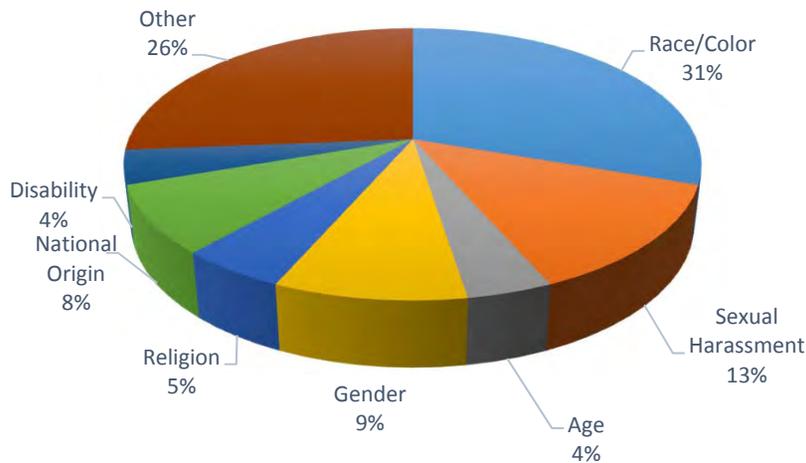
MTA-Wide Complaints and Lawsuits First Quarter 2020



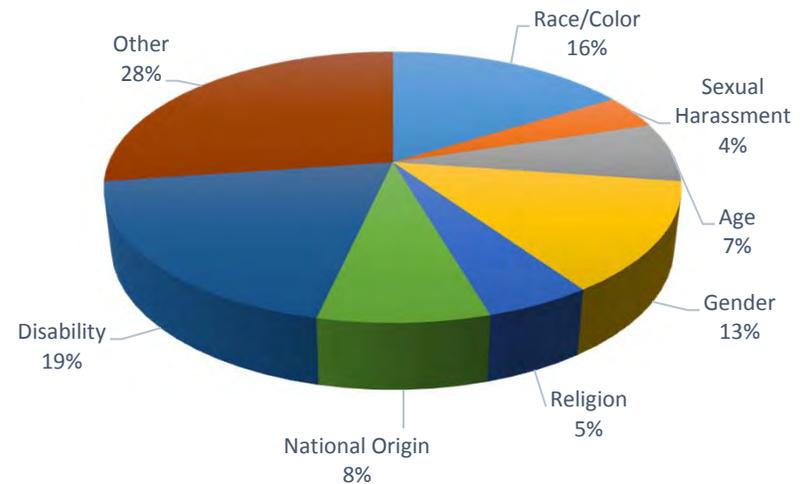
May 20, 2020

MTA-Wide EEO Internal/External Discrimination Complaints by Bases January 1, 2020 to March 31, 2020

Internal EEO Complaints by Bases



External EEO Complaints by Bases



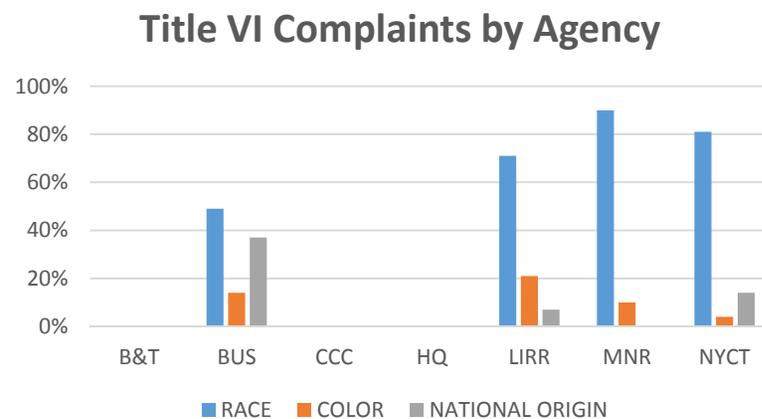
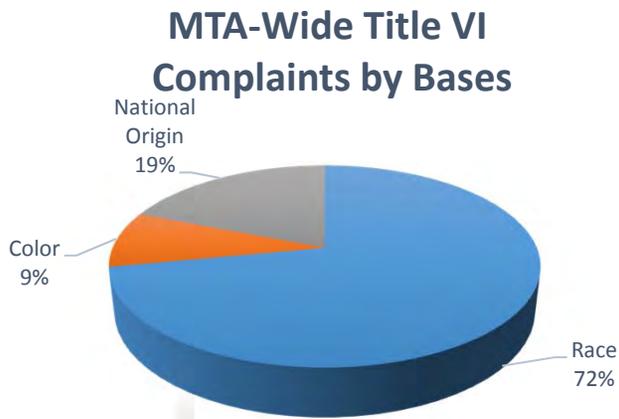
MTA handled **308** EEO complaints, citing **637** separate bases, and **101** lawsuits.

- ❑ **177** filed internal complaints.
- ❑ **131** filed external complaints.
- ❑ The most frequently cited bases internally was race/color.



Note: Complaints can be filed alleging multiple bases.

MTA-Wide Title VI Complaints by Bases and Lawsuits January 1, 2020 to March 31, 2020



MTA handled a total of **143** Title VI complaints with **157** bases and **0** Title VI lawsuits.

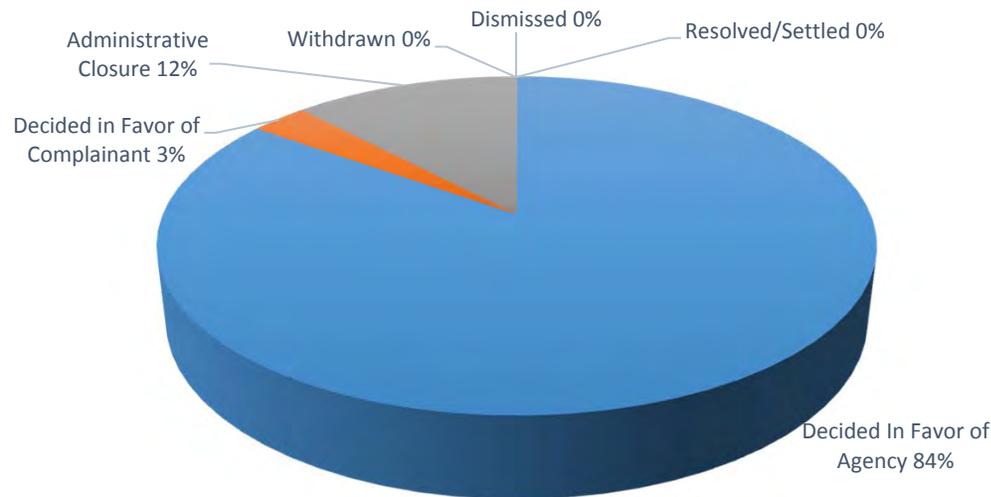
Agency	Complaints	Bases	Race	Color	National Origin
BUS	41	43	49%	14%	37%
LIRR	11	14	71%	21%	7%
MNR	9	10	90%	10%	0%
NYCT	82	90	81%	4%	14%

Note: Complaints can be filed alleging multiple bases.



MTA-Wide Title VI Complaints and Lawsuits Dispositions January 1, 2020 to March 31, 2020

Overall Title VI Complaints and Lawsuits Dispositions



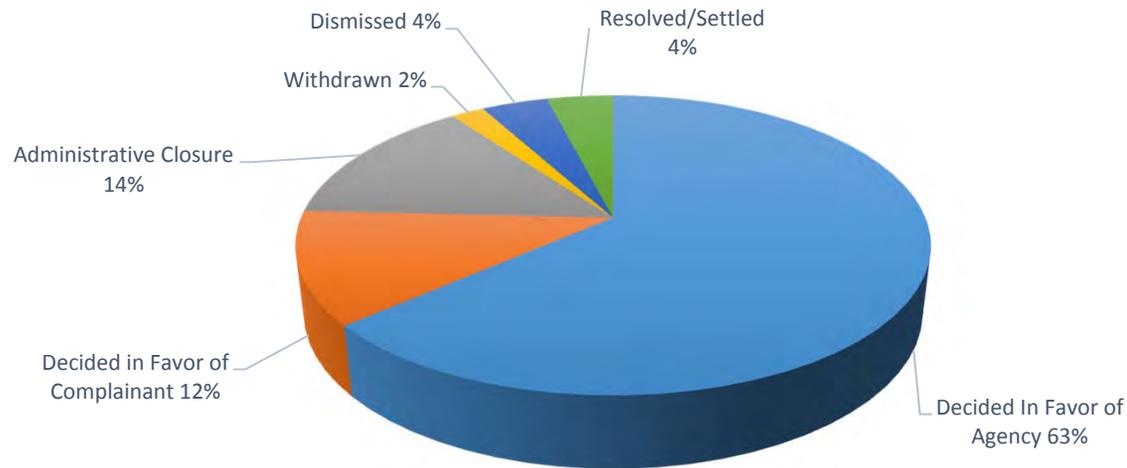
MTA disposed of **58** Title VI complaints and **0** Title VI lawsuits

- ❑ **84%** complaints decided in favor of the agency.
- ❑ **3%** complaints decided in favor of the complainant.
- ❑ **12%** complaints were administrative closures.
- ❑ **0%** complaints were withdrawn.
- ❑ **0%** complaints were dismissed.
- ❑ **0%** complaints were resolved/settled.



MTA-Wide EEO Complaints and Lawsuits Dispositions January 1, 2020 to March 31, 2020

Overall EEO Complaints and Lawsuits Dispositions



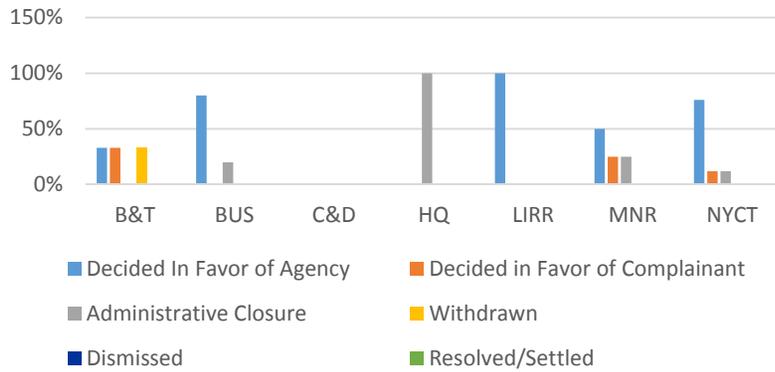
MTA disposed **45** EEO complaints and **4** EEO lawsuits.

- ❑ **63%** complaints/lawsuits decided in favor of the agency.
- ❑ **12%** complaints /lawsuits decided in favor of the complainant.
- ❑ **14%** complaints/lawsuits were administrative closures.
- ❑ **2%** complaints/lawsuits were withdrawn.
- ❑ **4%** complaints/lawsuits were dismissed.
- ❑ **4%** complaints/lawsuits were resolved/settled.

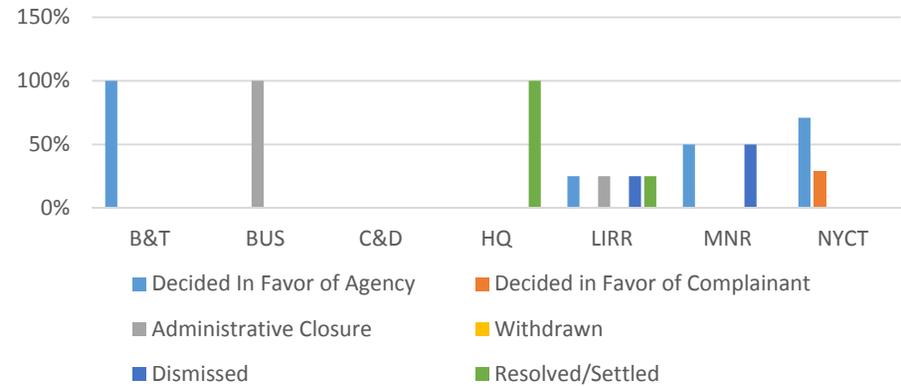


MTA-Wide Internal/External EEO Complaints and Lawsuits Dispositions January 1, 2020 to March 31, 2020

EEO Internal Complaint Dispositions



EEO External Complaint and Lawsuits Dispositions



Metropolitan Transportation Authority Department of Diversity and Civil Rights

MTA Small Business Development Program Business Development Initiatives and MWDBE/SDVOB Results

May 20, 2020



Small Business Development Program

Mission Statement

To develop and grow emerging contractors through classes, on-the-job training and technical assistance on prime contracts with MTA Agencies, thereby creating a larger pool of diverse qualified contractors who can compete for, and complete MTA construction projects safely, timely and within budget.



Elements of the SBDP

- Prime Contract Bid Opportunities up to \$3 million
- Business Management, Leadership and Technical Training
- Access to Working Capital and Surety Bonding
- Comprehensive business consulting services
- Experience working on MTA Projects up to \$3 million
- Fast-Track Payments – 10 Business Days



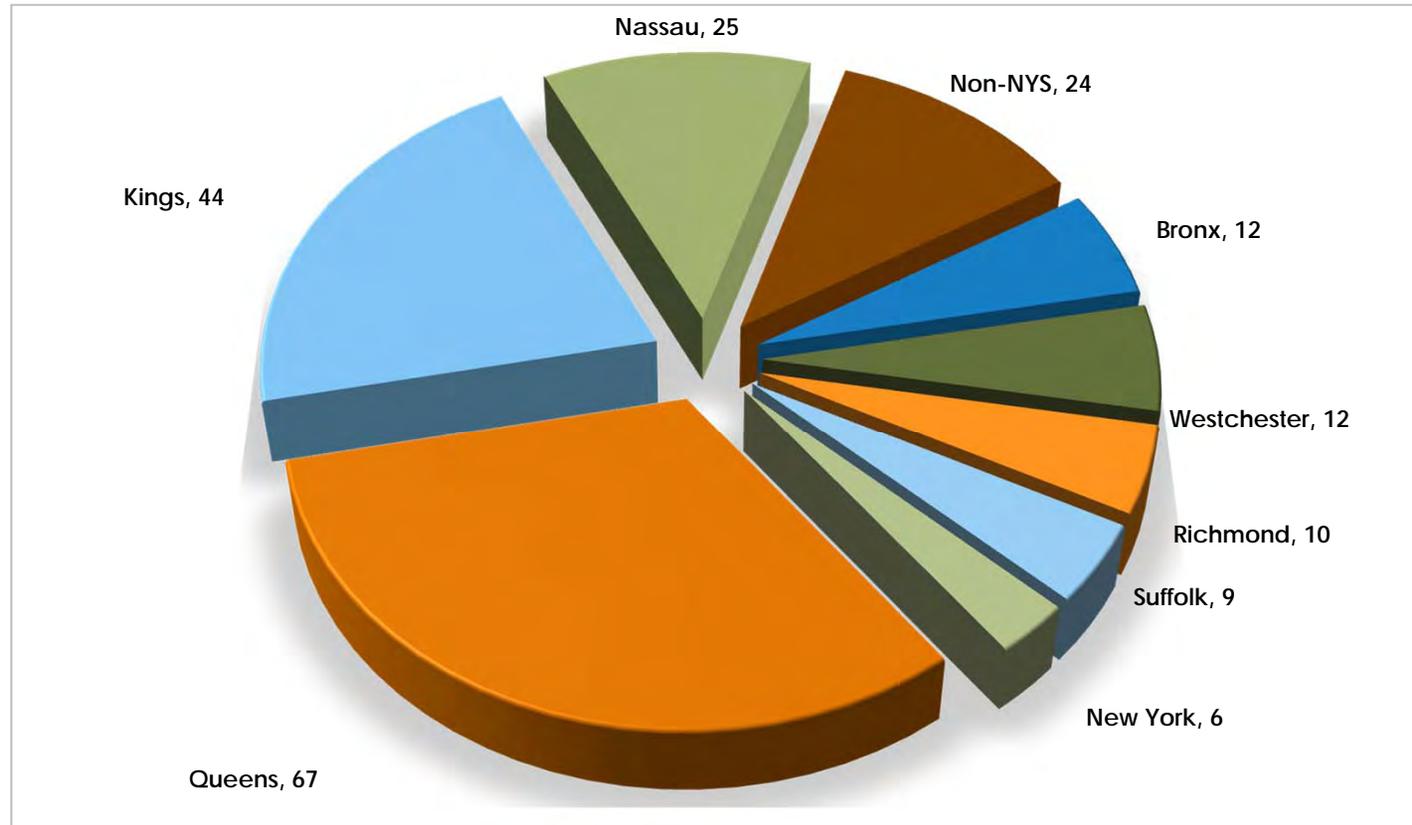
SBDP Represents NY Metro Region

Small Business Mentoring Program All Tiers

Certification *	
MBE	140
WBE	26
DBE	59
SDVOB	10
Non-Certified	63

* firms may have multiple certifications

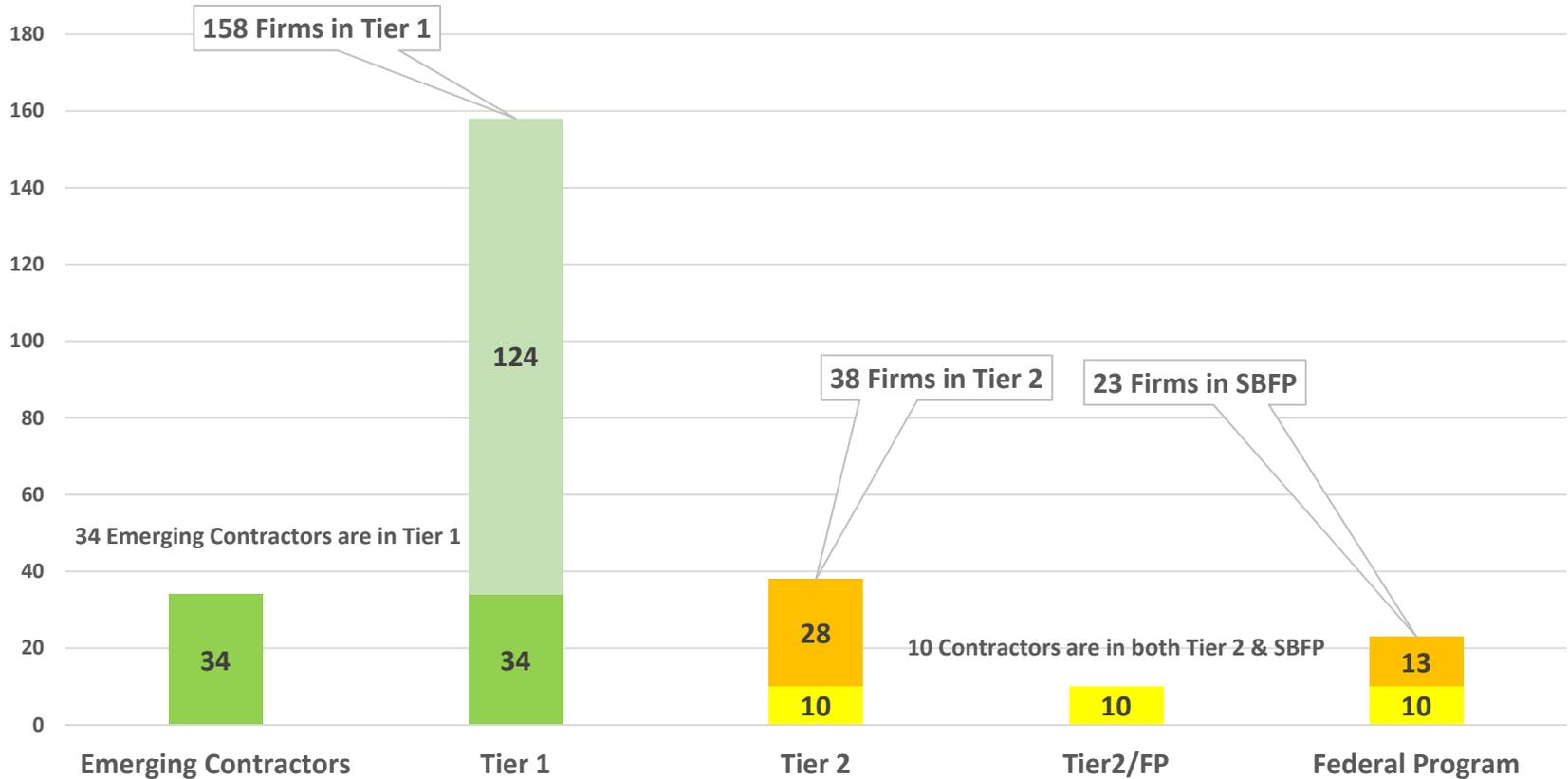
209* Prequalified Firms (as of March 31, 2020)



* Note: 10 firms are in both Tier 2 and SBFP with each counted only once above.



SBDP Tier Participants

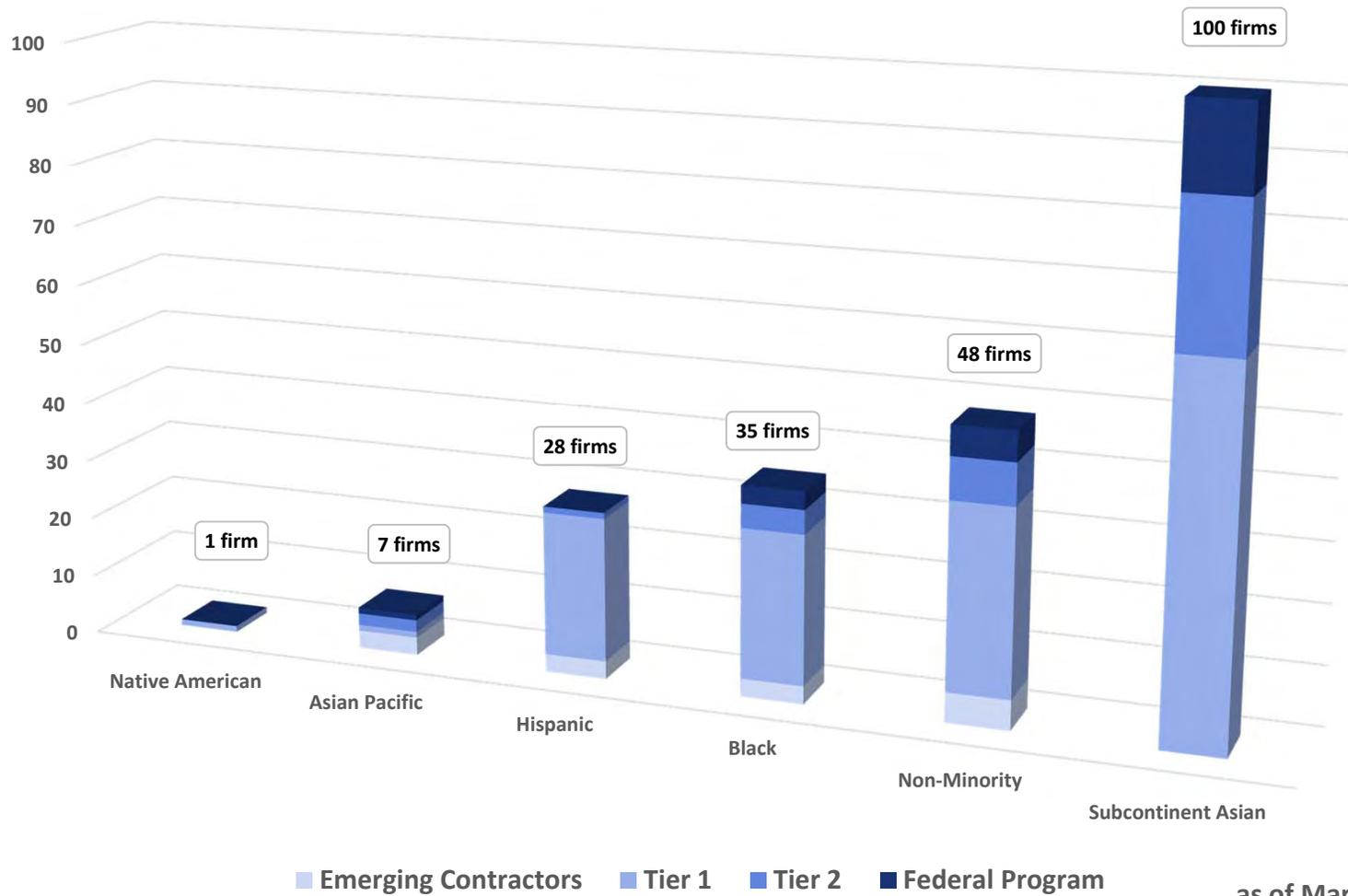


as of March 31, 2020



SBDP Tiers are also Diverse

Ethnicity of Prequalified Contractors in Program Tiers

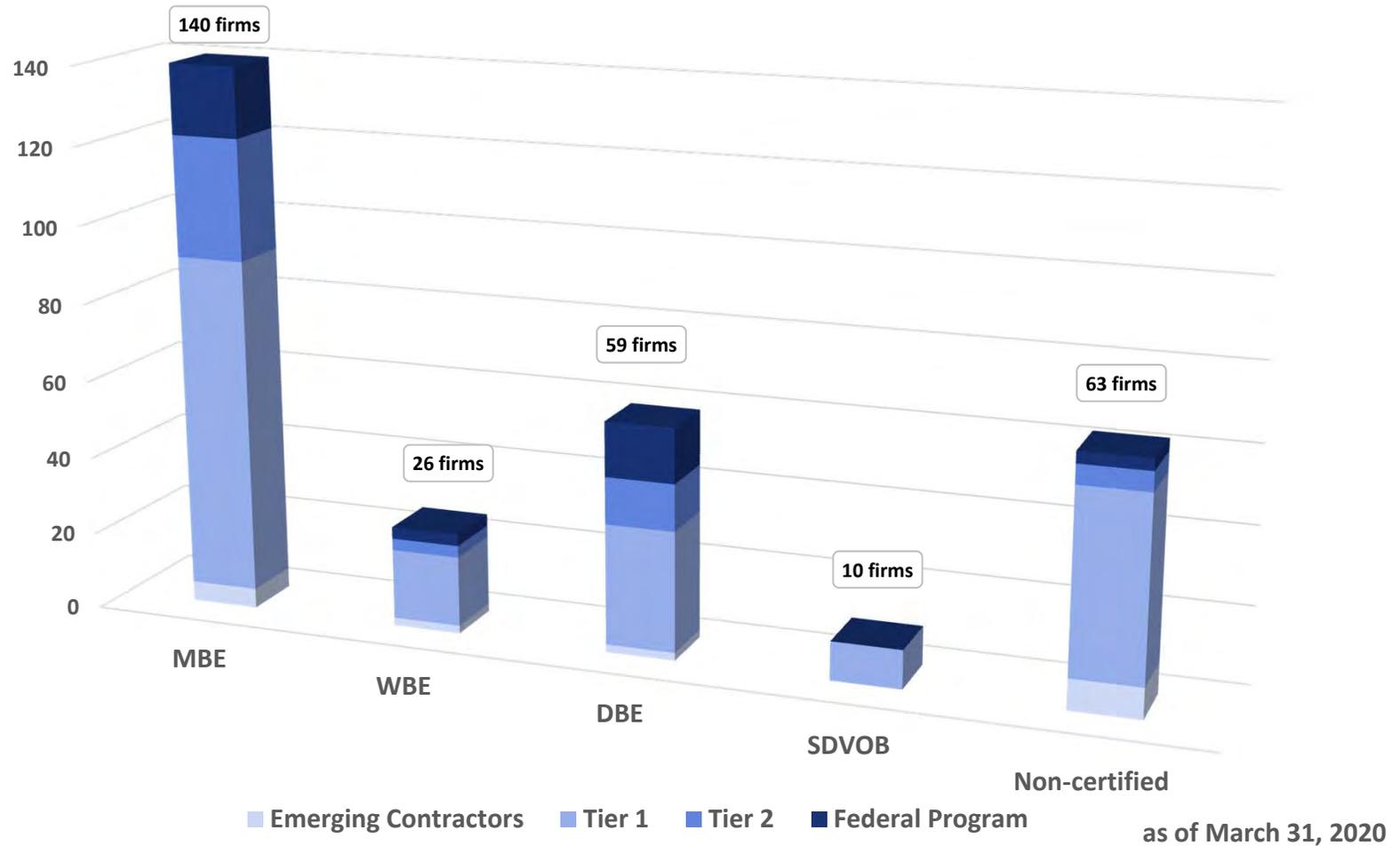


as of March 31, 2020



SBDP Certifications

Certifications of Prequalified Contractors in Program Tiers

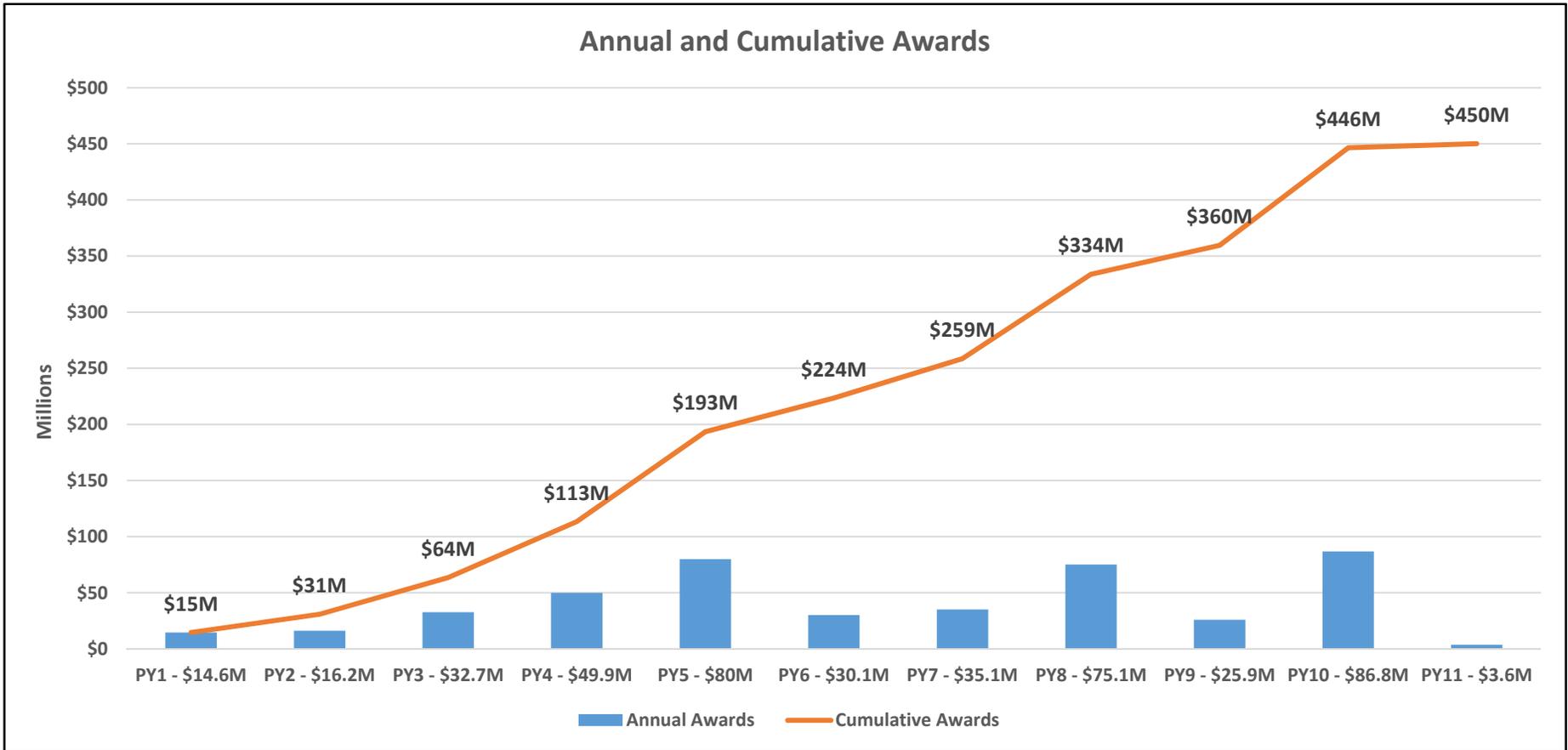


SBDP is Exceeding MWDBE Goals

- MTA MWBE SBMP Tier 1/Tier 2 Goal – **30%**
- MTA DBE Goal – **18%**
- MTA SDVOB Goal - **6%** (Initiated during Program Year 7)
- Tier 1 MWBE Achievements
 - **68%** - contracts awarded to NYS-certified MWBEs
 - **66%** - contract dollars awarded to NYS-certified MWBEs
- Tier 2 MWBE Achievements
 - **88%** - contracts awarded to NYS-certified MWBEs
 - **86%** - contracts dollars awarded to NYS-certified MWBEs
- Federal Program DBE Achievements
 - **68%** - contracts awarded to DBEs
 - **65%** - contracts dollars awarded to DBEs
- SDVOB Achievements
 - **1%** - contracts awarded to SDVOBs
 - **1%** - contract dollars awarded to SDVOBs



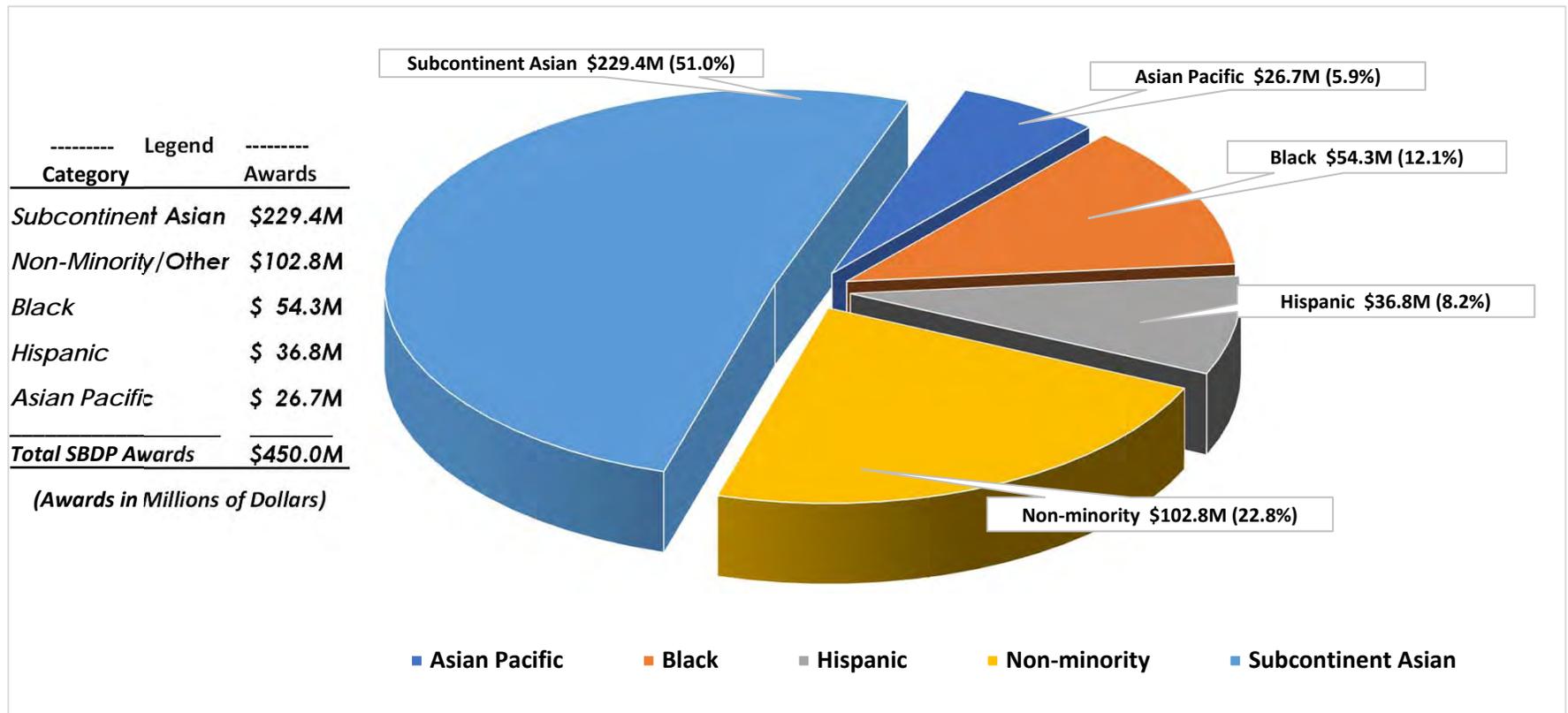
SBDP Prime Contract Opportunities



Program Year 1-11 awards through March 31, 2020

SBDP Contract Awards

Total SBDP Contract Awards by Ethnic Categories



Contract Awards through March 31, 2020



SBDP Loan Program

Loan values shown are through March 31, 2020

Year 1	1 Loan	totaling	\$ 100,000
Year 2	5 Loans	totaling	\$ 687,500
Year 3	9 Loans	totaling	\$ 900,000
Year 4	27 Loans	totaling	\$2,990,000
Year 5	16 Loans	totaling	\$3,020,000
Year 6	14 Loans	totaling	\$2,142,500
Year 7	18 Loans	totaling	\$2,770,500
Year 8	13 Loans	totaling	\$2,155,000
Year 9	8 Loans	totaling	\$ 697,000
Year 10	9 Loans	totaling	\$1,378,000
Year 11	3 Loans	totaling	\$ 241,500

Total 123 Loans Totals \$17,082,000

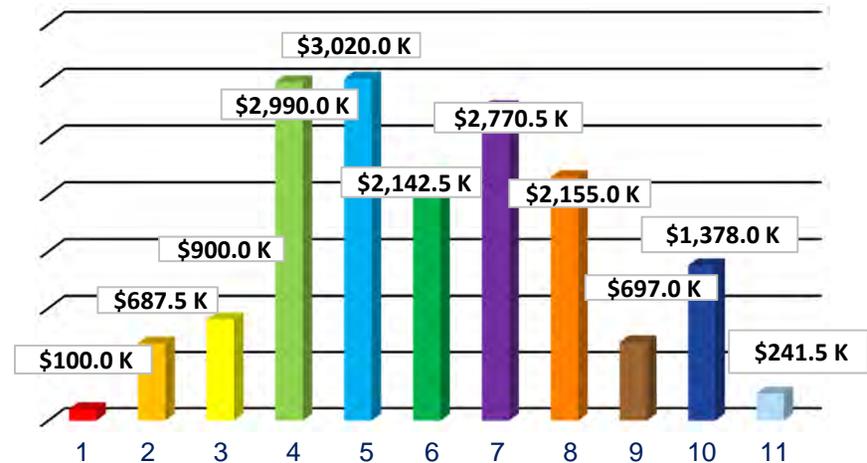
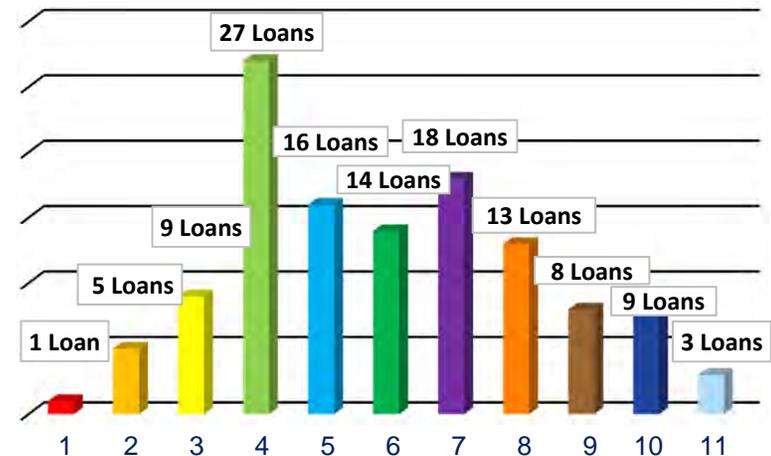
Maximum Loan Available: Tier 1 - up to \$150,000
SBFP and Tier 2 - up to \$900,000

Note: On January 1, 2019, the SBDP began reporting on a Calendar year instead of a Fiscal year.

Year 9 now only represents activity from August 1st 2018 to December 31st, 2018

Year 10 represents calendar year 2019.

Year 11 represents calendar year 2020.



SBDP Awards

➤ Program Year	Tier	Dollars Awarded
➤ PY'10 – PY'19	SBMP-Tier 1	Awards total \$177 Million
➤ PY'15 – PY'19	SBMP-Tier 2	Awards total \$159 Million
➤ PY'13 – PY'19	SBFP	Awards total \$114 Million
	All Tiers	Awards total \$450 Million



SBDP Facilitates Bonding and Growth

- Tier 2 and Federal Program contractors currently carry \$223.5M in single and \$446M in aggregate bonding capacities collectively. The SBMP Bond Assistance Program yielded \$36M single and \$53M aggregate.
- 1,106 bid opportunities in the Tier 2 and Federal Programs
- 143 contract awards
- Ongoing consultation with contractors to maximize bidding opportunities by increasing bonding capacity
- Engaging Tier 1 contractors 24-36 months before graduation to ensure access to bonding and eligibility for the Tier 2 and the Federal Program



TRAINING IS INTEGRAL TO SUCCESS

- Over **202** classroom training dates completed from July 2010 through March 2020
- Over **1,641** hours of classroom training provided from July 2010 through March 2020
- More than **700** firms have participated in the training since the inception of the program
 - Over **400** of these firms have applied to and prequalified into the SBMP
- All prequalified contractors complete a mandatory 14-session training program
- Over **40** course attendees will be registered for the next training sessions
 - assisting them through the application and pre-qualification process



Training Classes Continue to Evolve

- Regular review and update of topics, materials and instructors
- New topics include Project Management and Strategic Business Development
- Mandatory training spans technical, organizational, and business operations
- Course topics include:
 - Doing Business with the MTA and Prime Contractors
 - Prevailing Wages / Project Management
 - Estimating and Bidding Strategies at the MTA
 - Project Scheduling at the MTA
 - Cash Flow and Financial Management
 - Safety and Quality Planning at the MTA
 - Requisition and Change Order Process
 - Business Communications
 - Marketing Your Business to the NY Construction Industry
 - Construction Law
 - Developing a Profitable Business in the MTA Region
 - Surety Bonding, Access to Capital, and The CEO Toolkit
 - Navigating MTA Contracts & MWDBE Compliance / Strategic Business Development
 - How to be a Prime Contractor



Assessments Plot a Course of Action

- Contractor Assessments lead to detailed Action Plans
- Identifying existing and future needs
- Creating SMART Plans with each contractor
 - **S**pecific
 - **M**easurable
 - **A**greed Upon
 - **R**ealistic
 - **T**ime-bound
- **348** In-Person Assessments Completed
- **339** Action Plans Delivered
- Regular follow up with contractors on progress



Benefits Of The Program

- Uniform Set of Front End Bid Documents for All Agencies: NYCT, MNR, B&T, LIRR, MTA BUS, and MTA C&D
- Payments – within 10 business days
- Awards SBMP & SBFP – within 22 business days
- Closeouts SBMP & SBFP – within 20 & 30 business days respectively
- Change Orders – within 15 business days
- Submittals – within 10 business days
- RFIs – within 5 business days



Metropolitan Transportation Authority Department of Diversity and Civil Rights

M/W/DBE and SDVOB
Contract Compliance

May 20, 2020

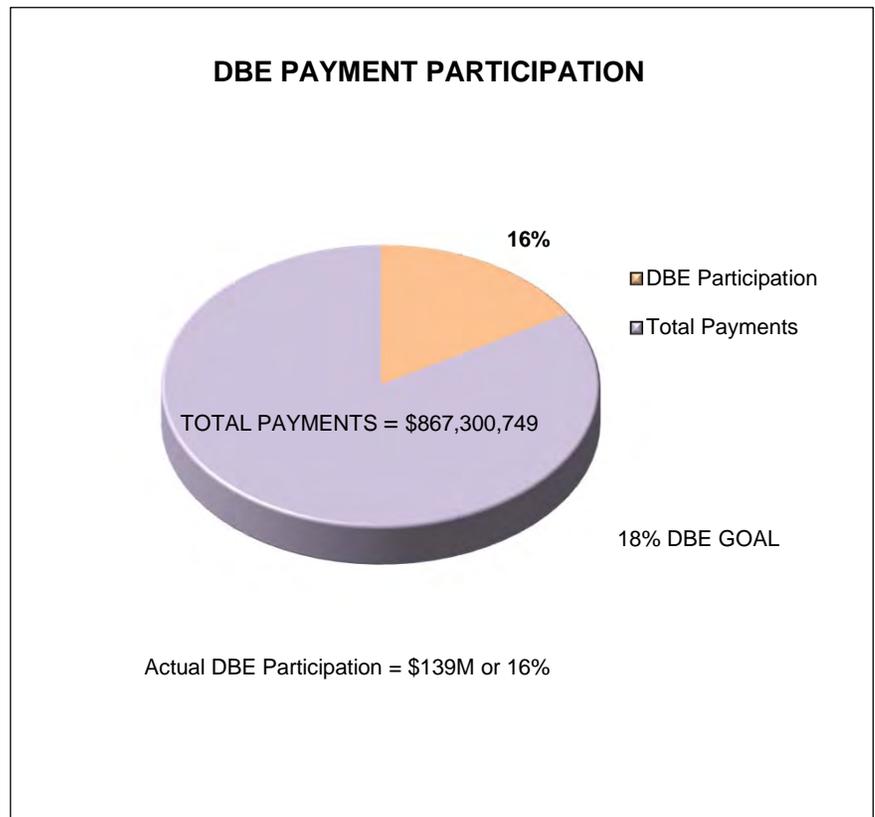
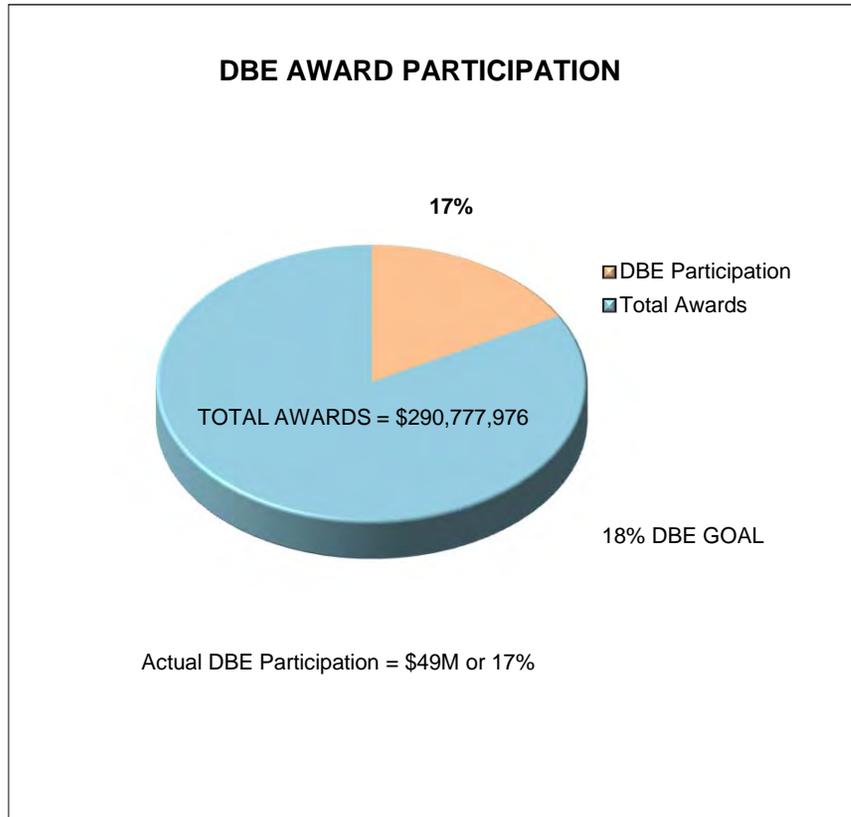


**DBE Participation in Federally Funded Contracts
Federal Fiscal Year 2020***
(Reporting Period: October 1, 2019 to March 31, 2020)

- Each year, MTA reports to the Federal Transit Administration on a semi-annual basis DBE participation in federally funded contracts.
- Reports are submitted on June 1st -- covering October through March, and December 1st -- covering April through September. The December report also summarizes data for the entire Federal Fiscal Year (“FFY”).
- Reports include DBE participation data on new awards and payments on ongoing, and completed contracts.
- For FFY 2020, MTA’s DBE goal is 18%.
- During the first half of FFY 2020, MTA awarded \$291 million in the federally funded portion of contracts, with \$49 million (17%) being awarded to certified DBEs.
- During the first half of FFY 2020, MTA paid prime contractors \$867 million, with payments to certified DBEs totaling \$139 million (16%).
- On contracts closed during the first half of FFY 2020, MTA achieved 17% DBE participation.

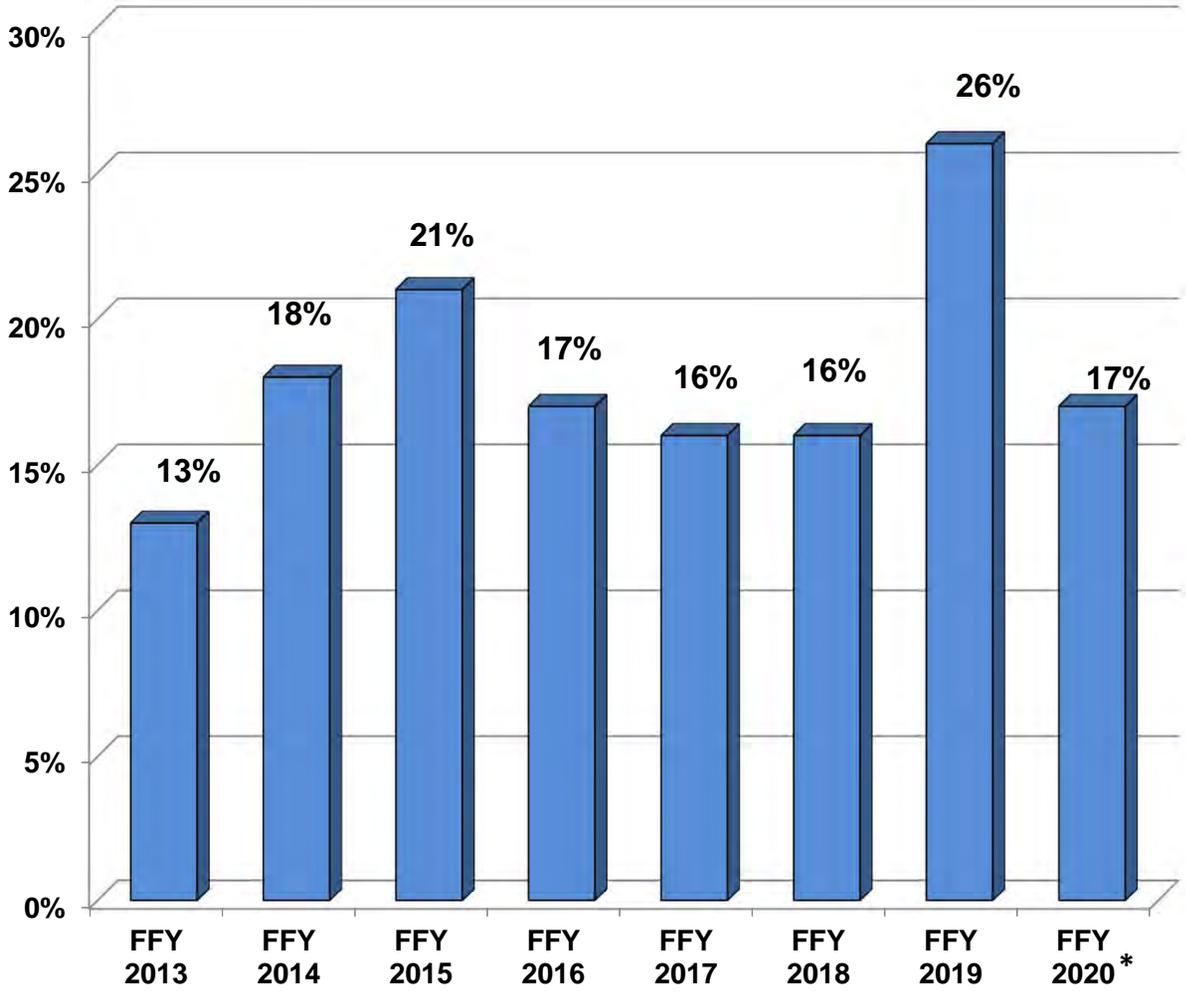
*First half of the Federal Fiscal Year 2020.

FEDERALLY-FUNDED CONTRACTS
DBE CONTRACT ACTIVITY
FEDERAL FISCAL YEAR 2020(OCTOBER 2019-MARCH 2020)*



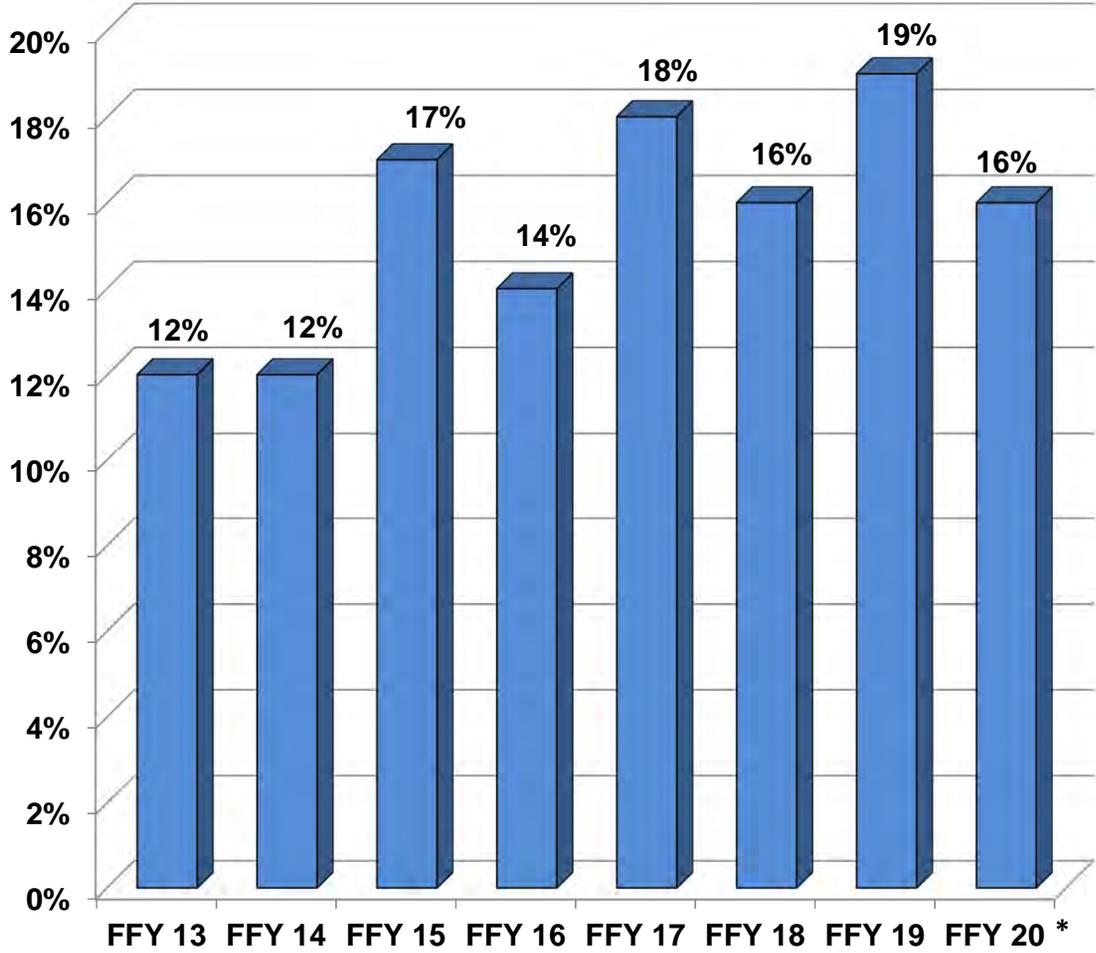
*First half of the Federal Fiscal Year 2020.

**DBE CONTRACT AWARDS
October 2013 - March 2020**



* First half of the Federal Fiscal Year 2020

DBE CONTRACT PAYMENTS
October 2013 - March 2020



* First half of the Federal Fiscal Year 2020

**FEDERALLY-FUNDED CONTRACTS
DBE CONTRACT ACTIVITY
FEDERAL FISCAL YEAR 2020 (OCTOBER 2019-MARCH 2020)**

AWARDS*

CONTRACT AWARDS	PRIME AWARDS		DBE PARTICIPATION			OVERALL FTA GOAL
	Number of Contracts	Award Amount	Number of DBE Contracts	DBE Award Amount	% To Agency Total	
1st SEMI-ANNUAL REPORT	570	\$290,777,976	111	\$49,161,717	17%	18%
October 2019- March 2020						
TOTAL	570	\$290,777,976	111	\$49,161,717	17%	18%

PAYMENTS*

CONTRACT PAYMENTS	PAYMENTS TO PRIMES		DBE PARTICIPATION			OVERALL FTA GOAL
	Number of Contracts	Payment Amount	Number of DBE Subcontracts	DBE Payment Amount	% To Agency Total	
1st SEMI-ANNUAL REPORT	696	\$867,300,749	543	\$139,220,727	16%	18%
October 2019- March 2020						
TOTAL	696	\$867,300,749	543	\$139,220,727	16%	18%

*Dollar amounts represent the federally-funded portion of contracts.

**This figure includes contracts for which no DBE goals were assigned.

MWBE Participation in State Funded Contracts New York State Fiscal Year 2019-2020*

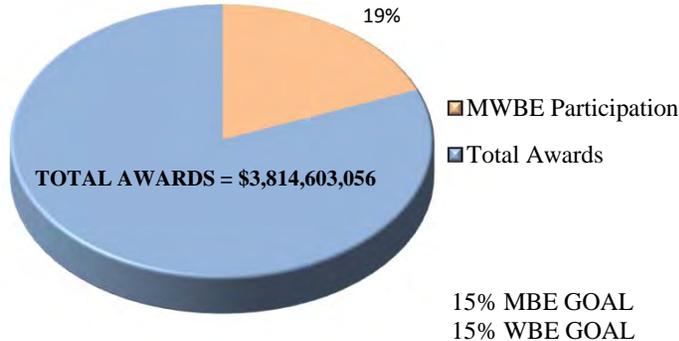
- Each year, MTA reports to the Empire State Development Corporation on a quarterly basis MWBE participation on state funded contracts.
- Reports are submitted 15 days after the end of each quarter, on January 15, April 15**, July 15, and October 15.
- Reports include data on contracts with goals and MWBE contract payments.
- MTA established an overall MWBE goal of 30% for New York State fiscal year 2019-2020, starting April 1, 2019.
- From April 1, 2019 to March 31, 2020, MTA awarded \$3.8 billion in New York State funded contracts, with \$743 million (19%) awarded to certified MWBEs.
- From April 1, 2019 to March 31, 2020, MTA paid \$3 billion on prime contracts with \$787 million (27%), paid to MWBEs.

*The State Fiscal Year runs from April 1st through March 31st.

