



PARATRANSIT, INC. SPECIAL MEETING OF THE BOARD OF DIRECTORS

In response to AB 361, the Paratransit Board of Directors and other public meetings are being held via teleconference to follow state guidelines on social distancing.

Meeting Date and Time:

November 21, 2022 at 6:00 p.m.

Meeting Location:

Paratransit Board of Directors meetings are broadcast live on Zoom. Members of the public are encouraged to submit public comments via eComment by email at publiccomment@paratransit.org. Members of the public may also call into the meeting as follows:

Telephone Number: 1 (669) 900-6833

Meeting ID: 838 2169 8955

Passcode: 430745

Web Access:

<https://paratransit-org.zoom.us/j/83821698955?pwd=NG1TMjd5MFRPdWhwT21XUG03a0ZOQT09>

If you need a disability-related modification or accommodation to participate in this meeting, please contact by Voice: (916) 429-2009. Requests must be made as early as possible.

Paratransit's Mission: To expand mobility and accessibility by providing innovative programs and services to the Community.

AGENDA

1. Call to Order & Roll Call: (3 minutes)

Directors: Fontus, Hume, Kimble, Leventon, Nguyen, Shekhar, Tucker

2. Pledge of Allegiance (3 minutes)

3. Public Comment: (10 minutes)

Each person will be allowed three minutes, or less if a large number of requests are received on a particular subject. After ten minutes of testimony, the Chair may choose to hear any additional testimony following the Discussion Items.

Please note, under the provisions of the California Government Code, the Board is prohibited from discussing or taking action on any item that is not on the agenda. The Board cannot take action on non-agendized items raised under “Public Comment” until the matter has been specifically included on the agenda. Those audience members who wish to address a specific agendized item are encouraged to offer their public comments during consideration of that item.

4. Staff Reports (15 minutes)

A. CEO Report

- a. Update on Activities and Contracts
- b. Recognition of Board Member Stephanie Nguyen

B. CFO Report

- a. Monthly Financial Report

5. Consent Calendar (5 minutes)

- A. Adopt Resolution 11-22 Approving Continuance of Remote Board Meetings

- B. Approve the Minutes of the August 11, 2022 Special Meeting of the Board of Directors
- C. Adopt Resolution 12-22 Approving Amendments to the Paratransit, Inc. Drug and Alcohol Testing Policy
- D. Adopt Resolution 13-22 Authorizing the Chief Executive Officer to prepare, submit and execute Agreements for various upcoming grant programs from the Sacramento Area Council of Governments, State of California, Federal Transit Administration and assorted local programs.
- E. Adopt Resolution 14-22 Adopting Update #2 to the Paratransit, Inc. Public Transit Agency Safety Plan
- F. Adopt Resolution 15-22 Adopting Update to the Paratransit, Inc, Conflict of Interest Code
- G. Adopt Resolution 16-22 Adopting the Board Meeting Calendar for 2023

6. Action Items (30 minutes)

- A. Discussion and Appointment of a Two New Board Members for a 3 year term, beginning January 1, 2023
- B. Discussion and Possible Action to Authorize the Chief Executive Officer (CEO) and Chief Financial Officer (CFO) to begin the formation of a New 501(c3) for the purposes of developing a housing project on Woodbine Avenue, engage legal services to prepare all necessary legal documentation and to finalize final steps for potential Project Adoption at the December 2022 Board meeting

7. Board Comments/Reports/Future Agenda Items (5 minutes)

8. Adjourn (1 minute)

The next meeting of the Paratransit Board of Directors will be held on

**December 19, 2022
6:00 p.m.**

**Paratransit, Inc.
Ron Brown Conference Center
2501 Florin Road
Sacramento, CA 95822**

*Staff Reports are subject to change without prior notice.

ADA COMPLIANCE

If requested, this agenda can be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact the Chief Administrative Officer at (916) 429-2009 for further information.

MEETINGS OF INTEREST

RT Board Meetings: December 12, 2022 @ 5:30 p.m. – See www.sacrt.com for location information

RT Mobility Advisory Committee: December 8, 2022 @ 2:30 p.m. See www.sacrt.com for location information

Sacramento County Disability Advisory Commission: December 6, 2022 @ 5:00 p.m. via Zoom. See www.dac.saccounty.net for agenda with login/call in information

Sacramento City Disabilities Advisory Commission: December 7, 2022 @ 6:00 p.m. See <http://www.cityofsacramento.org/Clerk/Legislative-Bodies/Boards-and-Commissions/SacramentoDisabilityAdvisoryCommission> for location information

Sacramento Transportation Authority: December 8, 2022 @ 1:30 p.m. 700 H Street, Suite 1450
Sacramento, California 95814



Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 4A

AGENDA TITLE: Chief Executive Officer's Report

MEETING DATE: November 21, 2022

PREPARED BY: Tiffani M. Fink, Chief Executive Officer

PARTNERSHIPS AND OPPORTUNITIES:

I will provide an overview of our on-going partnerships, grants, contracts and new programs and upcoming opportunities during my oral report and PowerPoint presentation at the Board meeting.

As always, I remain available for any questions.



Paratransit, Inc. Board of Directors Staff Report

AGENDA TITLE: CHIEF FINANCIAL OFFICER'S REPORT

MEETING DATE: NOVEMBER 21, 2022

PREPARED BY: LISA M CAPPELLARI, CHIEF FINANCIAL OFFICER

RECOMMENDED ACTION:

Receive and file the Chief Financial Officer's Report.

BACKGROUND AND DISCUSSION:

All financial data are through September 2022 and operating data are through October 2022 unless otherwise noted.

- CTSA partner agency trips continue to grow, and are now at 44,019 from July to September 2022. Contracted transportation trips are growing steadily; average monthly billable hours are higher than pre-pandemic levels. There were on average 1,738 billable hours pre-pandemic whereas the average for July through October 2022 was 2,140 billable hours.
- Meals delivered from July 2022 through September 2022 are currently at 58,700. This includes 57,000 meals delivered for the Sacramento Food Bank and Family Services and 1,700 meals delivered from Canon Restaurant for local seniors.
- Between July 2022 and September 2022, the Sacramento Mobility Management program successfully travel trained 43 elderly/disabled passengers and 69 youth.
- The CTSA program, where Paratransit, Inc. partners with local social service agencies, continues providing support with insurance expense, maintenance and fleet management, fuel reimbursement, buses, and driver support. Between July and September 2022 Paratransit's maintenance department completed 897 work orders.
- Between July and September 2022, Paratransit, Inc. has received \$28,600 in income from renting out our accessible minivans.

- Year-to-date revenue is 15% lower than budgeted; year-to-date expense is 14% lower than budgeted. Paratransit's net income is \$9,000.

If you have any questions or comments about this Performance Report please contact me at 916-429-2009 ext.7234 or Lisac@paratransit.org.

FISCAL IMPACT:

None

ATTACHMENTS:

November 2022 CFO Report
June 2022 Income Statement
June 2022 Balance Sheet
September 2022 Income Statement
September 2022 Balance Sheet

PARATRANSIT, INC

FINANCIAL REPORT



November 2022

FY22 Budget versus Actuals

(in thousands of dollars)

FY22 Revenue	Budget	Actual	\$ Difference	% Difference
Measure A	\$ 2,906	\$3,048	\$142	5%
TDA	\$800	\$1,190	\$390	49%
Grants	\$3,592	\$4,321	\$728	20%
Other Revenue	\$7,281	\$5,530	(\$1,751)	(24%)
Total Revenue	\$14,579	\$14,087	(\$492)	(3%)



FY22 Year End Budget versus Actuals

(in thousands of dollars)

FY22 Expense	Budget	Actual	\$ Difference	% Difference
Personnel	\$9,160	\$7,797	(\$1,363)	(15%)
Fleet Operations	\$1,931	\$2,354	\$423	22%
Non Personnel	\$1,967	\$2,073	\$106	5%
Capital Projects	\$1,578	\$599	(\$979)	(62%)
Total Expense	\$14,636	\$12,823	(\$1,813)	(12%)
Net Income		\$1,265		



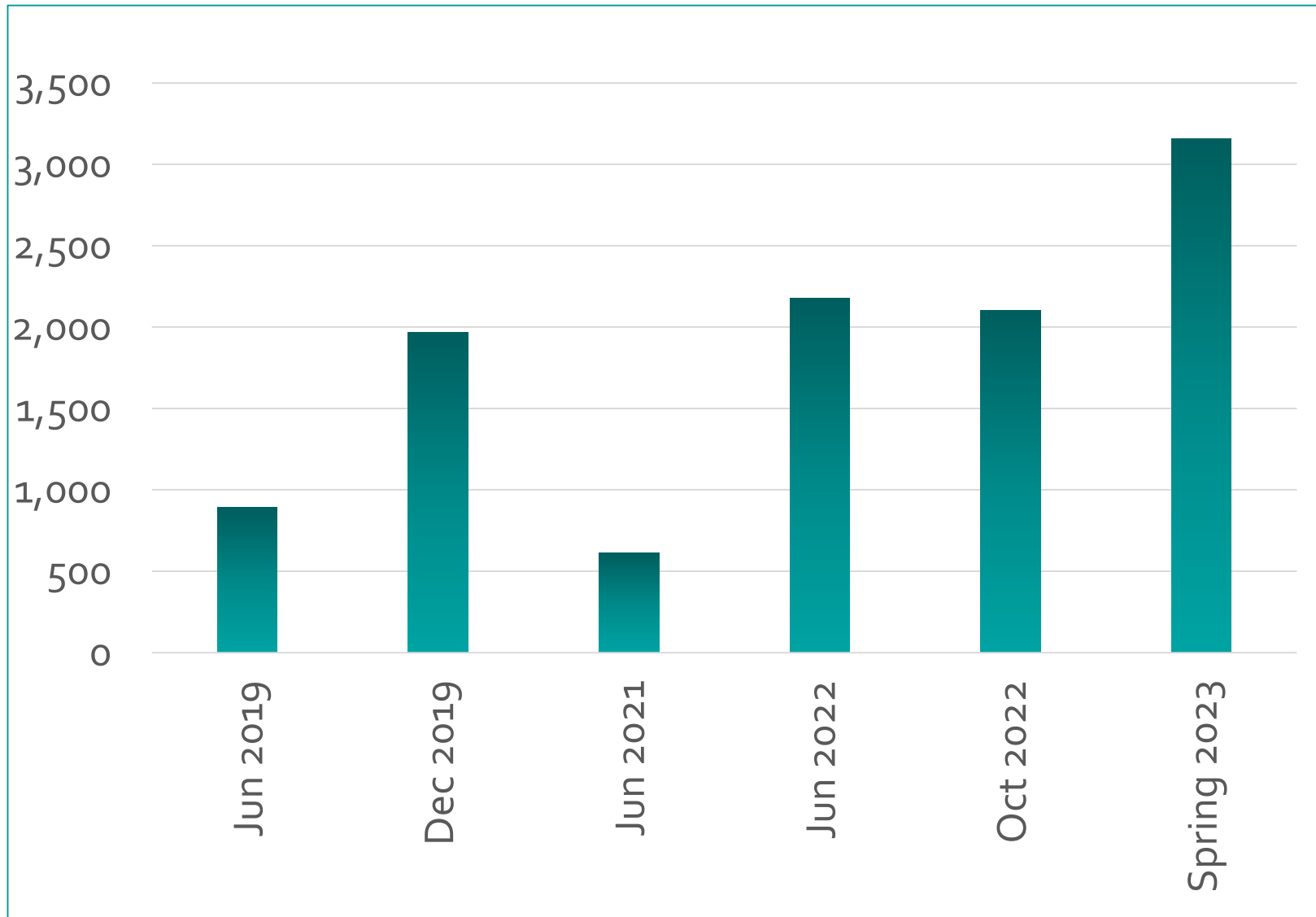
CTSA Trips Provided

July 2022 - October 2022

Agency	Trips	% of Trips
ACC	5,536	13%
Easter Seal Society	3,072	7%
Elk Grove Adult Community Training	7,672	17%
St. John's Program for Real Change	4,076	9%
Sutter Senior Care	9,648	22%
UCP of Sacramento & Northern CA	14,015	32%
Total CTSA Trips	44,019	



Alta Billable Hours



Social Service Transportation

July 2022 to October 2022

- Sacramento Food Bank: 57,057 meals
- Clay Nutting, Canon Restaurant: 1,631 meal kits
- YMCA after school transport: 728 trips



Sacramento Mobility Management

July 2022 – October 2022

- Travel Training for Seniors/Disabled
 - 43 successful trainees
- Travel Training for Youth
 - 69 successful trainees



Maintenance

July 2022 to October 2022

FY22 Maintenance Operations	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Total
Work Orders	231	235	228	203									897
Labor Hours	651	757	644	720									2,772
Parts Cost	\$56,056	\$25,535	\$23,727	\$30,562									\$135,880
Total Cost	\$120,141	\$112,855	\$92,528	\$133,846									\$459,370



FY22 Work Orders and Labor Hours



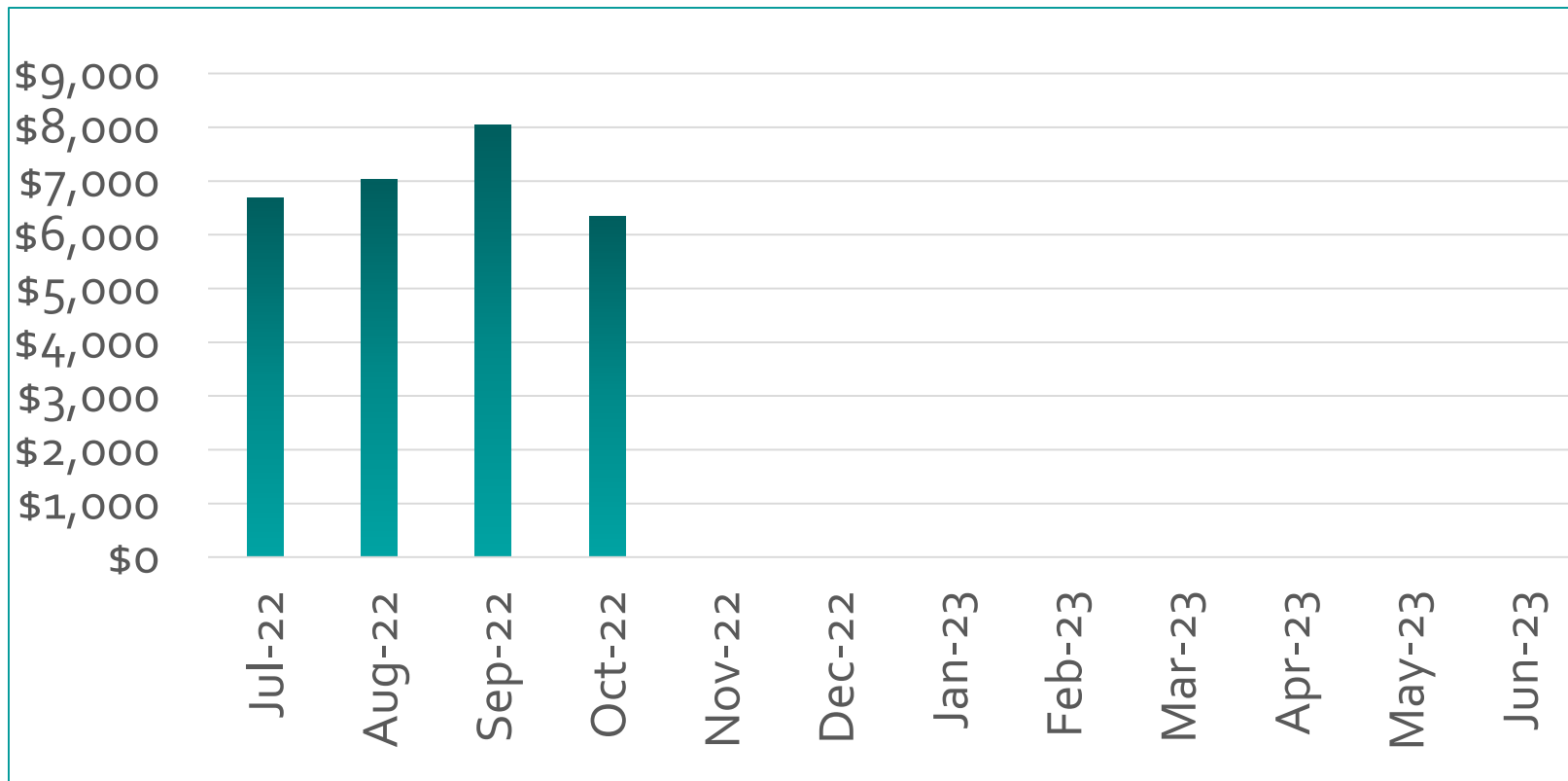
Work Orders: July 2022 - October 2022

Vehicle Type	Work Orders
Paratransit	269
SacRT Go Paratransit Services	371
Outside Agencies	198
CTSA Partners	45
Rental Fleet	14
Total Work Orders	897

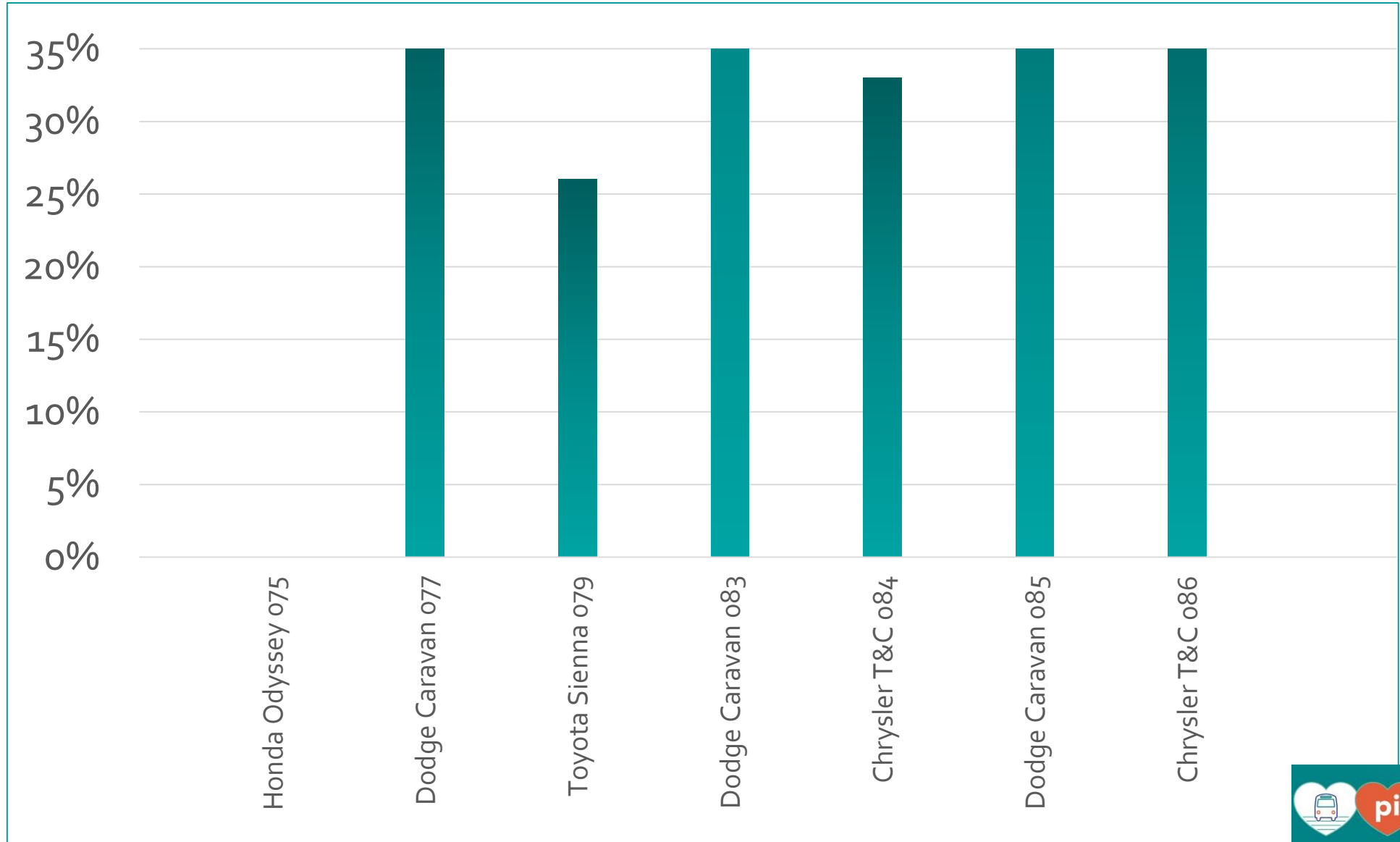


Accessible Vehicle Rental Income

- 7 accessible vehicles with ramps
- \$28,587 in rental income in July 2022 – October 2022



Accessible Vehicle Rentals



FY23 YTD Budget versus Actuals

(in thousands of dollars)

FY23 Revenue	Budget	Actual	\$ Difference	% Difference	Percent of Target
Measure A	\$ 582	\$573	(\$9)	(2%)	25%
TDA	\$316	\$315	(\$1)	0%	25%
Grants	\$625	\$646	\$21	3%	26%
Other Revenue	\$1,651	\$1,276	(\$375)	(23%)	37%
Total Revenue	\$3,173	\$2,810	(\$363)	(15%)	24%



FY23 YTD Budget versus Actuals

(in thousands of dollars)

FY23 Expense	Budget	Actual	\$ Difference	% Difference	Percent of Target
Personnel	\$2,027	\$1,627	(\$400)	(20%)	21%
Fleet Operations	\$617	\$618	\$1	0%	25%
Non Personnel	\$515	\$453	(\$61)	(12%)	22%
Capital Projects	\$91	\$102	\$11	12%	6%
Total Expense	\$3,250	\$2,801	(\$449)	(14%)	20%
Net Income		\$9			



PARATRANSIT, INC. - CONSOLIDATED
STATEMENT OF OPERATING REVENUE AND EXPENSE AS AT 6/30/2022

	MONTHLY BUDGET	MONTHLY ACTUAL	MONTHLY VARIANCE	YEARLY BUDGET	Y-T-D BUDGET	Y-T-D ACTUAL	Y-T-D \$ VARIANCE	Y-T-D % VARIANCE
REVENUE								

OPERATING REVENUE:								
Measure A (Current)	158,823	203,496	44,673	1,905,874	1,905,874	2,296,595	390,721	20.50
Measure A (Years 1-10)	83,333	-	(83,333)	1,000,000	1,000,000	751,000	(249,000)	(24.90)
TDA 4.5	66,667	351,628	284,961	800,000	800,000	1,189,515	389,515	48.69
Contract & Program Transportation Revenue	279,167	(2,247,483)	(2,526,650)	3,350,000	3,350,000	18,010	(3,331,990)	(99.46)
SacRT Go Maintenance & Facility Contracts	72,652	95,248	22,596	871,818	871,818	871,155	(663)	(0.08)
Transportation Literacy (Civic Lab)	13,050	13,050	-	156,600	156,600	130,500	(26,100)	(16.67)
CARES Act Funding	166,667	-	(166,667)	2,000,000	2,000,000	2,000,001	1	0.00
American Rescue Plan	107,123	-	(107,123)	1,285,470	1,285,470	-	(1,285,470)	(100.00)
Paycheck Protection Program	-	1,990,000	1,990,000	-	-	1,990,000	1,990,000	-
Section 5307 - Regional Mobility Management	12,500	200,000	187,500	150,000	150,000	200,000	50,000	33.33
Agency Bus Fares	-	1,776,817	1,776,817	-	-	1,776,817	1,776,817	-
Diversified Services	163,274	220,143	56,869	1,959,284	1,959,284	2,720,396	761,113	38.85
Applied to Capital Projects	(39,795)	(14,507)	25,289	(477,542)	(477,542)	(208,826)	268,716	(56.27)
TOTAL OPERATING REVENUE	1,083,459	2,588,392	1,504,933	13,001,504	13,001,504	13,735,163	733,659	5.64
CAPITAL REVENUE:								
FY22 10 NEW CNG VEHICLES	91,667	-	(91,667)	1,100,000	1,100,000	-	(1,100,000)	(100)
Prop 1B FY13 - Maintenance CNG Upgrades	-	55,774	55,774	-	-	55,774	55,774	-
Prop 1B PTMISEA - Rangers	-	-	-	-	-	78,382	78,382	-
Applied Operating Revenue	39,795	14,507	(25,289)	477,542	477,542	208,826	(268,717)	(56.27)
Gain/(Loss) on Sale of Assets	-	(339)	(339)	-	-	9,090	9,090	-
TOTAL CAPITAL REVENUE	413,591	69,942	(343,650)	1,577,542	1,577,542	352,071	(1,225,471)	(77.68)
TOTAL REVENUE	1,497,050	2,658,333	1,161,283	14,579,046	14,579,046	14,087,235	(491,812)	(3.37)
OPERATING EXPENSES								

PERSONNEL:								
Transportation Operations	195,463	72,397	(123,066)	2,345,550	2,345,550	1,847,285	(498,265)	(21.24)
Maintenance Operations	94,854	83,994	(10,860)	1,138,249	1,138,249	1,027,081	(111,169)	(9.77)
Administration	107,998	92,975	(15,023)	1,295,978	1,295,978	1,254,975	(41,003)	(3.16)
Diversified Services:								
Travel Training	17,262	10,965	(6,297)	207,150	207,150	144,709	(62,441)	(30.14)
Mobility Management	84,400	37,538	(46,862)	1,012,799	1,012,799	871,504	(141,295)	(13.95)
Destinations Mobility	-	-	-	-	-	-	-	-
Fringe Benefits	239,127	118,444	(120,683)	2,869,522	2,869,522	2,442,488	(427,033)	(14.88)
Workers' Compensation	24,196	16,454	(7,741)	290,348	290,348	209,032	(81,316)	(28.01)
TOTAL PERSONNEL	763,300	432,767	(330,533)	9,159,596	9,159,596	7,797,074	(1,362,522)	(14.88)
FLEET OPERATIONS:								
Fuel	64,844	120,474	55,630	778,134	778,134	1,188,091	409,957	52.68
Insurance	71,067	31,726	(39,341)	852,809	852,809	917,598	64,789	7.60
Cost of Parts & Sublet Service	25,037	26,685	1,648	300,439	300,439	248,677	(51,761)	(17.23)
TOTAL FLEET OPERATIONS	160,948	178,886	17,937	1,931,382	1,931,382	2,354,366	422,984	21.90
NONPERSONNEL:								
Professional Services	76,184	73,994	(2,190)	914,203	914,203	801,632	(112,571)	(12.31)
Outside Services	26,787	41,483	14,696	321,445	321,445	372,301	50,856	15.82
Rent/Repair	9,518	7,686	(1,832)	114,213	114,213	109,941	(4,272)	(3.74)
Office Expense	12,037	98,742	86,705	144,449	144,449	189,092	44,643	30.91
Interest Expense	7,849	8,806	956	94,190	94,190	106,163	11,972	12.71
Telephone/Utilities	21,174	26,425	5,251	254,091	254,091	297,358	43,267	17.03
Tax/License/Dues/Permits	8,851	3,609	(5,242)	106,206	106,206	82,862	(23,344)	(21.98)
Travel	683	17,888	17,205	8,196	8,196	81,601	73,405	895.64
Professional Development	833	14,055	13,222	10,000	10,000	31,633	21,633	216.33
Brokered Trans. Services	-	-	-	-	-	-	-	-
TOTAL NONPERSONNEL	163,916	292,687	128,771	1,966,993	1,966,993	2,072,582	105,590	5.37
TOTAL OPERATIONS EXPENSE	1,088,164	904,340	(183,824)	13,057,971	13,057,971	12,224,023	(833,948)	(6.39)
CAPITAL PROJECTS:								
FY22 10 NEW CNG VEHICLES	91,667	-	(91,667)	1,100,000	1,100,000	-	(1,100,000)	(100.00)
Florin Road Facility	8,219	7,819	(400)	98,629	98,629	118,899	20,270	20.55
Facility Reserve	8,333	-	(8,333)	100,000	100,000	-	(100,000)	(100.00)
Ranger 4 Conversion and Installation	-	-	-	-	-	63,120	63,120	-
Vehicle Acquisition Project	20,743	20,909	166	248,914	248,914	247,816	(1,098)	(0.44)
Prop 1B FY17 - Server	-	-	-	-	-	78,860	78,860	-
Office Furniture & Equipment	833	-	(833)	10,000	10,000	39,836	29,836	298.37
Network & Telecommunications	833	6,688	5,855	10,000	10,000	46,658	36,658	366.58
Maintenance Equipment	833	-	(833)	10,000	10,000	3,433	(6,567)	(65.67)
Miscellaneous Capital Projects	-	-	-	-	-	-	-	-
TOTAL CAPITAL PROJECTS	131,462	35,415	(96,047)	1,577,542	1,577,542	598,621	(978,922)	(62.05)
TOTAL OPERATING AND CAPITAL EXPENSE	1,219,626	939,755	(279,871)	14,635,513	14,635,513	12,822,643	(1,812,870)	(12.39)
NET INCOME (LOSS)	277,424	1,718,578	1,441,154	(56,467)	(56,467)	1,264,591	1,321,058	(2,339.54)

PARATRANSIT, INC.
COMBINED BALANCE SHEET
6/30/2022
UNAUDITED

ASSETS

CURRENT ASSETS:

Cash	3,682,931
Medical Annuity	240,590
Accounts Receivable	1,586,673
Grants Receivable	200,000
Inventory	104,424
Deposits and Prepaid Expenses	424,118
TOTAL CURRENT ASSETS	<u>6,238,737</u>

CAPITAL ASSETS:

Land Assets	924,736
Grant Equipment	11,200,332
Non-Grant Equipment	7,489,043
Work in Progress	-
TOTAL COST	<u>19,614,110</u>
Less Accumulated Depreciation	<u>(12,859,496)</u>
Net Capital Assets	<u>6,754,615</u>

TOTAL ASSETS	<u><u>12,993,351</u></u>
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LIABILITIES AND FUND BALANCE

CURRENT LIABILITIES

Accounts Payable	1,014,571
Workers' Compensation Payable	-
Accrued Payroll & Benefits	158,671
Sales Tax Payable	11,355
Lease/Notes Payable	359,514
Unredeemed Bus Scrip	-
Deferred Revenue	-
Other Payables	-
TOTAL CURRENT LIABILITIES	<u>1,544,111</u>

LONG-TERM LIABILITIES:

Long Term Liabilities	<u>2,879,129</u>
TOTAL LONG TERM LIABILITIES	<u>2,879,129</u>

TOTAL LIABILITIES	4,423,240
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FUND EQUITY

Contributed Capital	4,186,431
Restricted for lease collateral	-
Restricted for grant administration	253,591
Retained Earnings (Loss)	<u>4,130,089</u>
TOTAL FUND EQUITY	<u>8,570,111</u>

TOTAL LIABILITIES AND FUND BALANCE	<u><u>12,993,351</u></u>
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PARATRANSIT, INC. - CONSOLIDATED
STATEMENT OF OPERATING REVENUE AND EXPENSE AS AT 9/30/2022

	MONTHLY BUDGET	MONTHLY ACTUAL	MONTHLY VARIANCE	YEARLY BUDGET	Y-T-D BUDGET	Y-T-D ACTUAL	Y-T-D \$ VARIANCE	Y-T-D % VARIANCE
REVENUE								

OPERATING REVENUE:								
Measure A (Current)	194,021	191,816	(2,205)	2,301,792	582,063	573,214	(8,849)	(1.52)
Measure A (Years 1-10)	-	-	-	-	-	-	-	-
TDA 4.5	105,279	105,009	(270)	1,248,991	315,836	315,027	(809)	(0.26)
Contract & Program Transportation Revenue	252,874	11,703	(241,171)	3,000,000	758,621	11,435	(747,186)	(98.49)
SacRT Go Maintenance & Facility Contracts	90,712	90,392	(320)	1,076,175	272,136	257,458	(14,678)	(5.39)
Transportation Literacy (Civic Lab)	-	13,412	13,412	150,000	37,500	28,601	(8,900)	-
American Rescue Plan	-	117,988	117,988	1,750,000	437,500	467,500	30,000	-
FEMA	-	-	-	100,000	25,000	25,000	-	-
Section 5307 - Regional Mobility Management	-	-	-	250,000	62,500	62,500	-	-
Section 5310 - Regional Mobility Management	-	-	-	250,000	62,500	62,500	-	-
Agency Bus Fares	-	195,507	195,507	-	-	593,996	593,996	-
Diversified Services	206,596	167,125	(39,471)	2,450,982	619,787	391,972	(227,815)	(36.76)
Applied to Capital Projects	-	(29,514)	(29,514)	(489,514)	-	(102,161)	(102,161)	-
TOTAL OPERATING REVENUE	849,482	863,437	13,955	12,088,426	3,173,443	2,687,042	(486,401)	(15.33)
CAPITAL REVENUE:								
FY22 10 NEW CNG VEHICLES	-	-	-	1,100,000	-	-	-	-
Applied Operating Revenue	-	29,514	29,514	489,514	-	102,161	102,161	-
Gain/(Loss) on Sale of Assets	-	-	-	-	-	20,940	20,940	-
TOTAL CAPITAL REVENUE	278,283	29,514	(248,770)	1,589,514	-	123,101	123,101	-
TOTAL REVENUE	1,127,765	892,951	(234,814)	13,677,940	3,173,443	2,810,144	(363,299)	(11.45)

OPERATING EXPENSES								

PERSONNEL:								
Transportation Operations	275,928	163,312	(112,616)	2,391,378	643,830	490,130	(153,700)	(23.87)
Maintenance Operations	131,191	84,774	(46,417)	1,136,991	306,113	249,985	(56,128)	(18.34)
Administration	140,106	96,654	(43,452)	1,214,260	326,916	297,185	(29,731)	(9.09)
Diversified Services:								
Travel Training	27,699	5,453	(22,246)	240,057	64,631	33,800	(30,831)	(47.70)
Mobility Management	13,468	16,158	2,690	116,724	31,426	52,877	21,451	68.26
Destinations Mobility	-	-	-	-	-	-	-	-
Fringe Benefits	215,474	166,490	(48,984)	2,241,077	580,683	444,658	(136,025)	(23.42)
Workers' Compensation	31,416	24,478	(6,938)	272,281	73,306	57,920	(15,386)	(20.99)
TOTAL PERSONNEL	835,282	557,318	(277,964)	7,612,768	2,026,905	1,626,555	(400,350)	(19.75)
FLEET OPERATIONS:								
Fuel	101,194	121,037	19,843	1,200,534	303,582	368,661	65,079	21.44
Insurance	83,976	51,547	(32,429)	996,264	251,928	158,247	(93,681)	(37.19)
Cost of Parts & Sublet Service	20,414	18,288	(2,126)	242,166	61,240	91,091	29,851	48.74
TOTAL FLEET OPERATIONS	205,584	190,872	(14,712)	2,438,964	616,750	618,000	1,250	0.20
NONPERSONNEL:								
Professional Services	65,939	46,292	(19,647)	782,267	197,815	175,410	(22,405)	(11.33)
Outside Services	31,155	14,494	(16,661)	369,619	93,469	59,613	(33,856)	(36.22)
Rent/Repair	12,764	16,602	3,838	151,404	38,287	38,044	(243)	(0.64)
Office Expense	17,776	29,706	11,930	210,915	53,335	54,088	753	1.41
Interest Expense	7,661	15,697	8,036	90,880	22,983	31,726	8,743	38.04
Telephone/Utilities	26,263	21,847	(4,416)	311,584	78,791	63,887	(14,904)	(18.92)
Tax/License/Dues/Permits	5,401	3,232	(2,169)	64,069	16,201	21,976	5,775	35.65
Travel	2,558	1,744	(814)	30,345	7,672	6,295	(1,377)	(17.95)
Professional Development	2,159	-	(2,159)	25,613	6,478	2,890	(3,588)	(55.39)
Brokered Trans. Services	-	-	-	-	-	-	-	-
TOTAL NONPERSONNEL	171,676	149,615	(22,061)	2,036,695	515,031	453,929	(61,102)	(11.86)
TOTAL OPERATIONS EXPENSE	1,212,542	897,804	(314,738)	12,088,426	3,158,686	2,698,484	(460,202)	(14.57)
CAPITAL PROJECTS:								
FY22 10 NEW CNG VEHICLES	-	-	-	1,100,000	-	-	-	-
Florin Road Facility	8,628	8,316	(312)	102,352	25,883	25,079	(804)	(3.10)
Facility Reserve	-	-	-	100,000	-	-	-	-
Vehicle Acquisition Project	21,675	21,197	(478)	257,163	65,031	63,471	(1,560)	(2.40)
Office Furniture & Equipment	-	-	-	10,000	-	-	-	-
Network & Telecommunications	-	-	-	10,000	-	3,312	3,312	-
Maintenance Equipment	-	-	-	10,000	-	10,299	10,299	-
Miscellaneous Capital Projects	-	-	-	-	-	-	-	-
TOTAL CAPITAL PROJECTS	30,303	29,514	(789)	1,589,514	90,914	102,161	11,247	12.37
TOTAL OPERATING AND CAPITAL EXPENSE	1,242,845	927,318	(315,527)	13,677,940	3,249,600	2,800,645	(448,955)	(13.82)
NET INCOME (LOSS)	(115,080)	(34,367)	80,712	(0)	(76,157)	9,498	85,655	(112.47)

PARATRANSIT, INC.
COMBINED BALANCE SHEET
9/30/2022
UNAUDITED

ASSETS

CURRENT ASSETS:

Cash	2,742,767
Medical Annuity	240,590
Accounts Receivable	1,448,115
Grants Receivable	752,527
Inventory	108,546
Deposits and Prepaid Expenses	732,811
TOTAL CURRENT ASSETS	<u>6,025,357</u>

CAPITAL ASSETS:

Land Assets	924,736
Grant Equipment	11,200,332
Non-Grant Equipment	7,459,626
Work in Progress	-
TOTAL COST	<u>19,584,694</u>
Less Accumulated Depreciation	<u>(13,148,252)</u>
Net Capital Assets	<u>6,436,441</u>

TOTAL ASSETS	<u><u>12,461,798</u></u>
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LIABILITIES AND FUND BALANCE

CURRENT LIABILITIES

Accounts Payable	723,050
Workers' Compensation Payable	-
Accrued Payroll & Benefits	228,967
Sales Tax Payable	10,099
Lease/Notes Payable	518,386
Unredeemed Bus Scrip	-
Deferred Revenue	-
Other Payables	(65,165)
TOTAL CURRENT LIABILITIES	<u>1,415,336</u>

LONG-TERM LIABILITIES:

Long Term Liabilities	<u>2,876,476</u>
TOTAL LONG TERM LIABILITIES	<u>2,876,476</u>

TOTAL LIABILITIES	4,291,812
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FUND EQUITY

Contributed Capital	961,302
Restricted for lease collateral	-
Restricted for grant administration	253,591
Retained Earnings (Loss)	6,955,093
TOTAL FUND EQUITY	<u>8,169,986</u>

TOTAL LIABILITIES AND FUND BALANCE	<u><u>12,461,798</u></u>
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**Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 5A**

AGENDA TITLE: Adopt Resolution 11-22 Approving Continuance of Remote Board Meetings

MEETING DATE: November 21, 2022

PREPARED BY: Tiffani M. Fink, Chief Executive Officer

RECOMMENDED ACTION:

Adopt Resolution 11-22 approving continuance of remote board meetings.

BACKGROUND AND DISCUSSION:

The Brown Act is a state law that establishes the procedural framework for members of local government decision-making bodies to meet, debate, and act. The Act is designed to ensure that the public is informed about the views, discussions, and actions of governing officials. Paratransit is subject to the Brown Act.

On March 12, 2020, the Governor issued Executive Order No. N-25-20 that waived certain requirements of the Brown Act including:

- the requirement that the notice of each meeting location be provided for those members of the legislative body (board or committee) participating in the meeting;
- the requirement that each meeting location be accessible to members of the public;
- the requirement that members of the public be able to address the legislative body (board and committee) at each meeting location;

- the requirement that agencies post agendas at all meeting locations; and
- the requirement that at least a quorum of the legislative body (board and committee) participate from locations within the boundaries of the territory over which they exercise jurisdiction.

With the Executive Order in place, Paratransit has been holding its meetings remotely over Zoom since the beginning of the pandemic. In September, the Governor signed Assembly Bill (AB) 361, which amends the Brown Act to allow continued flexibility for public meetings following the expiration of the Governor's Executive Order. The provisions of AB 361 regarding remote meetings can only be used in the event there is a Governor issued state of emergency that is active under the California Emergency Services Act and a legislative body makes a determination by resolution that there is a need to meet remotely. The Governor's state of emergency presently remains in effect. Staff recommends that the committee adopt a resolution that the committee is holding a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing. An additional stipulation of the legislation is that legislative bodies must approve by resolution the decision to meet remotely every 30 days. As such, we will bring this item to the board every meeting while a state of emergency exists.

FISCAL IMPACT:

There is no impact from this action

ATTACHMENTS:

1. Resolution 11-22



RESOLUTION NO. 11-22

APPROVING CONTINUANCE OF REMOTE BOARD MEETINGS

WHEREAS, the Paratransit, Inc. Board of Directors is committed to preserving public access and participation in meetings; and

WHEREAS, all meetings of the Paratransit, Inc. Board of Directors are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963, the “Brown Act”), so that any member of the public may attend, participate, and observe the agency conduct its business; and

WHEREAS, the Brown Act, Government Code section 54953(e), provides for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, such conditions now exist in the State, specifically, the Governor of the State of California proclaimed a state of emergency on March 4, 2020, related to the threat of COVID-19, which threat remains; and

WHEREAS, California Department of Public Health and the Federal Centers for Disease Control and Prevention caution that the Delta and Omicron variants of COVID- 19, currently the dominant strains of COVID-19 in the country, are more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations; and

WHEREAS, on September 28, 2021, the County of Sacramento Public Health Officer recommended social distancing measures and that local legislative bodies in the County

of Sacramento use certain available teleconferencing options in order to help minimize the spread and transmission of COVID-19; and

WHEREAS, the California Division of Occupational Safety and Health (“Cal/OSHA”) regulations at Title 8 Section 3205 recommends physical distancing in the workplace as precautions against the spread of COVID-19 and imposes certain restrictions and requirements due to a “close contact” which occurs when individuals are within six feet of another in certain circumstances;

NOW THEREFORE BE IT RESOLVED THAT THE PARATRANSIT, INC. BOARD OF DIRECTORS to allow for physical distancing and remote meeting attendance in accordance with recommended measures from Cal/OSHA and the County of Sacramento Public Health Officer, does hereby find that Paratransit shall conduct its meetings remotely.

Patrick Hume, President
Paratransit, Inc. Board of Directors
Dated: November 21, 2022



**Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 5B**

AGENDA TITLE: Approve the Minutes of the August 11, 2022 Special Board of Directors' Meeting

MEETING DATE: November 21, 2022

PREPARED BY: Chris M. Brown, SHRM-SCP, SPHR, Assistant Secretary of the Board of Directors

RECOMMENDED ACTION:

Approve the Minutes of the August 11, 2022, Special Meeting of the Board of Directors.

MINUTES:

August 11, 2022
1:00 p.m. – 5:00 p.m.
Ron Brown Auditorium
Paratransit, Inc.
2501 Florin Road
Sacramento, California 95822

Board Members Present:

Pat Hume (arrived at 1:19 p.m.)
Alice Kimble
Stephanie Nguyen (departed at 3:58 p.m.)
Vidhu Shekhar (departed at 3:26 p.m.)
Kim Tucker

Board Members Absent:

Anna Fontus
Scott Leventon

Public Present:

Danielle Foster, City of Sacramento

Julie Young, Urban Elements, Inc.

Chris Hokom, Clutch

Maddie Duong, Clutch

Allison Joe, City of Sacramento, Office of Councilmember Jay Schenier

Councilmember Jay Schenier, City of Sacramento

Staff Present:

Tiffani Fink, Chief Executive Officer

Dr. Lisa Cappellari, Chief Financial Officer

Chris Brown, Chief Administrative Officer

Gary Vickers, Chief operating Officer

Julio Diaz, Maintenance Manager

Amy Parkin, Director of Operations

Jamila Lee, Human Resources Manager

Alicia Brown, Mobility Options Manager

Jesse Isaacson, Director of Information Systems

Call To Order/Roll Call: Director Shekhar called the meeting to order at 1:19 p.m.

Director Fontus, Hume, Kimble, Leventon, Nguyen, Shekhar, Tucker

Pledge of Allegiance:

Director Hume opened the meeting by leading the Pledge of Allegiance.

PUBLIC COMMENT

No public comment

STAFF REPORTS

A. CEO Report

a. Update on Activities and Contracts

Chief Executive Officer Tiffani Fink provided an oral report on agency activities and contracts, including the vehicle donation to the Sunshine Family Bookmobile for Literacy Program in North Sacramento, contribution to California Transit Association article on the need for advancing assistive technology in public transit, USC's capstone group's completion of their case study of Paratransit, YMCA program expansion for the upcoming school year and successful transportation for Sacramento Splash this summer resulting in a continued partnership next summer. CEO Fink provided an update on the rebranding to PI Solutions. Seven buses are on the road with the new logo, and we have received positive feedback on the change. Additionally, new banners have been posted on the property providing a visual representation of the span of services Paratransit provides. CEO Fink participated in the White House listening session on food access, and provided an update on the USDA grant submission for transportation to link people in food deserts to farmers markets.

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Director Nguyen, seconded by Director Shekhar. The motion passed unanimously.

A. Approve the Minutes of the June 20, 2022, Board of Directors' Meeting

The minutes of the Board of Directors' Meeting held June 20, 2022 were approved as presented.

AYES: Hume, Kimble, Nguyen, Shekhar, Tucker

NOES: None

ABSTENTIONS: None

ABSENT: Fontus, Leventon

CLOSED SESSION

Director Hume announced adjournment to closed session at 1:33 p.m.

