

## 2.2 Treatment of Staff

Monitoring Report for the Period: April 1, 2017 to March 31, 2018

Date of Report: Monday, April 30, 2018

Service Committee Review: Wednesday, May 9, 2018

Board Meeting: Thursday, May 17, 2018

TheRide board;

In accordance with the Board's Policy Manual; I present the May Monitoring report on **Executive Limitation Policy 2.2: Treatment of Staff**.

This report is an incomplete initial draft and consists, where possible, of internal report information from staff. Though these policies were not all in affect during the previous year, I have assembled this report as if they were where feasible. Because it is incomplete, I will not be asking the Board to accept this report, however your feedback is desired.

Generally, I believe that staff at TheRide are well treated. However, we do not have survey information to demonstrate this. And while we do have comprehensive personnel rules, we believe that many of them are out of date and no longer relevant. We will be spending the next year modernizing our internal HR policies and then seeking feedback from staff. I believe that next year's report on this policy will be complete.

Matt Carpenter,  
CEO  
Ann Arbor Area Transportation Authority

Policy being monitored:

**POLICY TITLE: *Treatment of Staff***

**Report p.**

2.2 The CEO will not cause or allow employment conditions that are inconsistent, discriminatory, unfair, unsafe, unhealthy, undignified, disorganized, or unclear.

3

Further, without limiting the scope of the foregoing by this enumeration, the CEO shall not:

- 2.2.1 Operate in a manner that undermines the organization as a workplace of choice. 4
  - 2.2.1.1 Operate with a work environment that devalues the humanity, creativity and knowledgeable contribution of its workforce or inhibits the recruitment of highly qualified people. 5
- 2.2.2 Operate without up-to-date, clear, available, written, and enforced personnel rules or contracts that clarify standards and expectations, provide for effective handling of grievances, and protect against wrongful conditions, such as nepotism and unfairly preferential treatment for personal reasons 6
  - 2.2.2.1 Fail to provide internal controls necessary to enforce such policies. 7
- 2.2.3 Allow retaliation against any staff member for non-disruptive expression of dissent. 8
- 2.2.4 Allow staff to be unprepared to deal with emergency situations. 9
- 2.2.5 Operate without an adequate labor agreement covering unionized personnel. 10

**Executive Limitations Policy 2.2**

*The CEO will not cause or allow employment conditions that are inconsistent, discriminatory, unfair, unsafe, unhealthy, undignified, disorganized, or unclear.*

**Compliance:**

TBD

**Current Interpretation & Rationale**

TBD

**Evidence**

TBD

**Executive Limitations Policy 2.2.1**

*...the CEO shall not... Operate in a manner that undermines the organization as a workplace of choice.*

**Compliance:**

TBD

**Current Interpretation & Rationale:**

TBD

**Evidence:**

TBD

**Executive Limitations Policy 2.2.1.1**

*The CEO shall not... Operate with a work environment that devalues the humanity, creativity and knowledgeable contribution of its workforce or inhibits the recruitment of highly qualified people.*

**Compliance:**

TBD

**Current Interpretation & Rationale:**

TBD

**Evidence:**

**TBD**

## **Executive Limitations Policy 2.2.2**

*The CEO shall not... Operate without up-to-date, clear, available, written, and enforced personnel rules or contracts that clarify standards and expectations, provide for effective handling of grievances, and protect against wrongful conditions, such as nepotism and unfairly preferential treatment for personal reasons*

**Compliance:** Not in compliance.

### **Current Interpretation & Rationale:**

I understand this policy to mean that expectations of staff and of management must be clear, so that everyone understands the rules of the workplace. This is in order to ensure accountability and continuous improvement. It is important to understand that there are expectations of employees, but also expectations of management. Furthermore, the AAATA must develop, maintain and periodically update comprehensive, written documents containing all relevant expectations for AAATA staff, including the aforementioned elements.

I interpret “up to date” to mean that personnel rules must be compliant with current legislation, contribute to an attractive workplace, comprehensively address known HR risks, and be a tool that helps the organization achieve its mission. Furthermore, these rules must be in written format, readily available to staff, and written in a manner that is as easy to understand as is practical,

In the case of non-unionized staff these rules will be developed by the Manager of Human Resources and approved by the CEO. For unionized staff these expectations will be negotiated and documented as appropriate.