**Due to the COVID-19 outbreak, the April 15, 2020 submission date was moved to May 15, 2020.

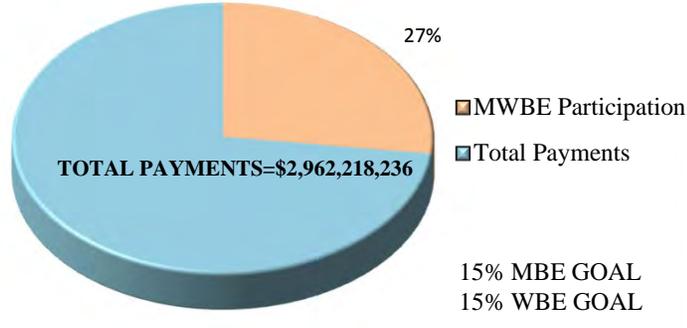
MWBE CONTRACT ACTIVITY
NEW YORK STATE FISCAL YEAR 2019-2020 (APRIL 2019-MARCH 2020)

MWBE AWARD PARTICIPATION



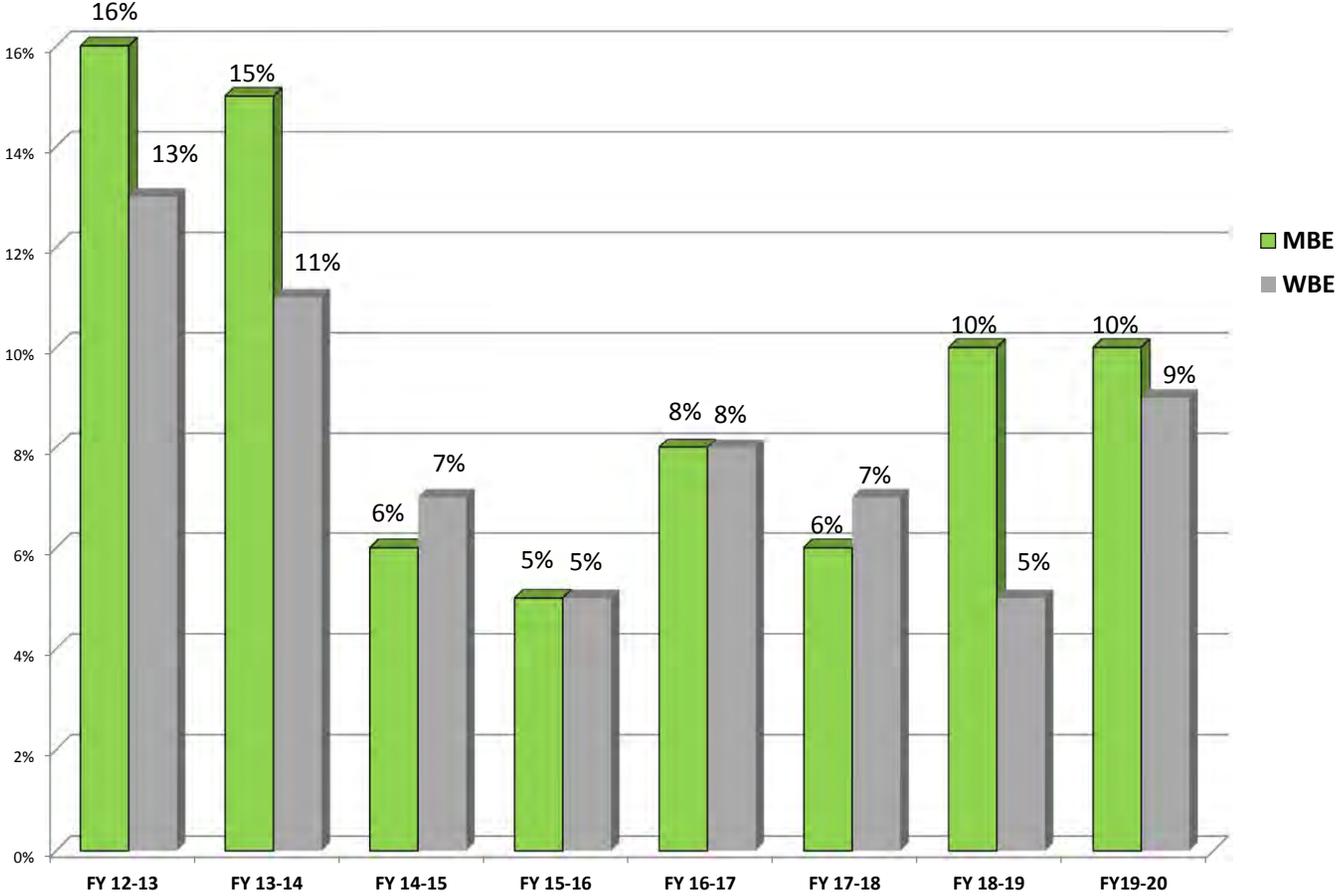
Actual MWBE Participation = \$743M or 19%

MWBE PAYMENT PARTICIPATION

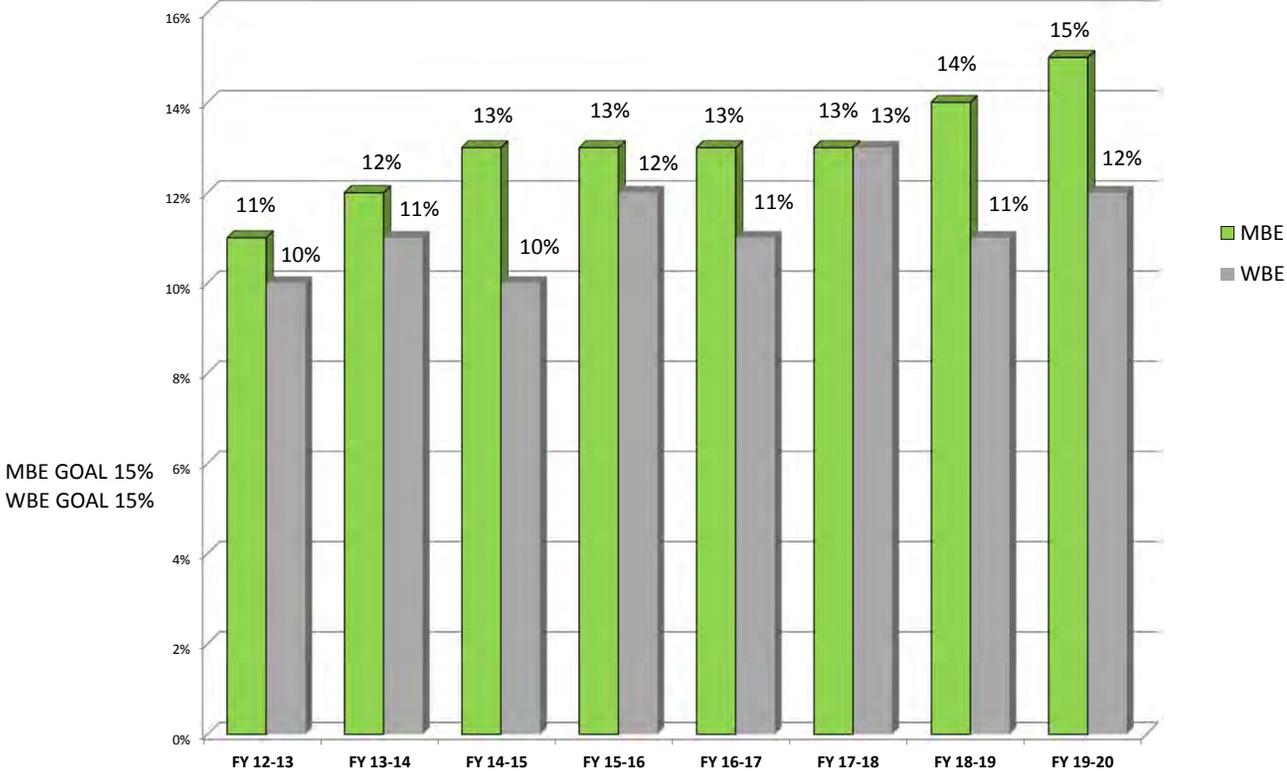


Actual MWBE Participation = \$787M or 27%

**NYS MWBE AWARDS
APRIL 2012 - MARCH 2020**



**NYS MWBE PAYMENTS
APRIL 2012 - MARCH 2020**



**NYS CONTRACTS
MWBE CONTRACT ACTIVITY
APRIL 1, 2019 - MARCH 31, 2020**

CONTRACT AWARDS	PRIME AWARDS		MWBE AWARDS			NYS Goal
	Number of Contracts	Award Amount	Number of MWBE Subcontracts	MWBE Award Amount	MWBE %	
FIRST QUARTER APR 2019-JUN 2019	17,899	\$743,716,516	1,352	\$108,290,177	15%	30%
SECOND QUARTER JUL 2019-SEP 2019	18,183	\$578,614,101	1,395	\$74,530,383	13%	30%
THIRD QUARTER OCT 2019-DEC 2019	18,017	\$1,623,347,769	1,487	\$459,554,375	28%	30%
FOURTH QUARTER JAN 2020-MAR 2020	18,071	\$868,924,670	1,417	\$100,820,382	12%	30%
TOTAL	72,170	\$3,814,603,056	5,651	\$743,195,317	19%	30%

CONTRACT PAYMENTS	PAYMENTS TO PRIMES		MWBE PARTICIPATION			NYS Goal
	Number of Contracts	Payment Amount	Number of MWBE Contracts	MWBE Payment Amount	MWBE %	
FIRST QUARTER APR 2019-JUN 2019	4,933	\$724,144,857	3,726	\$200,243,446	28%	30%
SECOND QUARTER JUL 2019-SEP 2019	2,686	\$849,215,754	3,295	\$203,837,904	24%	30%
THIRD QUARTER OCT 2019-DEC 2019	2,434	\$764,018,397	3,249	\$199,452,194	26%	30%
FOURTH QUARTER JAN 2020-MAR 2020	2,410	\$624,839,228	3,195	\$183,174,771	29%	30%
TOTAL	12,463	\$2,962,218,236	13,465	\$786,708,315	27%	30%

**SDVOB Participation in State Funded Contracts
New York State Fiscal Year 2019-2020
(Reporting Period: April 1, 2019 to March 31, 2020)**

- Each year, MTA reports to the Office of General Services on a quarterly basis SDVOB participation on state funded contracts.
- Reports are submitted 30 days after the end of each quarter, on January 30, April 30*, July 30, and October 30.
- Reports include data on contracts with SDVOB goals and payments made to SDVOBs.
- MTA established an overall SDVOB goal of 6% for State fiscal year 2019-2020, starting on April 1, 2019.
- From April 2019 to March 2020, MTA awarded approximately \$1.2 billion with \$33 million (3%) awarded to SDVOBs.
- From April 2019 to March 2020, MTA paid approximately \$813 million on prime contracts with \$30 million (4%), paid to SDVOBs.

*Due to the COVID-19 outbreak, the April 30, 2020 submission date was moved to May 31, 2020.

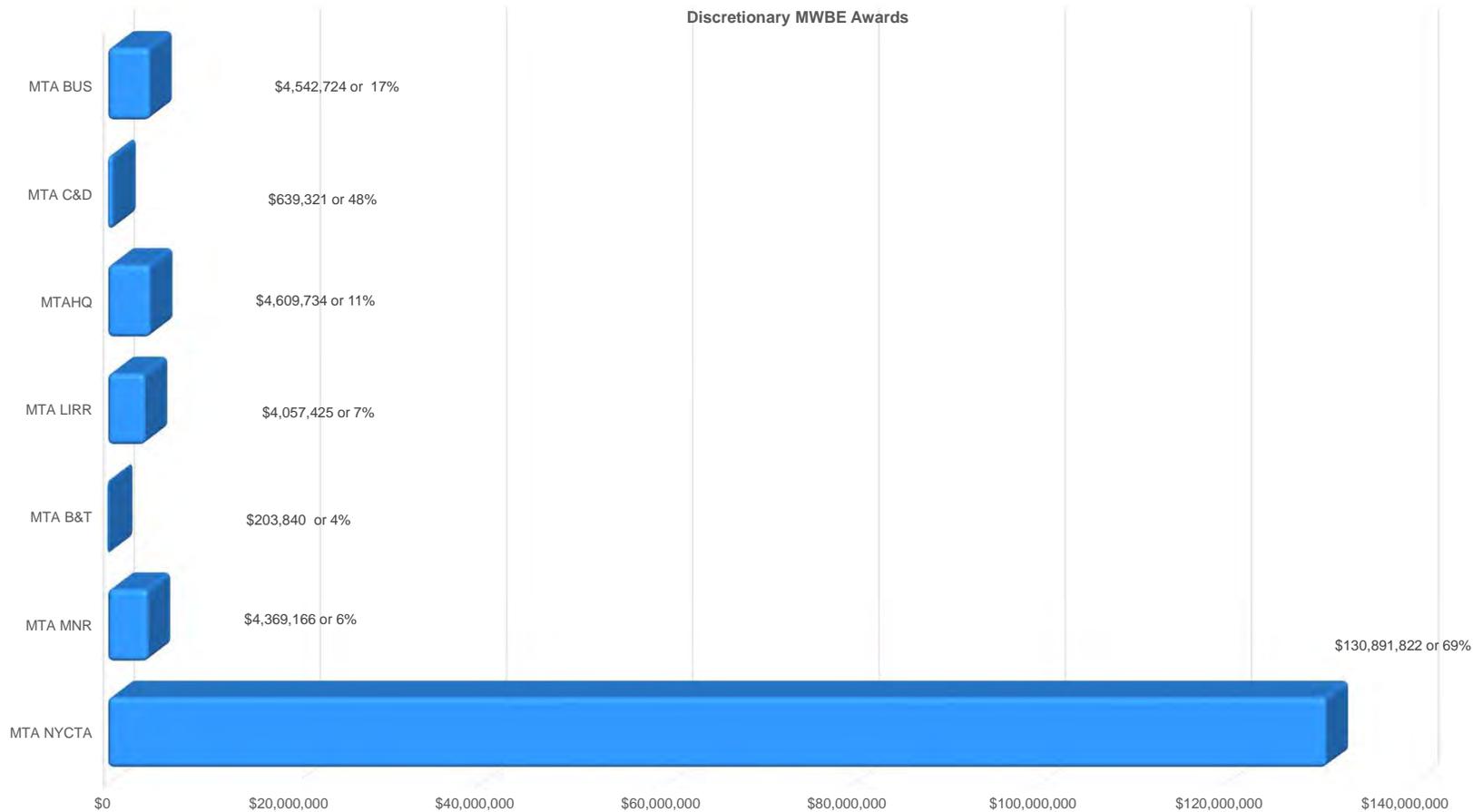
FY 2019-2020 SDVOB CONTRACT AWARDS
APRIL 2019 - MARCH 2020

	Agency Awards	SDVOB Awards	SDVOB%
FIRST QUARTER	\$397,298,623	\$7,923,481	2%
APRIL 2019-JUNE 2019			
SECOND QUARTER	\$158,414,287	\$9,306,174	6%
JULY 2019-SEPTEMBER 2019			
THIRD QUARTER	\$396,480,160	\$10,474,273	3%
OCTOBER 2019-DECEMBER 2019			
FOURTH QUARTER	\$280,551,141	\$5,686,758	2%
JANUARY 2020-MARCH 2020			
FY 2019-2020 TOTAL	\$1,232,744,210	\$33,390,686	3%

FY 2019-2020 SDVOB CONTRACT PAYMENTS
APRIL 2019 - MARCH 2020

	Agency Disbursements	SDVOB Disbursements	SDVOB%
FIRST QUARTER	\$189,282,720	\$5,690,663	3%
APRIL 2019-JUNE 2019			
SECOND QUARTER	\$298,807,900	\$13,354,979	4%
JULY 2019-SEPTEMBER 2019			
THIRD QUARTER	\$195,628,677	\$6,150,597	4%
OCTOBER 2019-DECEMBER 2019			
FOURTH QUARTER	\$128,841,802	\$4,345,092	3%
JANUARY 2020-MARCH 2020			
FY 2019-2020 TOTAL	\$812,561,099	\$29,541,332	4%

MTA ALL AGENCY DISCRETIONARY PROCUREMENTS REPORT* APRIL 2019 - MARCH 2020



**MTA ALL AGENCY
DISCRETIONARY PROCUREMENT REPORT***

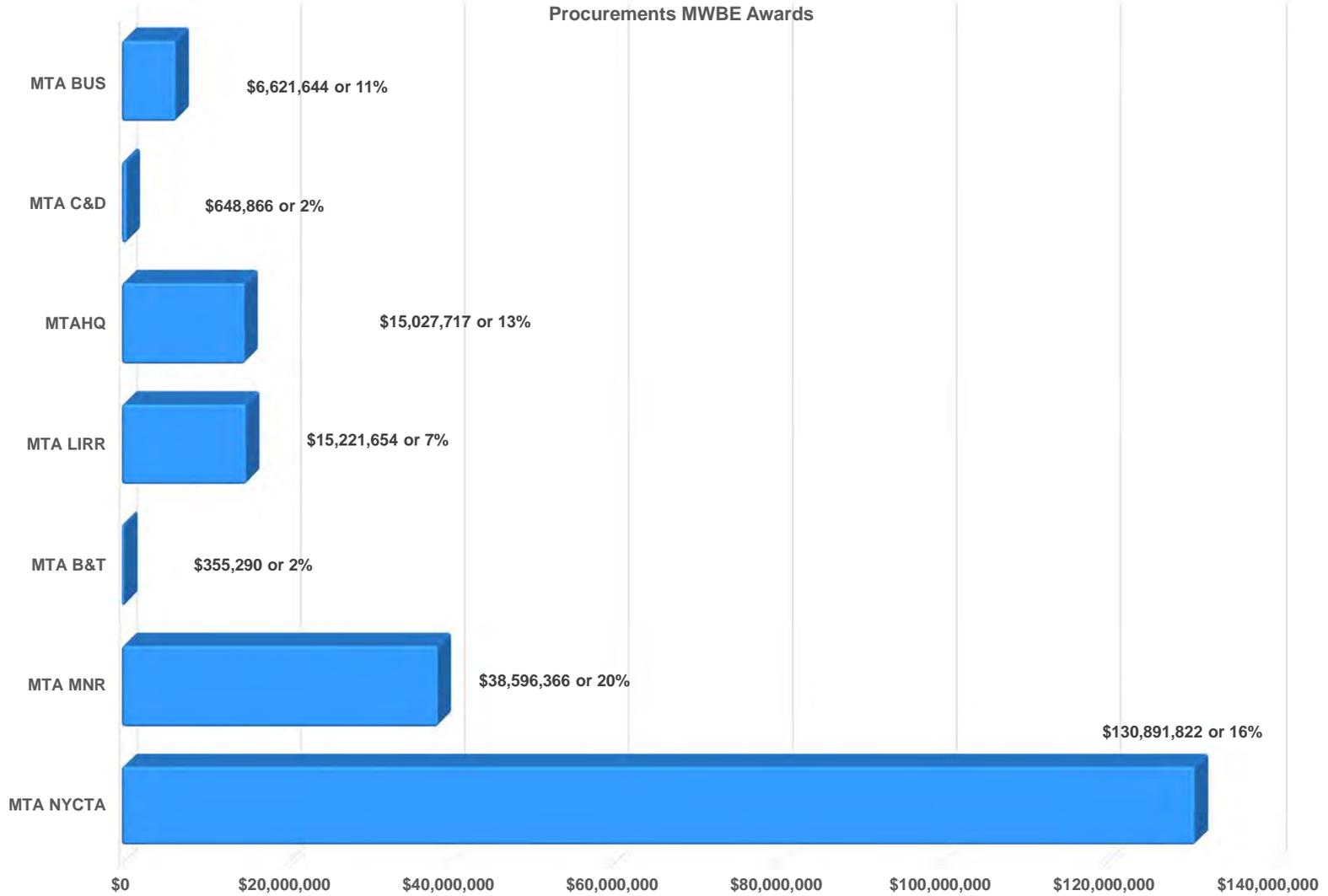
APRIL 2019 - MARCH 2020

Agency	Total Awards \$1M or Less	MWBE Discretionary Awards	MWBE Discretionary Award Percentages	SBC** Discretionary Awards	SBC** Discretionary Award Percentages
MTA NYCTA	\$ 188,683,179	\$ 130,891,822	69%	\$ 6,944,405	4%
MTA MNR	\$ 77,782,318	\$ 4,369,166	6%	\$ 1,787,026	2%
MTA B&T	\$ 5,036,630	\$ 203,840	4%	\$ -	0%
MTA LIRR	\$ 55,291,965	\$ 4,057,425	7%	\$ 1,425,932	3%
MTA HQ	\$ 41,861,731	\$ 4,609,734	11%	\$ 297,537	1%
MTA C&D	\$ 1,332,522	\$ 639,321	48%	\$ 515,134	39%
MTA BUS	\$ 26,436,221	\$ 4,542,724	17%	\$ 78,919	0.3%
Total	\$ 396,424,566	\$ 149,314,032	38%	\$ 11,048,953	3%

* Discretionary procurements include purchases for goods, miscellaneous procurements, personal or miscellaneous services.

** Small Business Concerns

MTA ALL AGENCY
TOTAL PROCUREMENTS REPORT
APRIL 2019 - MARCH 2020



**MTA ALL AGENCY
TOTAL PROCUREMENTS
APRIL 2019 - MARCH 2020**

Agency	Total Award Amount	Total MWBE Awards	MWBE
MTA NYCTA	\$ 797,442,852	\$ 130,891,822	16%
MTA MNR	\$ 192,548,384	\$ 38,596,366	20%
MTA B&T	\$ 17,919,047	\$ 355,290	2%
MTA LIRR	\$ 209,915,496	\$ 15,221,654	7%
MTA HQ	\$ 115,775,061	\$ 15,027,717	13%
MTA C&D	\$ 30,849,857	\$ 648,866	2%
MTA BUS	\$ 60,561,161	\$ 6,621,644	11%
Total	\$ 1,425,011,858	\$ 207,363,359	15%

Metropolitan Transportation Authority Department of Diversity and Civil Rights

Discretionary A&E, Legal & IT

May 20, 2020



A/E Awards thru Discretionary Procurement April 2019 to March 2020

#	Agency	Contract Number	Project Name & Description	Primary Trades	County	Contract Amount	Notice of Award Date	Contractor	Contractor Certification
1	B&T	14073-0200 TBTA Work -Order #12	Concrete Coating & Misc. Repairs at the Henry Hudson Bridge Facility	As-Needed Construction Administration, Inspection and Support Services		\$ 261,842	7/1/19	K.S. Engineers	MBE
2	B&T	14073-4700-TBTA; Work Order #19	As-Needed Construction Administration, Inspection and Support Services Concrete Repairs of Queens Approach Sub Structure RFK Bridge Facility	As-Needed Construction Administration, Inspection and Support Services		\$ 498,980	11/26/19	K.S. Engineers	MBE
3	B&T	14073-4400-TBTA; Work Order #20	CM services for QM-36 Ph 1 project	As-Needed Construction Administration, Inspection and Support Services		\$ 215,378	12/31/19	SA Engineering, LLC	MBE
				Grand Total:		\$ 976,200			

MTA ALL AGENCY LEGAL FEES APRIL 2019 - MARCH 2020



**MTA ALL AGENCY LEGAL FEES PAID
APRIL 2019 THROUGH MARCH 2020**

AGENCY	ALL FEES PAID	MBE FEES PAID	Agency MBE PARTICIPATION	WBE FEES PAID	Agency WBE PARTICIPATION	MWBE FEES PAID	Agency MWBE PARTICIPATION
MTAHQ	\$13,387,100.81	\$1,308,782.61	9.8%	\$646,104	4.8%	\$1,954,886.39	14.6%
NYCTA	\$14,188,673.36	\$671,848.92	4.7%	\$2,239,170.03	15.8%	\$2,911,018.95	20.5%
MNR	\$2,792,278.68	\$281,792.00	10.1%	\$387,550.31	13.9%	\$669,342.31	24.0%
LIRR	\$688,453.57	\$29,202.00	4.2%	\$126,345.00	18.4%	\$155,547.00	22.6%
B&T	\$2,366,283.22	\$248,229.55	10.5%	\$267,315.12	11.3%	\$515,544.67	21.8%
MTA C&D	\$2,074,523.29	\$164,874.36	7.9%	\$273,925.92	13.2%	\$438,800.28	21.2%
MTA BUS	\$5,039,733.49	\$348,548.42	6.9%	\$1,036,101.96	20.6%	\$1,384,650.38	27.5%
FMTAC	\$9,147,132.08	\$982,943.00	10.7%	\$714,277.40	7.8%	\$1,697,220.40	18.6%
TOTAL	\$49,684,179	\$4,036,221	8.1%	\$5,690,790	11.5%	\$9,727,010	19.6%

IT Discretionary

IT Discretionary Consulting Contract No. 14357
January - March 2020

Total Number of Awards- 26

Value of Awards- \$ 3.5 million

Value of Cumulative Awards- \$109 million



Metropolitan Transportation Authority
Department of Diversity and Civil Rights

Status of Closed Contracts
as of March 31, 2020

May 20, 2020



MTA Headquarters DDCR Update

Inactive Contracts – Status as of March 31, 2020

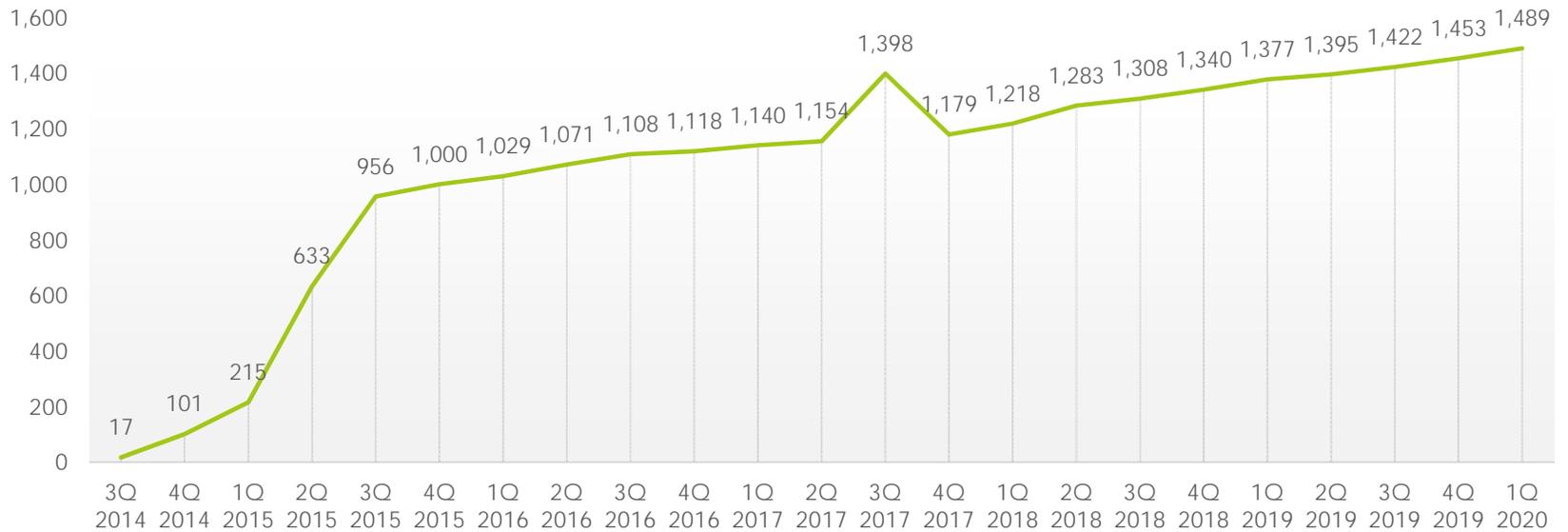
Inactive Contracts with Goals	#
1. Total Contracts Reviewed and Closed	1,184
2. Contracts Administratively Closed	305 ¹
Sub-Total	1,489 (95%)
3. Closeouts in Progress	41
4. Contracts Pending Agency Action	34
Total	1,564 (100%)

1. Contracts administratively closed because of the age of the contract (beyond the established seven-year record retention period).



MTA Headquarters DDCR Update

DDCR Contract Closeout Progression 3Q 2014 through 1Q 2020²

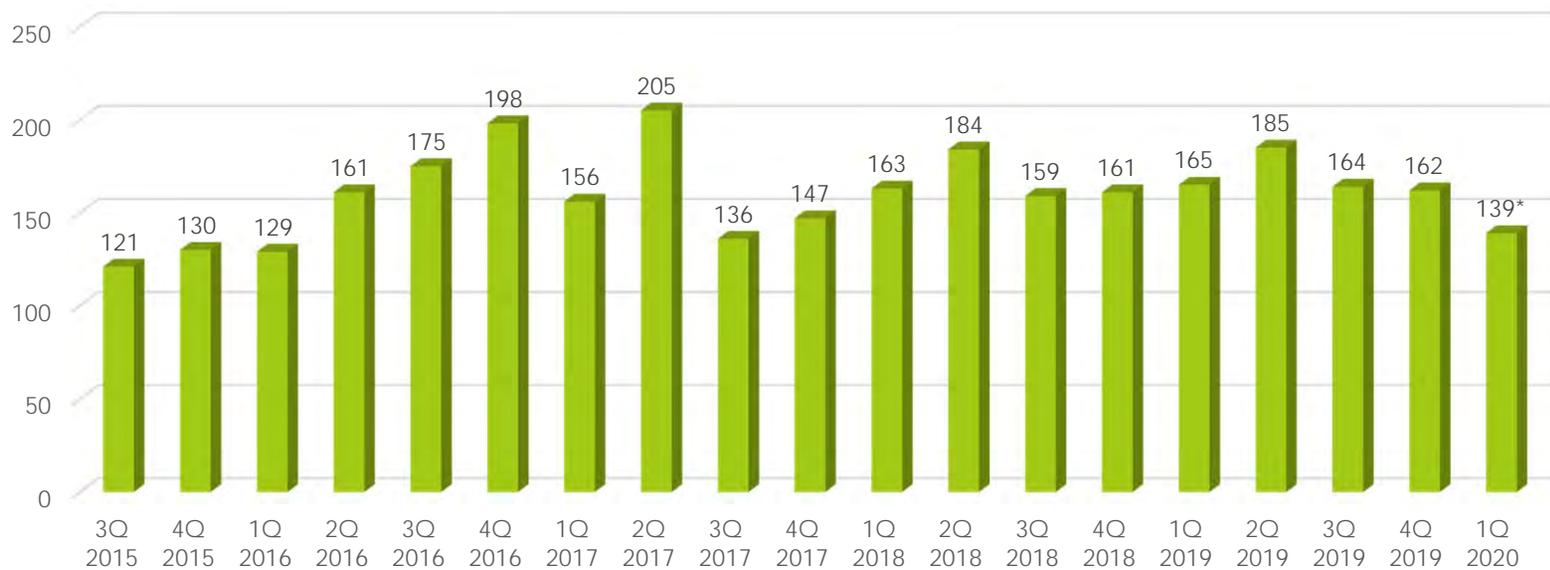


2. The decrease in closeouts between 3Q 2017 and 4Q 2017 is due to approx. 200 contracts being closed out in error, requiring subsequent re-activation.

