



SFMTA

Racial Equity Action Plan Quarterly Report

Progress Report on Commitments
Related to Discipline & Corrective Action

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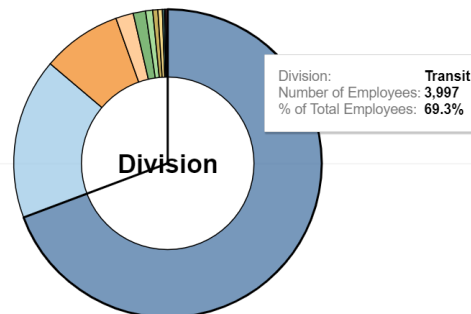
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Commitments Related to Discipline & Corrective Action

Consistent Standards & Support	Data Collection, Monitoring & Evaluation	Training & Capacity-Building
<p>Modernize Transit Operator rulebook (3.1.3)</p> <p>Develop reference tool for supervisors (3.1.4)</p> <p>Identify and implement racial equity assessment tools and resources (6.2.3)</p>	<p>Establish a Disciplinary Action Tracking (3.3.1)</p> <p>Develop data dashboards and report trend analysis (3.3.2)</p> <p>Establish a review committee to evaluate macro patterns of disproportionate disciplinary actions (3.3.3)</p> <p>Develop a protocol for periodic review of a supervisor's/manager's disciplinary decisions (3.3.4)</p>	<p>Create a Manager Training Program featuring the new disciplinary processes and best practices guidance. (3.2.1)</p> <p>Develop and maintain an agency-wide Racial Equity curriculum (6.1.1)</p>

What has been done?

- **Office of Race, Equity & Inclusion is hosting a series of ongoing, cross-division workshops to implement Racial Equity Action Plan commitments related to corrective action**
 - Collaborative workshops with EEO, HR, Transit & Safety
 - Discipline data analysis, review and problem-solving
- **Our research, analysis and problem solving has focused on discipline among Transit Operators because there is enough data to analyze and because of how corrective action occurs at MTA**
 - Transit Operators are subject to different disciplinary processes. A separate analysis must be conducted for these employees because they are subject to safety sensitive corrective actions



Analyzing Data from FY 19-20 & FY 20-21

Assessed all discipline incidents among Transit Operators over the last two Fiscal Years.

- **Data Quality:** Ensured that data were complete & accurate
- **Re-Categorization of all Corrective Actions in Transit Division**
 - There are now three categories for corrective action in Transit (Safety, Performance, & Conduct)
 - Non-Safety = Performance and Conduct
- **Data Analysis**
 - Computed the relative risk of being disciplined in the above three categories
 - Analyzed corrective actions by total instances and by person, stratifying by race/ethnicity and gender

What We Found

Over the past two fiscal years:

- 61% of cases among Transit Operators were safety related
- 34% of cases among Transit Operators were in the performance category
- About 5% of cases among Transit Operators were in the conduct category

Within the performance category, most cases were attendance related. Attendance-related incidents, including

- Calling in less than 45 minutes before shift or arriving late
- No call, no show
- Excessive absenteeism
- Work miss outs and late arrivals



What We Found

When analyzing data on corrective action among Transit Operators, we found disproportionality among African Americans

- African American, Women, Transit Operators
 - We found that African American female Operators are disproportionately disciplined in attendance-related incidents
- African American, Men, Transit Operators
 - We found that African American male Operators are disproportionately disciplined in safety and attendance-related incidents



What We Are Doing About the Findings

- Developed a comprehensive database and tracking systems for HR Employee Labor Relations staff which documents standards for all corrective action
- Developing automated discipline tracking form, updated with refined categorization of corrective action
- Weekly meetings with Transit Operators Managers and Deputy Senior Operations Manager to monitor and discuss corrective actions as they occur
- In Skelly hearings to make a determination on proposed discipline, the Transit Manager proposing discipline cannot be the Investigatory Manager at the hearing
- Requiring that video evidence corroborate any customer complaints before corrective action is taken against a Transit Operator

Next Steps

- Training for Various Levels of Staffing
 - HR forms and systems for data entry related to corrective action
 - Safety training for common drivers of safety-related discipline
 - Racial equity training
- Clarifying equitable standards for the severity of discipline and bundling of discipline
- Further analysis of incidents which drive safety violations
- Normalize Trauma-Informed Language
 - “Corrective Action” rather than “Discipline”
 - “Substance Use Disorder” rather than “Substance abuse”
 - Stopping stigmatizing language, such as “dirty” test
- *Equity Data Project*: Discipline Dashboard



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