RECONVENE TO OPEN SESSION AND REPORT ACTION, IF ANY TAKEN

The meeting reconvened to open session at 3:03 p.m. No action was taken in closed session.

STAFF REPORTS (continued)

B. CFO Report

a. Monthly Financial Report

Received and filed after Closed Session due to time constraints of Board Members.

FACILITATED BOARD WORKSHOP DISCUSSION ON SETTING BOARD GOALS

Chris Hokom with Clutch facilitated the workshop during which the Board reviewed discussions of the Strategic Plan from the April and June Board Meetings and then moved on to picking and defining words for the Agency's vision. After much discussion, the Board decided on Innovate, Inspire, Collaborate and Connect for the vision. The Board discussed their definition of Connection as being engaged with the staff, community and each other, attending full Board Meetings so business is not held up, and being active participants. Director Hume noted where Paratransit was and where PI Solutions is going are very different, especially with Board Members who now seek appointment rather than being assigned by another entity. There was discussion about how to deal with Directors who are not active participants and responding when the CEO reaches out to the Board. CEO Fink stated one of her goals last year was to send the Board a weekly email update, however, there is not always information for a weekly update and she does not want to waste the Board's time so she sends updates out as appropriate, but at least monthly.

The discussion continued addressing Board accountability and visibility, however, no further action could be taken due to a loss of quorum. Accountability was discussed in the context of attendance, acceptable number of and reasons for absences from meetings, and how to be sensitive to individual circumstances. Visibility was discussed with regard to

determining who is the Agency's audience as it is not always the general public and how the use of Linked In posts, partner agencies promoting Paratransit and attending functions put on by other agencies would be ways to accomplish this.

BOARD COMMENTS/REPORTS/FUTURE AGENDA ITEMS

None.

ADJOURNMENT

Director Hume announced the meeting adjourned at 5:08 p.m.

Chris M. Brown, SHRM-SCP, SPHR
Assistant Secretary of the Board of Directors

11/21/22
Date



**Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 5C**

AGENDA TITLE: Amendments to the Paratransit, Inc. Drug and Alcohol Testing Policy

MEETING DATE: November 21, 2022

PREPARED BY: Chris M. Brown, SHRM-SCP, SPHR,
Chief Administrative Officer

RECOMMENDED ACTION:

Adopt Resolution 12-22 adopting the amendments to the Paratransit, Inc. Drug and Alcohol Testing Policy.

BACKGROUND AND DISCUSSION:

Periodically changes occur necessitating the update of Paratransit's Drug and alcohol Testing Policy. The attached policy includes updated information in Appendices A and D reflecting a current list of safety-sensitive positions, the current Medical Review Officer and an updated list of Substance Abuse Professionals.

FISCAL IMPACT:

None

ATTACHMENTS:

1. Resolution 12-22
2. Paratransit, Inc. Drug and Alcohol Testing Policy

PARATRANSIT, INC.
DRUG AND ALCOHOL TESTING POLICY

ADOPTED BY THE PARATRANSIT

BOARD OF DIRECTORS

ON ~~MAY 21, 2018~~ NOVEMBER 21, 2022

Prior Revisions

Amended May 21, 2018

Amended March 27, 2014

Amended September 27, 2012

Amended September 23, 2010

Amended January 28, 2010

Amended September 25, 2008

Amended October 25, 2007

Amended September 22, 2005

Amended June 23, 2005

Amended May 22, 2003

Amended June 27, 2002

Amended September 27, 2001

Amended March 22, 2001

Amended February 24, 2000

Amended January 28, 1999

Amended September 25, 1997

Amended November 13, 1996

Amended June 18, 1996

Adopted December 20, 1994

1.0 POLICY

Paratransit, Inc. is dedicated to providing safe, dependable, and economical transportation services to our passengers. It is our goal to provide a healthy, satisfying, and safe working environment. In meeting this goal, it is our policy to 1) assure that covered employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner; 2) create a workplace environment free from the adverse effects of drug and alcohol substance abuse or misuse; 3) prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances; and 4) encourage covered employees to seek professional assistance anytime alcohol or drug dependency, adversely affects their ability to perform their assigned duties.

2.0 PURPOSE

The purpose of this policy is to assure worker fitness for duty and to protect our covered employees, passengers, and the public from risks posed by the misuse of alcohol and use of prohibited drugs. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transit industry. The Federal Transit Administration (FTA) of the U.S. Department of Transportation (DOT) has enacted 49 CFR Part 655 that mandates urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result. The DOT has also enacted 49 CFR Part 40 that sets standards for the collection and testing of urine and breath specimens.

3.0 APPLICABILITY

This policy applies to all applicants and employees of Paratransit, Inc., who will or do perform safety-sensitive functions of the positions specified in Appendix A, which may be amended from time to time and is incorporated herein, contracted employees who perform safety-sensitive functions when they are on Company property or when performing any transit-related business, and volunteers when required to hold a commercial driver's license to operate the vehicle or who perform a safety-sensitive function and receive remuneration in excess of his or her actual expenses incurred while engaged in the volunteer activity, collectively referred to hereinafter as covered employees. This policy applies to off-site lunch periods or breaks when a covered employee is scheduled to return to work.

A safety-sensitive function is any duty related to the safe operation of transit service including the operation, dispatch, and maintenance of a revenue service vehicle (whether or not the vehicle is in revenue service) and any other employee who operates a non-revenue service vehicle when required to hold a Commercial Driver's License (CDL). Supervisors are safety sensitive only if they perform a safety-sensitive function. Covered employees who will or do perform safety-sensitive functions are subject to testing as specified in this policy. The Company has reviewed the actual duties performed by covered employees to determine the performance of safety-sensitive functions and which job functions may require the performance of safety-sensitive duties.

Annual testing rates are equivalent to 25% of the number of covered employees for drug

testing and 10% of the number of covered employees for alcohol testing or as may be annually required by the DOT, FTA.

4.0 DEFINITIONS

Appendix B, glossary of terms, defines specific terms governing this policy and is incorporated herein.

5.0 PROHIBITED SUBSTANCES

"Prohibited Substances" addressed by this policy include the following:

5.1 ILLEGALLY-USED CONTROLLED SUBSTANCES OR DRUGS

Any illegal drug or any substance identified in schedules I through V of the Controlled Substance Act (21 U. S. C. 812), and as further defined by 21 CFR 1308.11 through 1308.15 is a prohibited substance. This includes, but is not limited to: marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U. S. Drug Enforcement Administration (DEA) or the U.S. Food and drug administration (FDA). Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Consumption of these products is prohibited at all times.

5.2 LEGAL DRUGS

Legally prescribed drugs and non-prescription medications are not prohibited when used appropriately. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected should be reported by a covered employee to supervisory personnel, and medical advice should be sought, as appropriate, before performing work-related duties.

A legally prescribed drug means that the covered employee has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. Legal drugs misused or abused while performing transit business are prohibited substances.

5.3 ALCOHOL

Beverages containing alcohol or substances, including any medication or other preparation such that alcohol is present in the body, that are used while performing transit business, are prohibited substances. The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath-testing instrument.

6.0 PROHIBITED CONDUCT

"Prohibited Conduct" by a covered employee as addressed in this policy includes the following:

6.1 MANUFACTURE, TRAFFICKING, POSSESSION, AND USE

Engaging in the manufacture, distribution, dispensation, possession, or use of prohibited substances on company premises, in transit vehicles, in uniform, or while on transit business is prohibited conduct as prohibited by the drug free workplace act of 1988. Law enforcement may be notified, as appropriate.

6.2 INTOXICATION/USING PROHIBITED SUBSTANCES

Intoxication from, impairment by, or use of a prohibited substance while performing transit business is prohibited conduct. A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body above minimum thresholds defined in 49 CFR Part 40.

6.3 ALCOHOL MISUSE

Reporting for duty within four hours of using alcohol; remaining on duty while adversely affected by alcohol or with a blood alcohol concentration of 0.04 or greater; using alcohol while on duty; or using alcohol up to eight hours following an accident or until undergoing a post/accident test, whichever occurs first, is prohibited conduct. Covered on-call employees are considered on-duty throughout their specified on-call hours. The consumption of alcohol for the specified on-call hours of each covered employee is prohibited. On-call covered employees shall have: 1) the opportunity to acknowledge the use of alcohol at the time he or she is called to report to duty and the inability to perform his or her safety-sensitive function; and 2) the requirement to take an alcohol test if the covered employee has acknowledged the use of alcohol but claims ability to perform his or her safety-sensitive function.

6.4 Compliance with Testing Requirements

A covered employee has refused to take a drug test if he or she:

- 1) Fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by the Company, consistent with applicable DOT agency regulations, after being directed to do so by the Company;
- 2) Fails to remain at the testing site until the testing process is complete; provided, that a covered employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
- 3) Fails to provide a urine specimen for any drug test required by 49 CFR Part 40 or DOT agency regulation provided that a covered employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment is not deemed to have refused to test;
- 4) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the provision of a urine specimen;
- 5) Fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;

- 6) Fails, or declines, to take an additional drug test the Company or collector has directed a covered employee to take;
- 7) A medical review officer reports that the covered employee has a verified adulterated or substituted test result;
- 8) Fails to remain at the scene of an accident without just cause prior to submitting to a test;
- 9) Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the Designated Employer Representative under 49 CFR Part 40. In the case of a pre-employment drug test, the covered employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment. If there was no contingent offer of employment, the MRO will cancel the test;
- 10) Fails to cooperate with any part of the testing process (e.g. refusal to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector);
- 11) Possesses or wears a prosthetic or other device that could be used to interfere with the collection process;
- 12) For an observed collection, fails to follow the observer's instructions to raise his or her clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if he or she has any type of prosthetic or other device that could be used to interfere with the collection process;
- 13) Admits to the collector or medical review officer that he or she adulterated or substituted the urine specimen;

Such a refusal constitutes a verified positive drug test result, and is prohibited conduct.

A covered employee is considered to have refused an alcohol test if he or she:

- 1) Fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by the Company, consistent with applicable DOT agency regulations, after being directed to do so by the Company;
- 2) Fails to remain at the testing site until the testing process is complete; provided, that a covered employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
- 3) Fails to provide an adequate amount of breath for any alcohol test required by 49 CFR Part 40 or DOT agency regulation provided that a covered employee who does not provide an adequate amount of breath because he or she has left the testing site before the testing process commences for a pre-employment is not deemed to have refused to test
- 4) Fails to provide a sufficient breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- 5) Fails to undergo a medical examination or evaluation, as directed by the Company

as part of the insufficient breath procedures outlined in 49 CFR Part 40;

- 6) Fails to sign the certification at Step 2 of the Alcohol Testing Form; or
- 7) Fails to cooperate with any part of the testing process.

Such a refusal constitutes a verified positive alcohol test result, and is prohibited conduct.

6.5 Treatment Requirements

Refusal or failure to comply with treatment, after care, or return-to-duty requirements of this policy is prohibited conduct. All covered employees are encouraged to make use of the available resources for treatment for alcohol and substance abuse problems. Under certain circumstances, covered employees may be required to undergo treatment for substance abuse.

6.6 Notifying Paratransit, Inc., of Criminal Drug Conviction

Failure to provide written notification to the Program Manager within five calendar days of any criminal drug-statute conviction for a violation occurring in the workplace is prohibited conduct.

7.0 TESTING FOR PROHIBITED SUBSTANCES

Analytical urine drug testing may be randomly tested for anytime while on duty and breath testing for alcohol may be conducted while the covered employee is performing safety-sensitive functions, just before performing safety-sensitive functions, or just after ceasing performance of such functions, and as required by federal regulations. All covered employees shall be subject to testing prior to employment, for reasonable suspicion, and following an accident as defined in Section 7.3.1, 7.3.2 and 7.3.3 of this policy. Covered employees will be tested prior to and after return-to-duty from having failed a drug test and/or after completion of rehabilitation treatment. Covered employees shall also be subject to testing on a random, unannounced basis.

Testing shall be conducted in a manner that has been approved by the U. S. Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedures put forth in 49 CFR Part 40. Periodic reviews are conducted by the Company to ensure that the laboratory utilized is DHHS certified and the evidential breath testing instruments utilized are on the National Highway Traffic Safety Administration's (NHTSA) Conforming Products List for Alcohol Screening Devices. The Company has contracted for urine analysis services with a DHHS-certified laboratory. The laboratory is identified in Appendix D of this policy as may be amended from time to time and which is incorporated herein. A clear and well-documented procedure for collection, shipment, and accessioning of urine specimens is developed and maintained. The Company affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process. The drug testing laboratory utilized by the Company is secure at all times. It has in place sufficient security measures to control access to the premises and to ensure that no unauthorized personnel handle urine specimens or gain access to the laboratory process or to areas where records are stored. The laboratory uses chain-of-custody procedures to maintain control and accountability of urine specimens from receipt through completion of testing, reporting of results during storage, and

continuing until final disposition of urine specimens. The medical review officer utilized by the Company keeps all records pertaining to results of drug and alcohol testing in a secure location at all times and ensures only authorized personnel have access. Company copies of drug and alcohol test results are kept in a secure location at all times with access limited only to authorized personnel.

The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. The collector will ensure that the donor is positively identified as the covered employee selected for urine drug testing (e.g., through presentation of photo identification or identification by the employer representative). A US DOT Chain of Custody and Control Form with a unique identification number will be utilized. Clean, single-use, securely wrapped urine specimen bottles will be unwrapped in the presence of the donor. The sample's temperature will be checked. The collector, in the presence of the donor, will pour at least 30 ml. of urine from the collection container into one specimen bottle, to be used for the primary specimen. The collector must then pour at least 15 mL of urine from the collection container into the second specimen bottle to be used for the split specimen. The bottles will be sealed with tamperproof sealing and labeled with the Chain of Custody and Control Form unique identification number which the donor must initial. The bottles will be placed in the shipping container with a copy of the Chain of Custody and Control Form and sealed with tamperproof tape. An initial drug screen will be conducted on the primary urine specimen. The initial test shall use an immunoassay which meets the requirements of the Food and Drug Administration for commercial distribution. For those urine specimens that are not negative on the initial test, as determined by a medical review officer, a confirmatory Gas Chromatography/Mass Spectrometry test will be performed on the primary urine specimen. The test will be considered positive if the amounts present are above minimum thresholds established in 49 CFR Part 40. Current cutoff limits for the screening and confirmation tests are attached in Appendix C of this policy as may be amended from time to time and which is incorporated herein. This policy does not prohibit performing procedures reasonably incidental to analysis of the urine specimen for controlled substances (e.g., determination of PH levels or tests for specific gravity, creatinine concentration, or presence of adulterants). 49 CFR Part 40 makes it mandatory for laboratories to conduct urine specimen validity testing which is the evaluation of the urine specimen to determine if it is consistent with normal human urine and for laboratories to follow all Department of Health and Human Services protocols for doing so. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the urine specimen was substituted. Any dilute positive drug test as reported by the medical review officer will be treated as a verified positive test. Any dilute negative drug test with a creatinine level greater than 5 mg/dl as reported by the medical review officer will not require a retest per Company policy. Any dilute negative drug test with a creatinine level greater than or equal to 2mg/dL but less than or equal to 5 mg/dL as reported by the medical review officer will require a retest under direct observation. Per Company policy, a pre-employment drug test that has been reported by the medical review officer as having a creatinine level greater than or equal to 2 mg/dl but less than or equal to 5mg/dl may, at the sole discretion of the Company, result in the job offer being rescinded. An analysis of the split urine specimen is described in Section 7.6 of this policy, *Employee-Requested Testing*.

Testing for alcohol concentration will be conducted utilizing an evidential breath testing instrument approved by the National Highway Traffic Safety Administration (NHTSA) and

operated by a trained breath alcohol technician. The breath alcohol technician will ensure that the donor is positively identified as the covered employee selected for breath alcohol testing (e.g., through presentation of photo identification or identification by the Company representative). The breath alcohol technician will utilize the US DOT Breath Alcohol Testing Form. The breath alcohol technician will select an individually sealed mouthpiece and will open it in full view of the covered employee and attach it to the evidential breath-testing instrument in accordance with the manufacturer's instructions. The breath alcohol technician will instruct the covered employee to blow forcefully into the mouthpiece for at least six seconds or until the evidential breath testing instrument indicates that an adequate amount of breath has been obtained. The breath alcohol technician will affix the test result printout to the Breath Alcohol Test Form in the designated space. The result will be secured in such a manner that will provide clear evidence of removal, such as the use of tamper-evident tape. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. A covered employee who has a confirmed alcohol concentration of greater than 0.02 but less than 0.04 will be removed from his or her position for eight hours unless a retest results in a concentration measure of less than 0.02. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and a violation of this policy.

The services of a medical review officer have been secured by the Company. The medical review officer is identified in Appendix D of this policy as may be amended from time to time and which is incorporated herein. The medical review officer is a licensed physician responsible for receiving laboratory results generated by the Company's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information. If the laboratory results are confirmed positive the medical review officer will interview the covered employee and review all information provided by the covered employee to determine whether the results are indicative of illegal drug usage. If the covered employee provides an adequate explanation, the medical review officer will verify the test as negative with the Substance Abuse Program Manager and take no further actions.

A canceled test is a drug or alcohol test that has a problem identified that cannot be or has not been corrected or which 49 CFR Part 40 otherwise requires to be canceled. An invalid drug test is the result reported by a laboratory for a urine specimen that contains an unidentified adulterant, contains an unidentified interfering substance, has an abnormal physical characteristic, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing testing or obtaining a valid drug test result. Per Part 40, a test that has been declared invalid and canceled due to unidentified adulteration or substitution by a medical review officer requires a second collection take place immediately under direct observation if a negative test result is required e.g., pre-employment, return-to-duty, or follow-up tests. Per Company policy, a pre-employment drug test that has been declared invalid and cancelled by a medical review officer may, at the sole discretion of the Company, result in the job offer being rescinded. A canceled drug test and an invalid drug test are defined in Appendix B, Glossary of Terms, of this policy. For purposes of this part, a sample that has been rejected for testing by a laboratory because of a fatal or uncorrected flaw must be canceled and no further action is required unless a negative test is required, e.g.

in the case of pre-employment, return to duty, or follow-up test in which case a second collection take place. In alcohol testing a canceled test is a test that is deemed to be invalid under the following circumstances: 1) the next external calibration check of an evidential breath-testing device produces a result that differs by more than the tolerance stated in the quality assurance plan from the known value of the test standard. In this event, every test result of 0.02 or above obtained on the device since the last valid external calibration check shall be invalid; 2) the breath alcohol technician does not observe the minimum 15-minute waiting period prior to the confirmation test; 3) the breath alcohol technician does not perform an air blank of the evidential breath testing device before the confirmation test, or an air blank does not result in a reading of 0.00 prior to the administration of the test; 4) the breath alcohol technician does not sign the form as required; 5) the breath alcohol technician has failed to note on the remarks section of the form that the covered employee has failed or refused to sign the form following the recording or printing on or attachment to the form of the test result; or 6) on a confirmation test and, where applicable, on a screening test, the sequential test number or alcohol concentration displayed on the evidential breath test is not the same as the sequential test number or alcohol concentration on the printed result. A canceled test is neither a positive nor a negative test.

Any covered employee who has a verified positive drug or alcohol test will be removed from his or her position, informed of educational and rehabilitation programs available, and evaluated by a substance abuse professional. The Company provides a list of resources available in evaluating and resolving problems associated with prohibited drug use, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs, which is identified in Appendix D of this policy as may be amended from time to time and which is incorporated herein. If a covered employee chooses to use the information provided, he or she must first contact a substance abuse professional who will perform an evaluation to determine whether the covered employee is in need of assistance in resolving problems associated with prohibited drug use. The substance abuse professional will then refer the covered employee to a counseling and treatment program. A positive drug and/or alcohol test will also result in disciplinary action, up to and including termination pursuant to Section 8.0 of this policy, *Consequences of Engaging in Prohibited Conduct*.

Per Company policy, safety-sensitive employees will be removed from safety-sensitive service and placed on paid leave pending verified drug and alcohol test results following accidents which meet the FTA post-accident threshold for testing, FTA reasonable suspicion determinations or incidents that violate Paratransit's Drug and Alcohol Testing Policy.

7.1 Pre-Employment Testing

All covered applicants and transfers for covered positions shall undergo urine drug testing prior to performing a safety-sensitive function. Receipt by the Company of a verified negative test result is required prior to employment and failure of a drug test will disqualify an applicant for employment. If a pre-employment drug test is invalid as determined by the medical review officer, per Company policy and at its sole discretion the job offer may be rescinded. If a pre-employment drug test is canceled as determined by the medical review officer, the covered applicant is required to submit to and pass another test. An employee transferring from a non-safety sensitive position

to a safety-sensitive position will undergo urine drug testing with a verified negative test result prior to performing a safety-sensitive function. When a covered employee or applicant has previously failed or refused a pre-employment drug test administered under 49 CFR Part 655, the covered employee or applicant must provide the Company proof of having successfully completed a referral, evaluation and treatment plan as described in Section 10.0 of this policy, *Substance Abuse Evaluation and Assessment*. When a covered employee or applicant has not performed a safety-sensitive function for 90 consecutive calendar days regardless of the reason, and the covered employee has not been in the Company's random selection pool, the Company shall ensure that the covered employee takes a pre-employment test with a verified negative result. Applicants who have a DOT drug and alcohol regulation violation will be provided with a listing of substance abuse counseling and treatment resources.

7.2 Reasonable Suspicion Testing

All covered employees may be subject to a fitness for duty evaluation, to include appropriate urine and/or breathe testing when a supervisor(s) or other Company official(s) who is trained in detecting the signs and symptoms of prohibited drug use and alcohol misuse makes the required observations.

A trained supervisor's reasonable suspicion referral for testing will be made on the basis of documented specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, and/or body odor(s) of the covered employee which are consistent with the long- or short-term effects of substance abuse.

Alcohol testing as required by 49 CFR Part 655.43 *Reasonable Suspicion Testing* is authorized only if the required observations are made during, just preceding, or just after the period of the workday that a covered employee is required to be in compliance. The Company may direct a covered employee to undergo reasonable suspicion testing for alcohol only while the covered employee is performing safety-sensitive functions; just before the covered employee is to perform safety-sensitive functions; or just after the covered employee has ceased performing such functions. If a required alcohol test is not administered within two hours following the determination, the Company shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If a required alcohol test is not administered within eight hours following the determination, the Company shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.

7.3 Post-Accident Testing

7.3.1 When a Fatality Occurs

All surviving covered employees operating the vehicle will be required to undergo drug and alcohol testing if they are involved in an accident with a Company vehicle that results in a fatality (regardless of whether or not the vehicle is in revenue service). The Company shall also drug and alcohol test any other covered employee whose performance could have contributed to the accident as determined by the Company using the best information available at the time of the decision.

7.3.2 Under Other Circumstances

Post-accident drug and alcohol tests will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility or in which one or more vehicles incur disabling damage and require towing (unable to proceed in route after minor repairs) from the site unless the operator's conduct can be completely discounted as determined by the Company using the best information available at the time of the decision. This includes all covered employees who are operating the vehicles, and any other covered employees whose performance could have contributed to the accident as determined by the Company using the best information available at the time of the decision. The decision not to administer a drug and/or alcohol test shall be based on the Company's determination, using the best available information at the time of the determination that the covered employee's performance could not have contributed to the accident. Such a decision must be documented in detail, including the decision-making process used to reach the decision not to test.

7.3.3 Post-accident Procedures

When post-accident testing is required following an accident, the covered employee will be tested as soon as possible, but not to exceed eight hours for alcohol testing and 32 hours for drug testing. The Company will attempt to complete the alcohol test within two hours of the accident. If the Company is not able to obtain a urine specimen within two hours, it will document why a urine specimen was not obtained and continue attempts. After eight hours, attempts will cease and the two-hour documentation will be updated. Any covered employee involved in an accident must refrain from alcohol use for eight hours following the accident or until he or she undergoes a post-accident alcohol test whichever occurs first. Any covered employee who leaves the scene of an accident without appropriate authorization prior to submission to drug and alcohol testing will be considered to have refused the test. Accident drug and alcohol testing will be stayed while the covered employee assists in resolution of the accident or receives medical attention following the accident.

The results of a blood, urine, or breath test for the use of prohibited drugs or alcohol misuse, conducted by Federal, State, or local officials having independent authority for the test, shall be considered to meet the requirements of 49 CFR Part 655 provided such test conforms to the applicable Federal, State, or local testing requirements, and that the test results are obtained by the Company. Such test results may be used only when the Company is unable to perform a post-accident test within the required period noted in this section.

7.4 Random Testing

Covered employees will be subjected to random, unannounced immediate testing. The selection of covered employees shall be made by a scientifically valid method, such as a random-number table or a computer-based random number generator that is matched with covered employees' social security numbers, payroll identification numbers, or other comparable identifying numbers. Under the selection process used, each covered employee shall have an equal chance of being tested each time

selections are made. There will be no discretion on the part of the Company in the selection and notification of individuals for testing. Covered employees will be notified of selection by the Program Manager or his or her designee and directed to the urine specimen collector. The Company shall require that each covered employee who is notified of selection for random drug or random alcohol testing proceed to the test site immediately. If the covered employee is performing a safety-sensitive function at the time of notification, the Company shall instead ensure that the covered employee ceases to perform the safety-sensitive function and proceeds to the testing site immediately. A covered employee shall only be randomly tested for alcohol misuse while the covered employee is performing safety-sensitive functions; just before the covered employee is to perform safety-sensitive functions; or just after the covered employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty. Testing will be continuous throughout the year on all days and hours during which the Company is in operation.

7.5 Return-to-Duty Following a Positive Test Result and Follow-Up Testing

Covered employees who previously tested positive on a drug or alcohol test must test negative and be evaluated at their own expense and released to duty by an approved substance abuse professional pursuant to Section 10.0 of this policy, *Substance Abuse Evaluation and Assessment*, before a one-time return-to-employment opportunity may be considered. Such one-time opportunity is at the sole discretion of the Company. If approved for return to work by the Company, covered employees will be required to undergo frequent unannounced follow-up and random urine and breath tests during the period of their re-entry contract. Such follow-up tests will be subject to the minimums described in Section 10.0 of this policy, *Substance Abuse Evaluation and Assessment*.

7.6 Employee-Requested Testing

Any covered employee who questions the results of a required drug test under Sections 7.1 through 7.5 of this section may request that an additional test be conducted. This test must be conducted at a different testing laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing shall be paid by the covered employee, unless the second test invalidates the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40. The covered employee's request for a re-test must be made to the medical review officer within 72 hours of notice of the initial test result. Requests after 72 hours will only be accepted by the medical review officer if the delay was due to documentable facts that were beyond the control of the covered employee. If the analysis of the split urine specimen fails to reconfirm the presence of the drug(s) or drug metabolites(s) found in the primary urine specimen, or if the split urine specimen is unavailable, inadequate for testing or untestable, the medical review officer shall cancel the test and report the cancellation and the reasons for it to the DOT, the Company, and the covered employee. If the analysis of the split urine specimen is reconfirmed by the second laboratory for the presence of the drug(s) or drug metabolites(s), the medical review officer shall notify the Company and covered employee of the results of the test. There is no split urine specimen testing for an invalid result.

8.0 CONSEQUENCES OF ENGAGING IN PROHIBITED CONDUCT

Per Company policy, the consequence of engaging in conduct addressed in Section 6.0 of this policy, *Prohibited Conduct*, is termination from employment with the Company. Prior to termination, a covered employee will be informed of educational and rehabilitation programs available and a list of substance abuse professionals. The covered employee has the right to review his or her drug and alcohol testing records, provide information to dispute the results, and have access to any pertinent records such as equipment calibration records and records of laboratory certification.

Subject to all provisions of Section 10.0 of this policy, *Substance Abuse Evaluation and Assessment*, and Section 11.0 of this policy, *Re-Entry Contracts*, the Company may rehire a terminated covered employee who at its sole discretion the Company has determined will contribute to the mission, goals, cohesion, productivity, and esprit de corp of the Company.

9.0 INFORMATION DISCLOSURE

Except as required by law, or expressly authorized or required below by 49 CFR Part 655.73 Access to Facilities and Records, the Company may not release information pertaining to a covered employee that is contained in records required to be maintained.

1. A covered employee is entitled, upon written request, to obtain copies of any records pertaining to the covered employee's use of prohibited drugs or misuse of alcohol, including any records pertaining to his or her drug or alcohol tests;
2. The Company shall permit access to all facilities utilized and records compiled in complying with the requirements of Part 655 to the Secretary of Transportation or any DOT agency with regulatory authority over the Company or any of its covered employees or to a State oversight agency authorized to oversee rail fixed guideway systems;
3. The Company shall disclose data for its drug and alcohol testing programs, and any other information pertaining to the Company's anti-drug and alcohol misuse programs required to be maintained by this part to the Secretary of Transportation or any DOT agency with regulatory authority over the Company or any of its covered employees or to a State oversight agency authorized to oversee rail fixed guideway systems, upon the Secretary's request or the respective agency's request;
4. When requested by the National Transportation Safety Board as part of an accident investigation, the Company shall disclose information related to its drug or alcohol testing related to the accident under investigation;
5. Records shall be made available to a subsequent employer upon receipt of a written request from a covered employee. Subsequent disclosure by the Company is permitted only as expressly authorized by the terms of the covered employee's request;
6. The Company may disclose information required to be maintained under Part 655 pertaining to a covered employee to the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the covered employee, and arising from the results of a drug or alcohol test under this part (including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding

relating to a benefit sought by the covered employee);

7. The Company shall release information regarding a covered employee's record as directed;
8. by the specific, written consent of the covered employee authorizing release of the information to an identified person;
9. The Company may disclose drug and alcohol testing information required to be maintained under Part 655, pertaining to a covered employee, to the State oversight agency or grantee required to certify to FTA compliance with the drug and alcohol testing procedures of 49 CFR Parts 40 and 655.

10.0 SUBSTANCE ABUSE EVALUATION AND ASSESSMENT

Any covered employee who tests positive for the presence of illegal drugs or alcohol above the minimum thresholds set forth in 49 CFR Part 40 shall be evaluated by an approved substance abuse professional before returning to duty. The substance abuse professional will evaluate each covered employee to determine what assistance, the covered employee needs in resolving problems associated with prohibited substance abuse or misuse. The substance abuse evaluation and assessment will be paid for by the covered employee. Assessment by a substance abuse professional does not shield a covered employee from disciplinary action or guarantee employment, reinstatement, or consideration for reinstatement. The Company will determine the penalty for performance-based infractions and violation of policy provisions. Refer to Section 8 of this policy, *Consequences of Engaging in Prohibited Conduct*, for guidance on disciplinary measures associated with violations of this policy.

Prior to consideration to return to duty, a covered employee must properly follow and complete the rehabilitation program prescribed by the substance abuse professional, and pass a return-to-duty drug and/or alcohol test. The substance abuse professional will recommend to the Company the frequency and duration of follow-up testing. Federal regulations require a minimum of six unannounced follow-up tests with a verified negative result during the first 12 months after the covered employee returns to duty. The covered employee may be subject to follow-up testing for as long as 60 months after he or she returns to duty (labor agreements notwithstanding). The cost of any treatment or rehabilitation services will be paid directly by the covered employee or his or her insurance provider. Covered employees will be allowed to take accumulated sick leave and vacation leave to participate in the prescribed rehabilitation program.

11.0 RE-ENTRY CONTRACTS

Per Company policy covered employees approved by the Company for a one-time opportunity to re-enter the workforce must agree to a re-entry contract. A refusal to test precludes a covered employee from this one-time opportunity. The re-entry contract shall include (but is not limited to):

- a) a release to work statement from an approved substance abuse professional;
- b) a negative test for drugs and/or alcohol;
- c) a statement of expected work-related behaviors;
- d) an agreement to unannounced frequent follow-up testing complying with this policy;
- e) an agreement to follow specified after-care requirements prescribed by the approved

substance abuse professional; and

- f) an agreement that violation of any terms of the re-entry contract is grounds for immediate termination with no further reinstatement opportunities.

12.0 EDUCATION AND TRAINING

Paratransit has established a covered education and training program including:

- a) Education which includes display and distribution to every covered employee of informational material and a list of telephone numbers for assistance; and
- b) Training for:
 - 1. Covered employees which includes at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms which may indicate prohibited drug use; and,
 - 2. Supervisors and/or other Company officers authorized by the Company to make reasonable suspicion determinations which includes at least 60 minutes of training on 1) the physical, behavioral, and performance indicators of probable drug use and at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse, and 2) initiating, substantiating and documenting the referral, and covered employee intervention.

13.0 EFFECTS, SIGNS AND SYMPTOMS OF ALCOHOL MISUSE AND METHODS OF INTERVENTION

13.1 Effects on Health, Work and Personal Life:

- a) nutritional deficiencies and sleeping difficulty;
- b) impaired short-term memory;
- c) inability to concentrate;
- d) physical and psychological dependence;
- e) brain and nervous system damage;
- f) liver damage;
- g) digestive problems (gastric ulcer);
- h) higher likelihood of stroke, coronary problems in general, and several forms of cancer;
- i) disease of pancreas and kidneys;
- j) birth defects in children of heavy drinking women;
- k) impaired reaction time and motor skills;
- l) tendency to take unnecessary risks;
- m) possibility of reacting with anger toward other motorists;
- n) euphoric high followed by a period of stuporous inactivity;

- o) impairment in social functioning;
- p) low frustration tolerance;
- q) anxiety;
- r) isolation;
- s) violent mood swings;
- t) manipulation of others; and
- u) over-sensitivity.

13.2 Signs and Symptoms:

- a) alcohol odor on breath;
- b) initial stimulation followed by depressed nervous system;
- c) flushed skin;
- d) glazed appearance of eyes;
- e) slowed reaction time;
- f) confused or slurred speech;
- g) swayed or staggered gait; and
- h) absenteeism, particularly at the beginning of the week.

13.3 Methods of Intervention:

Supervisors are responsible and accountable for assuring that covered employees under their supervision are fit to perform their duties safely. Supervisors are trained to intervene by:

- a) identifying patterns of deteriorating job performance by the presence of progressive violations of policy;
- b) documenting, in writing, the observed signs of change in a covered employee's work pattern as it relates to policy violations;
- c) confirming a pattern of impaired judgment or performance over a period of time—all of which is documented; and
- d) confronting the covered employee by addressing his or her unacceptable work performance in a constructive way.

Constructive confrontation includes the following and provides the covered employee with an opportunity to become productive again:

- a) documentation of what constitutes an acceptable level of performance;
- b) the amount of time to achieve improvement before disciplinary action is taken;
- c) a list of resources for the covered employee to use at his or her discretion which may provide assistance in improving performance; and
- d) a progress review date.