MTA Headquarters DDCR Update

DDCR Project Site Visits: 3Q 2015 – 1Q 2020

Total Site Visits Performed = 3,040



* Site visits were suspended on March 16, 2020 due to the COVID-19 outbreak, which has caused site visits to trend downward. The monthly average at the time of suspension was 54.5.



Metropolitan Transportation Authority Department of Diversity and Civil Rights

M/WBE, DBE, and SDVOB Participation on
Capital Projects

May 20, 2020



MWDBE and SDVOB Participation on MTA Capital Projects with Goals*

■ Federal Participation Goal: 18%

(Federal Fiscal Year 2020 (October 2019 to March 2020))

- Total Awards: \$190M
- Total DBE Awards: \$31M (16%)
- Total Payments: \$428M
- Total DBE Payments: \$93M (22%)

■ New York State MBE Participation Goal: 15%

(NYS Fiscal Year 2019-2020 (April 2019 to March 2020))

- Total Awards: \$1.2B
- Total MBE Awards: \$200M (16%)
- Total Payments: \$1.5B
- Total MBE Payments: \$179M (12%)

■ New York State WBE Participation Goal: 15%

(NYS Fiscal Year 2019-2020 (April 2019 to March 2020))

- Total Awards: \$1.2B
- Total WBE Awards: \$163M (13%)
- Total Payments: \$1.5B
- Total WBE Payments: \$163M (11%)

■ Service Disabled Veteran-Owned Business Participation Goal: 6%

(NYS Fiscal Year 2019-2020 (April 2019 to March 2020))

- Total Awards: \$465M
- Total SDVOB Awards \$17M (4%)
- Total Payments: \$717M
- Total SDVOB Payments: \$2M (.29%)

*Report is based on original contract amount provided by MTA Agencies for third-party design and construction contracts (excluding rolling stock and signals).



Metropolitan Transportation Authority Department of Diversity and Civil Rights

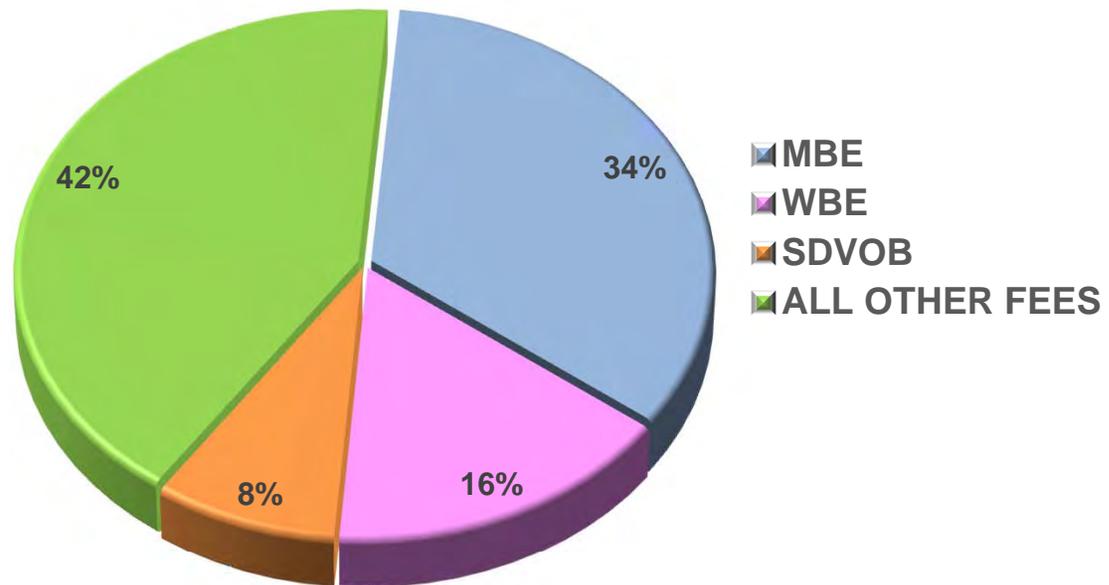
Financial Services

May 20, 2020



MTA All Agency Underwriter Fees

April 2019 – March 2020



Actual WBE Participation = \$157,286 or 16%
Actual MBE Participation = \$331,278 or 34%
Actual SDVOB Participation = \$82,160 or 8%
All Other Underwriting Fees = \$408,497 or 42%
Total Underwriting Fees = \$979,223



Metropolitan Transportation Authority Department of Diversity and Civil Rights

Asset Fund Managers

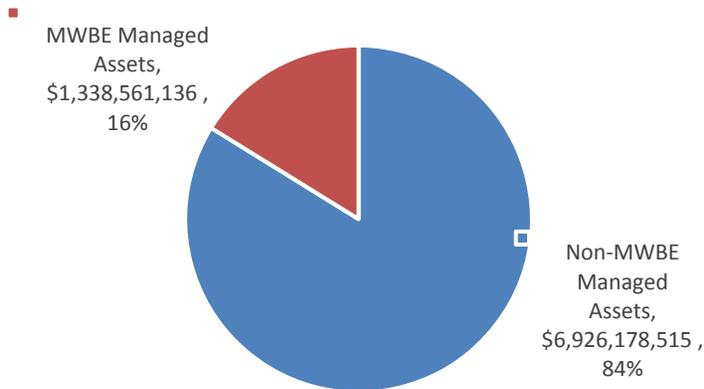
May 20, 2020



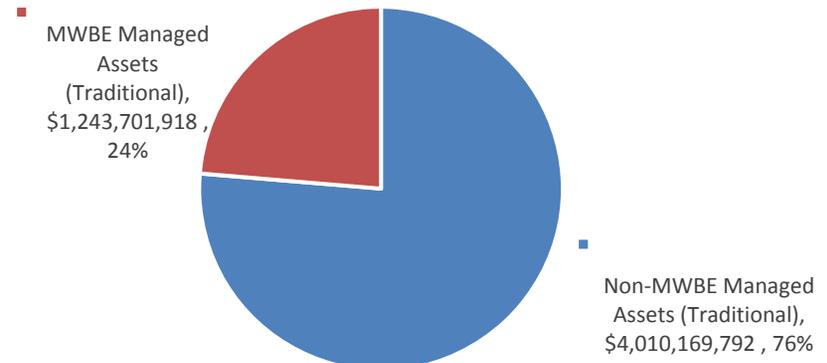
MTA Sponsored Plans – MWBE Participation

As of February 29, 2020

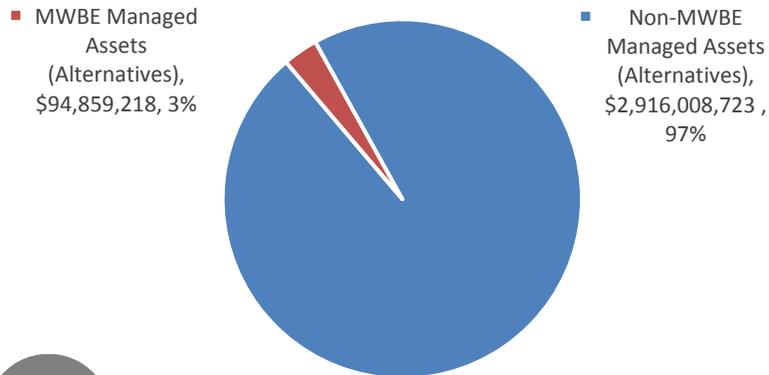
Combined Plans - Total Assets



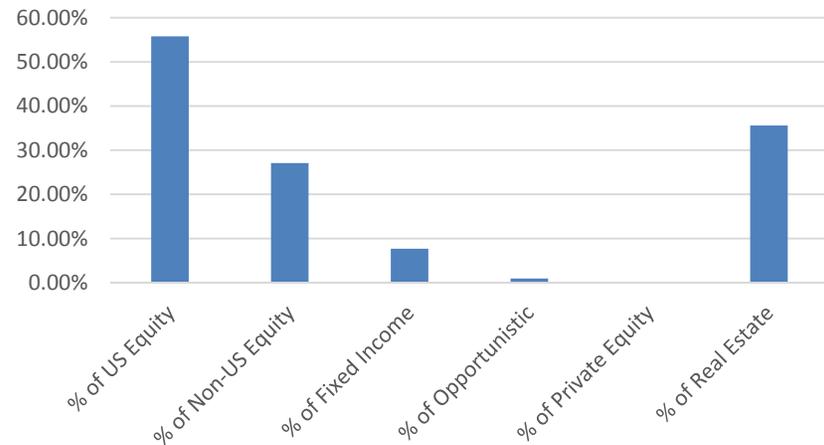
Combined Plans - Traditional Investments



Combined Plans- Alternative Investments



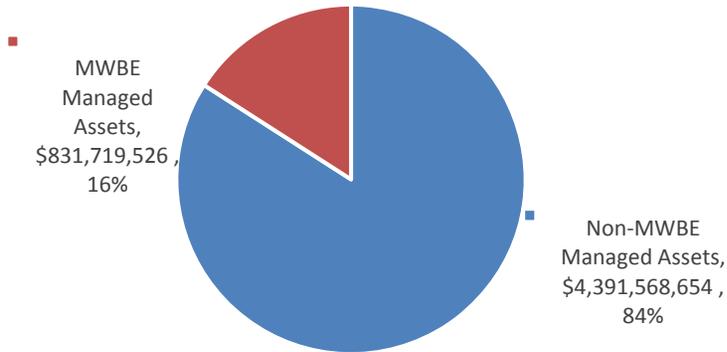
MWBE Managed Assets by Asset Class



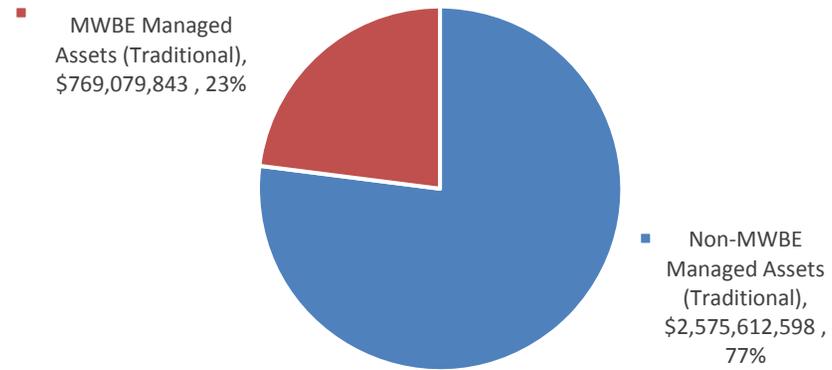
MTA Sponsored Plans – MWBE Participation

As of February 29, 2020

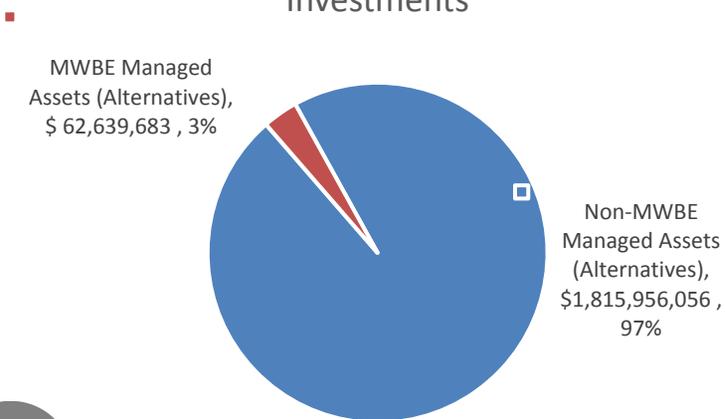
MTA Defined Benefit - Total Assets



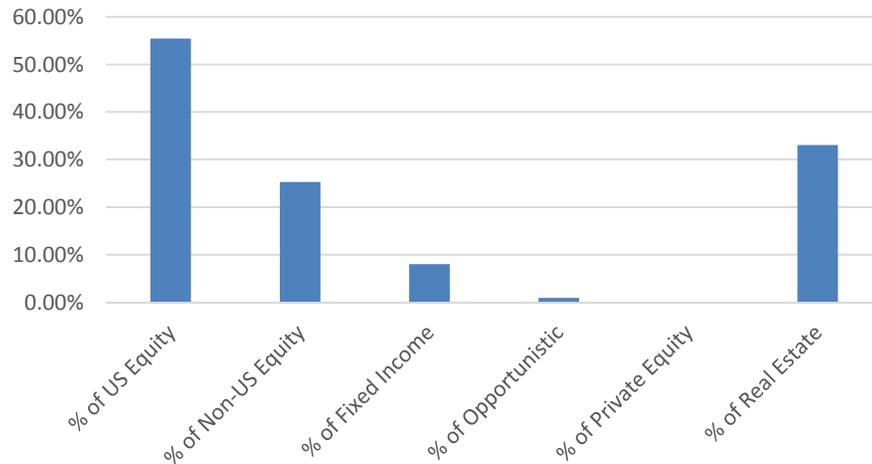
MTA Defined Benefit - Traditional Investments



MTA Defined Benefit - Alternative Investments



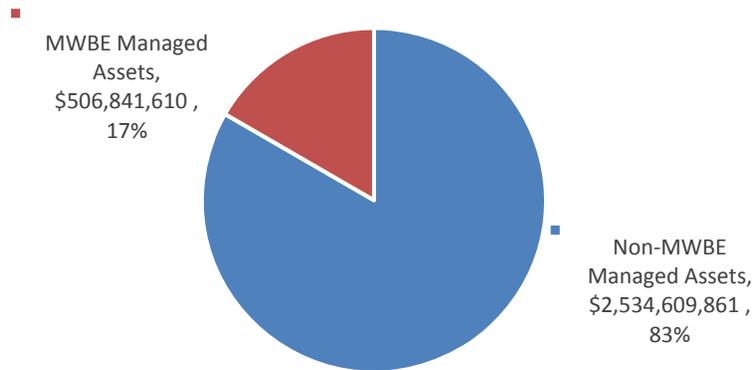
MWBE Managed Assets by Asset Class



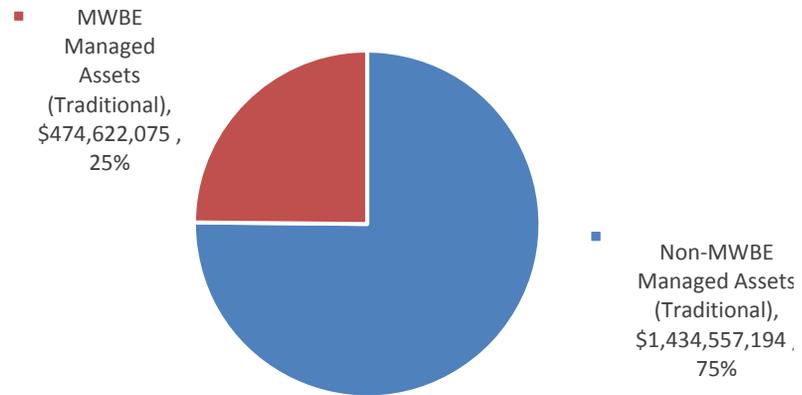
MTA Sponsored Plans – MWBE Participation

As of February 29, 2020

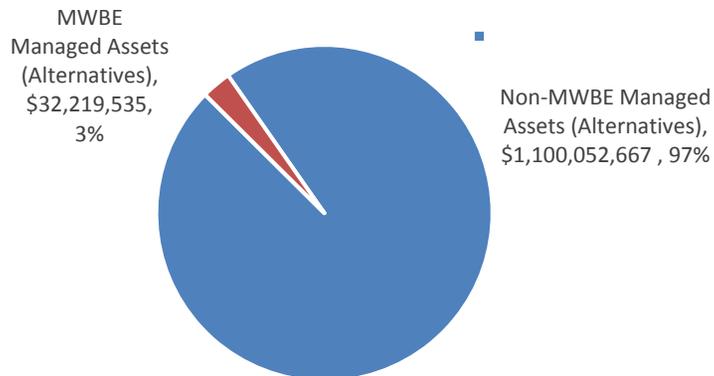
MaBSTOA - Total Assets



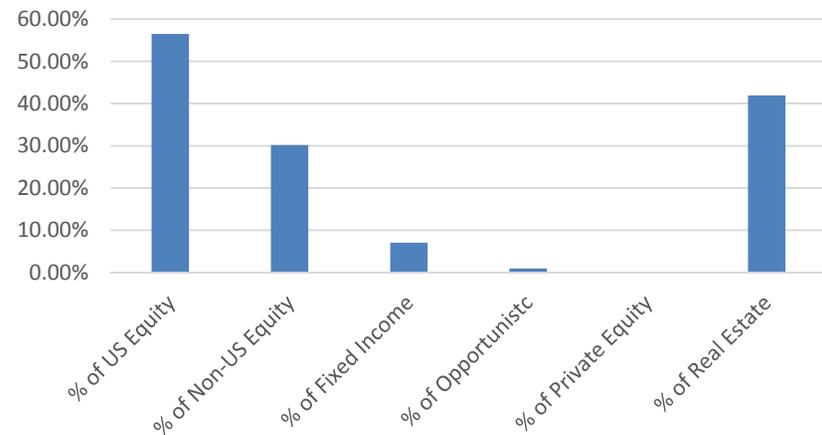
MaBSTOA - Traditional Investments



MaBSTOA - Alternative Investments



MWBE Managed Assets by Asset Class



MTAHQ POLICY STATEMENT EQUAL EMPLOYMENT OPPORTUNITY

The Metropolitan Transportation Authority (“MTA”) is fully committed to equal employment opportunity for all employees, applicants for employment, and certain non-employees in the workplace, without regard to race, color, religion, creed, national origin, ancestry, sex, sexual orientation, age, disability, predisposing genetic characteristic, gender identity and expression, pregnancy, veteran or military status, marital/familial/partnership/caregiver status, status as a victim of domestic violence, stalking and/or sex offenses, sexual and reproductive health decisions, or any legally protected basis. In addition, MTA will not impermissibly use or rely on immigration/alienage/citizenship status, credit history, arrest/conviction records, unemployment history, or salary history in its employment practices. MTA’s EEO Policy applies to all employment actions, including but not limited to hiring, promotion, upgrading, working conditions, demotion, transfer, recruitment or recruitment advertising, layoff or other discharge, recall, rates of pay or other forms of compensation, treatment of employees, benefits and selection for training. Further, the MTA expressly prohibits any form of harassment based on the aforementioned protected bases. These forms of discrimination or harassment are prohibited in the workplace and in any location that could reasonably be regarded as an extension of the workplace, such as business travel or outside training, and will not be tolerated.

All employees and applicants for employment and certain non-employees in the workplace shall be protected from retaliation or harassment for filing a complaint or participating in an investigation of a complaint, participating in any employment discrimination proceeding or other protected activity. Such retaliation or harassment is strictly prohibited and will not be tolerated. The MTA is committed to providing reasonable accommodations to applicants and employees who need them because of a disability or pregnancy/childbirth or related medical condition, or to practice or observe their religion, absent undue hardship as required by applicable law.

The MTA is fully committed to complying with all applicable laws and regulations that call for the establishment and implementation of a program providing equal employment opportunities for all employees, applicants for employment and certain non-employees in the workplace. To that end, the MTA has developed a written nondiscrimination program that sets forth the policies, practices and procedures, with goals and timetables, to which MTA is committed. This program is available for inspection by employees or applicants for employment upon request. All managers and supervisors share in the responsibility for complying with and promulgating this program and are assigned specific tasks to ensure and achieve compliance. Their performance in connection with this responsibility will be evaluated in the same manner the agency evaluates their performance in other agency programs.

Michael J. Garner, Chief Diversity Officer, reports directly to the MTA Chairman and CEO. Mr. Garner is responsible for implementing MTA’s EEO Policy and coordinating the MTA’s equal employment opportunity program. If you believe you have been subjected to a violation of MTA’s EEO Policy in your employment or application for employment, you have a right to file complaints of discrimination and/or retaliation directly with Mr. Garner at 2 Broadway, 16th Floor, New York, New York 10004 and mgarner@mtahq.org- by phone at (646) 252 - 1385 or

MTAHQ POLICY STATEMENT EQUAL EMPLOYMENT OPPORTUNITY (Continued)

you can contact any EEO personnel. You may also report a potential violation to your immediate supervisor or a higher-level supervisor, although you are not required to do so.

Managers and supervisors are required to notify MTA's EEO Officer, Mr. Garner, as soon as they receive a complaint or otherwise observe, learn about, or suspect any improper discriminatory or retaliatory conduct, regardless of whether or not:

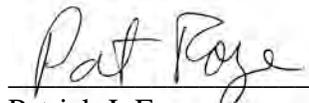
- a written statement is provided contemporaneously,
- the complainant requests that no action be taken and/or requests confidentiality, or
- the complainant works in the manager/supervisor's department, division or unit.

If it is determined that a violation of the MTA's EEO Policy has occurred, the MTA will take appropriate action to remedy the situation. All employees are required to fully cooperate during an investigation. Any employee who is found to have violated the EEO Policy, or any supervisory or managerial employee who knowingly permits a violation of the EEO Policy to occur, may be subject to disciplinary action, up to and including dismissal from employment. Such an employee may also be subject to personal legal and financial liability.

You may also file a complaint externally with an outside agency/organization. For certain complaints, you may be required to file directly in State Court. The following external agencies handle complaints of discrimination and retaliation:

- The United States Equal Employment Opportunity Commission, New York District Office, 33 Whitehall Street, 11th Floor – New York, NY 10004- (800) 669-4000
- The New York State Division of Human Rights, New York District Office, One Fordham Plaza, 4th Floor New York, NY 10458- (888) 392-3644

This Policy Statement is to be posted in prominent locations throughout MTA's facilities.


Patrick J. Foye
Chairman and CEO

May 13, 2020
Date

MTAHQ POLICY STATEMENT

AMERICANS WITH DISABILITIES ACT AND NEW YORK STATE HUMAN RIGHTS LAW

The Metropolitan Transportation Authority ("MTA") is fully committed to equal opportunity for all employees and applicants for employment and prohibits discrimination on the basis of disability in all of its employment practices. Such interference with the ability of the MTA's employees to perform their expected job duties is not tolerated. The Americans with Disabilities Act ("ADA") and New York State Human Rights Law ("NYSHRL") require the MTA to provide reasonable accommodations to qualified applicants and employees with disabilities or pregnancy-related conditions under certain circumstances. The MTA recognizes this obligation and has adopted guidelines to ensure its compliance with the ADA and the NYSHRL.

To request a reasonable accommodation for a disability or pregnancy-related condition relating to your employment or application for employment with the MTA, please contact Michael Kalish, Director, Human Resources, MTA Human Resources Department, 2 Broadway, 4th Floor, New York, NY 10004, at (212) 878-1036.

All employees and applicants for employment shall be protected from retaliation or harassment for filing a complaint or participating in an investigation of a complaint. Reprisal against or interference with an employee's or applicant's right to file a complaint concerning such matters constitutes a violation of this Policy. The MTA Equal Employment Opportunity Policy also contains pertinent information relating to claims of discrimination.

Michael J. Garner, Chief Diversity Officer, is responsible for coordinating this Policy. If you believe you have been subjected to a violation of this Policy in your employment or application for employment with the MTA, you may contact your immediate supervisor, a higher-level supervisor or Mr. Garner at 2 Broadway, 16th Floor, New York, NY 10004. Mr. Garner can be reached by telephone at (646) 252-1385. A supervisor who receives a complaint under this Policy should immediately contact Mr. Garner. If you wish to file a complaint, you should contact Mr. Garner at the above address or phone number. In addition, an employee or applicant may contact the Department of Diversity and Civil Rights at (646) 252-1373 in order to file a complaint.

The Department of Diversity and Civil Rights will promptly initiate a thorough and impartial inquiry. In all cases, confidentiality will be maintained throughout the investigation to the extent practical and consistent with the MTA's obligation to undertake a full inquiry and to make a determination. In addition, all employees are required to fully cooperate during the conduct of such an investigation.

MTAHQ POLICY STATEMENT

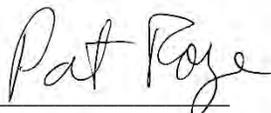
AMERICANS WITH DISABILITIES ACT AND NEW YORK STATE HUMAN RIGHTS LAW (Continued)

If it is determined that a violation of this Policy has occurred, the MTA will take immediate action to remedy the situation. Any employee who is found to have violated this Policy or any supervisor or managerial employee who knowingly permits a violation of this Policy to occur may be subject to disciplinary action, up to and including dismissal from employment. Such an employee may also be subject to personal legal and financial liability.

You may also file a complaint externally with an outside agency/organization. The following external agencies handle complaints of discrimination and retaliation:

- The United States Equal Employment Opportunity Commission, New York District Office, 33 Whitehall Street, 11th Floor, New York, NY 10004- (800) 669-4000
- The New York State Division of Human Rights, New York District Office, One Fordham Plaza, 4th Floor, Bronx, NY 104581- (888) 392-3644

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Patrick J. Foye
Chairman and CEO

May 13, 2020
Date

MTAHQ POLICY STATEMENT

SEXUAL AND OTHER DISCRIMINATORY HARASSMENT

Sexual or other discriminatory harassment in the workplace is unlawful and all employees, as well as certain non-employees such as visitors, contractors, subcontractors, consultant, interns, fellows, or apprentices, are prohibited from engaging in any such activity. It is the Policy of the Metropolitan Transportation Authority (“MTA”) that all employees have the right to work in an environment free from any form of discriminatory harassment or intimidation, either physical or verbal, by any other employee as well as certain non-employees. The MTA will not tolerate sexual or any other form of discriminatory harassment and violators of this Policy will be subject to disciplinary action, including but not limited to termination of employment, as set forth in more detail in MTA’s Sexual and Other Discriminatory Harassment All Agency Policy Directive. (This Policy Directive is available on the MTA’s intranet site as well as by contacting the MTA Department of Diversity and Civil Rights at (646) 252-1373.

Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and expression and the status of being transgender, as is defined to include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made explicitly or implicitly a term or condition of an individual’s employment, or
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can occur in a variety of circumstances, without regard to gender or perceived gender of the individuals or whether there has been an adverse employment action. Sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails and social media usage by employees can constitute workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

The following describes some of the types of acts that may constitute sexual harassment, are strictly prohibited, and may be unlawful:

- Physical assaults of a sexual nature;
- Unwanted sexual advances or propositions;

MTAHQ POLICY STATEMENT

SEXUAL AND OTHER DISCRIMINATORY HARASSMENT (Continued)

- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which create a hostile work environment;
- Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look;
- Sexual or discriminatory displays or publications anywhere in the workplace; and
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender.

Harassment does not have to be of a sexual nature, however, and can include other forms of harassment. Other forms of discriminatory harassment can consist of conduct that is based on race, color, religion, creed, national origin, ancestry, sex, sexual orientation, age, disability, predisposing genetic characteristic, gender identity and expression, pregnancy, veteran or military status, marital/familial/partnership/caregiver status, status as a victim of domestic violence, stalking and/or sex offenses, sexual and reproductive health decisions, or any other legally protected category, including based on the employee's having filed a complaint of discrimination under this Policy or the MTA Americans with Disabilities Act or Equal Employment Opportunity Policies, that has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile or offensive working environment.

All employees, visitors, vendors and applicants for employment shall be protected from retaliation for filing a complaint or participating in an investigation of a complaint. Reprisal against or interference with an employee's, visitor's, vendor's or applicant's right to file a complaint concerning such matters constitutes a violation of this Policy.

Michael J. Garner, Chief Diversity Officer, is responsible for coordinating this Policy. If you believe you have been subjected to a violation of this Policy in your employment or application for employment, you may contact your immediate supervisor, a higher-level supervisor or Mr. Garner at 2 Broadway, 16th Floor, New York, NY 10004. Mr. Garner can be reached by telephone at (646) 252-1385. A supervisor who receives a complaint under this Policy should immediately contact Mr. Garner. If you wish to file a complaint, you should contact Mr. Garner at the above address or phone number. In addition, an employee or applicant may contact the Department of Diversity and Civil Rights at (646) 252-1373 in order to file a complaint.

MTAHQ POLICY STATEMENT

SEXUAL AND OTHER DISCRIMINATORY HARASSMENT (Continued)

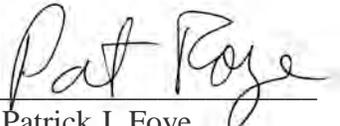
The Department of Diversity and Civil Rights will promptly initiate a thorough and impartial inquiry. In all cases, confidentiality will be maintained throughout the investigation to the extent practical and consistent with the MTA's obligation to undertake a full inquiry and to make a determination. In addition, all employees are required to fully cooperate during the conduct of such an investigation. The MTA Equal Employment Opportunity Policy also contains pertinent information relating to claims of discrimination.

If it is determined that a violation of this Policy has occurred, the MTA will take immediate action to remedy the situation. Anyone who witnesses or becomes aware of potential instances of sexual harassment or other discriminatory harassment must report such behavior to a manager or supervisor, and/or Mr. Garner. Any employee who is found to have violated this Policy or any supervisor or managerial employee who knowingly permits a violation of this Policy to occur may be subject to disciplinary action, up to and including dismissal from employment. Such an employee may also be subject to personal legal and financial liability.

You may also file a complaint externally with an outside agency/organization. The following external agencies handle complaints of discrimination and retaliation:

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