### **Evidence:**

- **Non-Union:** The AAATA does have a handbook of personnel policies for non-unionized staff. However, the CEO and Manager of HR agree that it is out of date, does not meet the needs of the organization, and likely does not comply with the Board policy. Rather than document the shortcoming of the existing handbook, a new handbook of personnel policies will be developed and put into effect within the next year. Pursuant to policy 2.11.1.5, the CEO is hereby giving the Board advance notification that he intends to change staff rules via a wholesale updating of personnel rules for non-unionized staff.
- **Union:** For unionized staff, the policies requirements are addressed in a negotiated labor contract. See also policy 2.2.5 below.

A staff survey will be conducted after a new handbook is developed, to help document staff’s perception of the new rules.

### **Executive Limitations Policy 2.2.2.1**

*The CEO shall not... Fail to provide internal controls necessary to enforce such policies.*

#### **Compliance:**

TBD

#### **Current Interpretation & Rationale:**

I interpret this policy to mean that staff and management are held accountable for following personnel rules, and that all rules are applied in a consistent and timely manner. The AAATA must have mechanisms in place to monitor compliance, and correct noncompliant behavior, whether that be through coaching, training or disciplinary actions.

#### **Evidence:**

TBD

### **Executive Limitations Policy 2.2.3**

*The CEO shall not... Allow retaliation against any staff member for non-disruptive expression of dissent.*

**Compliance:** Not in compliance. (However, I have no reason to believe retaliation is occurring.)

#### **Current Interpretation & Rationale:**

I interpret this policy to mean that the organization should be open to constructive internal critiques and criticisms. Furthermore, staff members should be able to share a dissenting opinion with their supervisors and agency leadership without fear of punishment or loss of professional opportunities. Leadership of the organization must be willing to receive honest feedback. This is necessary to build an open, honest organization that be constructively self-aware.

However, I further interpret this policy to mean that the ways in which which some perspectives are shared can be inappropriate, ie disruptive, and are not protected. Types of expressions considered disruptive include, but are not limited to: insubordination, slander, spreading false information, malicious gossip, and failing to follow establish protocols for expressing concerns. Such disruptive expressions of different can hurt the team atmosphere, undermine accountabilities, or cause other negative problems. Issues like this should be dealt with through normal supervisory accountability channels for coaching and discipline.

Enacting this policy requires that the organization must establish clear protocols for how staff can constructively express disagreements and make those protocols available to employees.

#### **Evidence:**

- Existence of documented protocols for expressing dissent. Current protocols unclear. Rules for non-union staff will be updated within one year.
- Staff survey feedback: No survey has been conducted. A survey will be conducted within one year.
- Anecdotal history of staff being able to express dissent without repercussion.



#### **Executive Limitations Policy 2.2.4**

*The CEO shall not... Allow staff to be unprepared to deal with emergency situations.*

#### **Compliance:**

TBD

#### **Current Interpretation & Rationale**

I interpret this policy to mean that staff will receive training for all reasonably foreseeable emergencies including: active shooter in workplace, fire, tornado, train derailment, and first aid emergencies.

Furthermore, the workplace will be equipped with the appropriate emergency and first aid equipment, and signage.

Furthermore, I interpret this policy to mean that the AAATA is ready to respond to emergencies in the community and to natural disasters, and that staff have received adequate training to know how to respond to requests for assistance from emergency services personnel.

#### **Evidence:**

- New staff orientation includes safety training
- Number and type of emergency drills and training provided in monitoring period:
  - Fire
  - Tornado
  - Active shooter in workplace
  - Train derailment
  - First aid
- Presence of appropriate safety equipment and signage
- Safety Audit findings indicate appropriate preparation and hazard mitigation.
- Evidence of coordination with local emergency service organizations, and Emergency Operations Centers.

**Executive Limitations Policy 2.2.5**

*The CEO shall not... Operate without an adequate labor agreement covering unionized personnel.*

**Compliance:** In compliance.

**Current Interpretation & Rationale:**

I interpret this policy to mean that AAATA will have a labor agreement that complies with Policy 2.2.2 and 2.2.2.1.

**Evidence:**

In July 2017 TheRide agreed to a five-year contract with all unionized personnel. The contract will expire in March 2022.

(To be filled in based on Board action after submission)

**Policy: 2.8 Asset Protection**

**Date Submitted:**

**Date of Board Response:**

The Board has received and reviewed the CEO's Monitoring Report references above. Following the Board's review and discussion with the CEO, the Board makes the following conclusions:

**Executive Limitations Report (select one)**

The Board finds that the CEO:

- A. Is in compliance
- B. Is in compliance, except for item(s) noted.
- C. Is making reasonable progress toward compliance.
- D. Is **not** in compliance or is **not** making reasonable progress toward compliance
- E. Cannot be determined.

Board notes: