



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

1200 New Jersey Avenue, S.E.  
Washington, DC 20590

October 18, 2010

Mr. David King  
CEO/General Manager  
Triangle Transit  
P.O. Box 13787  
Durham, NC 27709

Dear Mr. King:

Enclosed is the final report of the Federal Transit Administration's (FTA) Equal Employment Opportunity (EEO) Compliance Review of Triangle Transit conducted from June 29-July 1, 2010. Thank you for your written response dated October 1, 2010, to the draft report which was issued to Triangle Transit in September 2009. As of the date of this letter, the final report became a public document and is subject to dissemination under the Freedom of Information Act of 1974.

This compliance review is our effort to work cooperatively with you and provide technical assistance. We are pleased with the progress you have made in implementing the requirements of Title VII of the Civil Rights Act of 1964 as set forth in FTA Circular 4704.1. The documentation submitted to correct the only deficiency in the area of *Designation of Personnel* was not sufficient to close this deficiency. The final report contains an explanation and provides for completion by January 31, 2011. If you do not complete this corrective action, please submit a quarterly progress report, each quarter, until FTA approves your submission. The first report will be due on January 31, 2011.

The following section summarizes the outstanding deficiency in the EEO Compliance Review (a full description of the finding is contained in the report).

**Remaining Compliance Deficiency: Triangle Transit EEO Compliance Review**

**3. Designation of Personnel Responsibility**

**Requirement:** The importance of an EEO program is indicated by the individual the agency has named to manage the program and the authority this individual possesses. An executive should be appointed as Manager/Director of EEO who reports and is directly responsible to the agency's CEO.

**Finding:** During this Compliance Review of Triangle Transit, deficiencies were found with FTA requirements for Designation of Personnel Responsibilities.

At the time of the Site Visit, Triangle Transit's Director EEO/DBE did not concur on all new hires or promotions, nor did this position serve as a liaison to outside organizations/groups for EEO matters. Interviews with employees also revealed that the EEO Director had limited interaction with employees. Some, but not all employees could identify who the EEO Officer was and how to file discrimination complaints.

Following the Site Visit, on August 10, 2010, Triangle Transit provided documentation that it had revised its job description for Director EEO/DBE, to include the responsibility to concur on all new hires and promotions and to serve as a liaison to outside organizations/groups for EEO matters. Triangle Transit also provided documentation that effective July 10, 2010 it had added the Director EEO as a required approval signature on the *New Employee Transaction Form*. This form is required to implement payroll actions for new hires and re-hires.

Triangle Transit also provided documentation that the Director EEO/DBE had implemented initiatives to be more visible, both internally and externally. These actions included:

- Participating in New Employee Orientation programs, beginning with the July 26, 2010 session.
- Continuing to conduct Harassment and Diversity training for all employees on a regular basis. The next training was scheduled for August 26, 2010.
- Serving as a liaison to community groups and local colleges to recruit women and minorities for available employment opportunities.

Following the issuance of the Draft Report, Triangle Transit provided documentation that concurrence by the Director of EEO/DBE was added to promotion decisions. The *Employee Transfer Form*, which must be completed for promotions, lateral transfers, or demotions, includes a signature line for the Director of EEO/DBE.

**Corrective Action and Schedule: Triangle Transit must submit to the FTA Headquarters Office of Civil Rights, no later than January 31, 2011, documentation that the EEO Director has concurred on *all new hires and promotions* for the period of July 15, 2010 through December 31, 2010.**

We fully expect Triangle Transit to take immediate actions to correct the deficiencies identified in the report. Please respond to the findings of this Review in a progress report addressed to the following:

Mr. Frank Billue  
Regional Civil Rights Officer  
Federal Transit Administration, Region IV  
230 Peachtree Street, NW, Suite 800  
Atlanta, GA 30303

Ms. Anita Heard  
Equal Opportunity Specialist  
FTA Office of Civil Rights  
1200 New Jersey Avenue, SE  
Washington, DC 20590

We appreciate the cooperation and assistance that you and your staff have provided us during this review. If you have any questions about this matter, please contact Ms. Anita Heard, Office of Civil Rights at (202) 493-0318 or at her email address, [anita.heard@dot.gov](mailto:anita.heard@dot.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl L. Hershey". The signature is fluid and cursive, with a large, stylized "H" and "S".

Cheryl L. Hershey  
Director, Office of Civil Rights

Cc: Yvette G. Taylor, Ph.D., FTA Region IV Administrator  
Anita Heard, FTA Office of Civil Rights  
Frank Billue, FTA Region IV Civil Rights Officer  
Maxine Marshall, The DMP Group, LLC