14.0 PROGRAM MANAGER

Anyone with questions regarding this policy should contact the following Company representative who functions as the Program Manager and Designated Employer Representative (DER) for purposes of implementing and administering this policy:

Chris M. Brown, SHRM-SCP, SPHR
Director of Human Resources
2501 Florin Road
Sacramento, CA 95822
Telephone: 916-429-2009 extension 7384

**PARATRANSIT, INC.
APPENDIX A**

Safety-Sensitive Positions

Chief Operating Officer
Director of Operations
Director of Strategic Initiatives and Mobility Programs
Operations and Training Manager
Transportation Operations Assistant
~~Driving and Training Manager~~
~~Customer Service and Dispatch Manager~~
Transportation Operations Supervisor
Transportation Operations Specialist
Scheduling Coordinator
Maintenance Manager
Maintenance Shift Supervisor
Transportation Operations Trainer
~~Senior Communications Dispatcher~~
Communications Dispatcher
Service Advisor
Service Writer
Mechanic A
Mechanic B
Mechanic C
Maintenance Coordinator
Inventory Control Clerk
Service Assistant/Fueler
Utility Worker
Temporary Covered Employee
Vehicle Operator

PARATRANSIT, INC.
APPENDIX B

Glossary of Terms

ACCIDENT: An occurrence associated with the operation of a vehicle, if as a result: 1) an individual dies; or 2) an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or 3) with respect to an occurrence in which the public transit vehicle involved is a bus, electric bus, van, or automobile, one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and such vehicle or vehicles are transported away from the scene by a tow truck or other vehicle; or 4) with respect to an occurrence in which the public transit vehicle involved is a rail car, trolley car, trolley bus, or vessel, the public transit vehicle is removed from operation.

ADULTERATED URINE SPECIMEN: A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

ALCOHOL: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol.

ALCOHOL CONCENTRATION: The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test.

ALCOHOL CONFIRMATION TEST: A subsequent test using an EBT, following a screening test with a result of 0.02 or greater, that provides quantitative data about the alcohol concentration.

ALCOHOL SCREENING TEST: An analytic procedure to determine whether a covered employee may have a prohibited concentration of alcohol in a breath specimen.

ALCOHOL USE: The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

ALQUOT: A fractional part of a urine specimen used for testing. It is taken as a sample representing the whole urine specimen.

BREATH ALCOHOL TECHNICIAN (BAT): The breath alcohol technician shall be trained to proficiency in the operation of the Evidentiary Breath Test (EBT) instrument he or she is using, and in the alcohol testing procedures. BATs are the qualified personnel to administer the EBT test on covered employees.

CANCELED TEST: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which 49 CFR Part 40 otherwise requires to be canceled. A canceled test is neither a positive nor a negative test.

CHAIN OF CUSTODY: Procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of collection to final disposition.

COLLECTION SITE: A place designated by the Company where individuals present themselves for the purpose of providing a specimen of either urine and/or breath. The collection site shall

have all necessary personnel, materials, equipment, facilities and supervision to provide for the collection, security, temporary storage, and shipping or transportation of urine specimens to a certified drug testing laboratory.

CONFIRMATION DRUG TEST: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or drug metabolite.

CONFIRMED DRUG TEST: A confirmation test result received by a medical review officer from a laboratory.

CONFIRMATION VALIDITY TEST: A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

COVERED EMPLOYEE: Any person, including a volunteer, applicant, or transferee, who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. A volunteer is a covered employee if: 1) the volunteer is required to hold a commercial driver's license to operate the vehicle; or 2) the volunteer performs a safety-sensitive function for an entity subject to 49 CFR Parts 40 and 655 and receives remuneration in excess of his or her actual expenses incurred while engaged in the volunteer activity.

DEPARTMENT OF TRANSPORTATION (DOT): This term encompasses all DOT agencies, including, but not limited to, the United States Coast Guard, the Federal Aviation Administration, the Federal Railroad Administration, the Federal Motor Carrier Safety Administration, the Federal Transit Administration, the National Highway Traffic Safety Administration, the Research and Special Programs Administration, and the Office of the Secretary. These terms include any designee of a DOT agency.

DESIGNATED EMPLOYER REPRESENTATIVE (DER): An employee authorized by the Company to take immediate action(s) to remove covered employees from safety-sensitive duties or cause covered employees to be removed from these covered duties, and to make required decisions in the testing and evaluation process. The DER also receives test results and other communications for the Company, consistent with the requirements of 49 CFR Parts 40 and 655.

DILUTE URINE SPECIMEN: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

DISABLING DAMAGE: Damage that precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

- (1) Inclusion: Damage to a motor vehicle where the motor vehicle could have been driven, but would have been further damaged if so driven.
- (2) Exclusions:
 - (i) Damage that can be remedied temporarily at the scene of the accident without special tools or parts.
 - (ii) Tire disablement without damage even if no spare tire is available.
 - (iii) Headlamp or tail light damage.

- (iv) Damage to turn signals, horn or windshield wipers, which makes the vehicle inoperable

DRUG METABOLITE: The specific substance produced when the human body metabolizes a given prohibited drug as it passes through the body and is excreted in urine.

EVIDENTIAL BREATH TESTING INSTRUMENT (EBT): A device approved by the National Highway Traffic Safety Administration for the evidential testing of breath at the 0.02 and 0.04 alcohol concentrations, placed on NHTSA's Conforming Products List (CPL) for "Evidential Breath Measurement Devices" and identified on the CPL as conforming with the model specifications available from NHTSA's Traffic Safety Program.

FEDERAL TRANSIT ADMINISTRATION (FTA): An agency of the U. S. Department of Transportation.

FOLLOW-UP TEST: A minimum of six unannounced drug and/or alcohol tests in a 12-month period, as directed by a substance abuse professional, are required of each employee who returns to duty after a required evaluation. After that period of time, the substance abuse professional may recommend to the Company the frequency and duration of follow-up testing, provided that the follow-up testing period ends 60 months after the covered employee returns to duty.

INITIAL DRUG TEST (also known as a "Screening drug test"): The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolite.

INITIAL SPECIMEN VALIDITY TEST: The first test used to determine if a urine specimen is adulterated, diluted, or substituted or invalid.

INVALID DRUG TEST: The result reported by an HHS-certified laboratory in accordance with the criteria established by HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

LABORATORY: Any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

LIMIT OF DETECTION (LOD): The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

LIMIT OF QUANTITATION: For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

MEDICAL REVIEW OFFICER (MRO): A licensed physician responsible for receiving laboratory results generated by the Company's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information.

NEGATIVE RESULT: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

NON-NEGATIVE URINE SPECIMEN: A urine specimen that is reported as adulterated, substituted, positive (for drug(s) or drug metabolite(s).

OXIDIZING ADULTERANT: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or drug metabolites, or affects the reagents in either the initial or confirmatory drug test.

POSITIVE RESULT: The result reported by an HHS-certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

POST ACCIDENT TEST: A prohibited substance test administered to a covered employee when a motor vehicle accident has occurred and the covered employee performed a function which either contributed to the accident or could not be completely discounted as a contributing factor in the accident.

PRE-EMPLOYMENT TEST: a) A prohibited substance test given to an applicant or a non covered employee who is being considered for a safety-sensitive position. The applicant or non covered employee must be informed of the purpose for the test prior to the actual event.

PRIMARY URINE SPECIMEN: In drug testing, the urine specimen bottle that is opened and tested by a first laboratory to determine whether the covered employee has a drug or drug metabolite in his or her system, and for the purpose of validity testing. The primary urine specimen is distinguished from the split urine specimen.

PROGRAM MANAGER: The person designated by the Company to answer covered employee questions about the anti-drug and alcohol misuse program.

PROHIBITED DRUG: Marijuana, cocaine, opioids, amphetamines, or phencyclidine.

PROHIBITED SUBSTANCE: Under this program prohibited substance shall be used synonymous to drug abuse and/or alcohol misuse and refers to the definition of the foregoing terms "Alcohol" and "Prohibited Drug."

RANDOM TEST: A prohibited substance test given annually to a predetermined percentage of covered employees who perform in safety-sensitive functions and who are selected on a scientifically-defensible random and unannounced basis.

REASONABLE SUSPICION TEST: A prohibited substance test given to a current covered employee who is reasonably suspected by a trained supervisory employee of using prohibited drug or misusing alcohol.

RECONFIRMED: The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

REJECTED FOR TESTING: The result reported by an HHS-certified laboratory when no tests are performed for a specimen because of a fatal flaw or a correctable flaw that is not corrected.

RETURN-TO-DUTY TEST: An initial drug and/or alcohol test prior to return to duty given to eligible covered employees who previously tested positive. This test is also required prior to return to duty of an individual who has refused to take a test required by the FTA rule.

SAFETY-SENSITIVE EMPLOYEES: Those employees who perform safety-sensitive functions for the Company.

SAFETY-SENSITIVE FUNCTION: Any of the following duties:

- operating a revenue service vehicle, including when not in revenue service;
- operating a non-revenue service vehicle when required to be operated by a holder of a Commercial Driver's License;
- controlling dispatch or movement of a revenue service vehicle; and
- maintaining a revenue service vehicle or equipment used in revenue service, unless the recipient receives FTA Section 18 funding and contracts out such services.

SPLIT URINE SPECIMEN: In drug testing, a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the covered employee requests that it be tested following a verified positive test of the primary urine specimen or a verified adulterated or substituted test result.

SPLIT SPECIMEN COLLECTION: A collection in which the urine collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

SUBSTITUTED URINE SPECIMEN: A urine specimen with creatinine and specific gravity values that are so diminished that they are not consistent with normal human urine.

SUBSTANCE ABUSE PROFESSIONAL (SAP): A licensed physician (medical doctor or doctor of osteopathy); or a licensed or certified psychologist, social worker, or employee assistance professional; or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse.) All must have knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders.

VERIFIED TEST: A drug test result or validity testing result from an HHS-certified laboratory that has undergone review and final determination by the Medical Review Officer.

**PARATRANSIT, INC.
APPENDIX C**

The Department of Health and Human Services establishes the minimum threshold levels for each of the five drugs tested for under USDOT testing programs including the FTA. The current cutoff levels are as follows:

Initial Test Analyte	Initial Test Cutoff Concentration ¹	Confirmatory Test Analyte	Confirmatory Test Cutoff Concentration
Marijuana Metabolites (THCA) ²	50 ng/mL ³	THCA	15 ng/mL
Cocaine Metabolite (Benzoylecgonine)	150 ng/mL ³	Benzoylecgonine	100 ng/mL
Opioid Metabolites			
Codeine/ Morphine	2000 ng/mL	Codeine Morphine	2000 ng/mL 2000 ng/mL
Hydrocodone/ Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL 100 ng/mL
Oxycodone/ Oxymorphone	100 ng/mL	Oxycodone Oxymorphone	100 ng/mL 100 ng/mL
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL
Amphetamines			
Amphetamine/ Methamphetamine	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL 250 ng/mL
MDMA ⁴ / MDA ⁵	500 ng/mL	MDMA MDA MDEA	250 ng/mL 250 ng/mL 250 ng/mL

¹For grouped analytes (i.e., two or more analytes that are in the same drug class and have the same initial test cutoff):

Immunoassay: The test must be calibrated with one analyte from the group identified as the target analyte. The cross-reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group.

Alternate technology: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the

sum of the analytes present (i.e., equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff.

²An immunoassay must be calibrated with the target analyte, Delta-9-tetrahydrocannabinol-9-carboxylic acid (THCA).

³Alternate technology (THCA and Benzoylecgonine): When using an alternate technology initial test for the specific target analytes of THCA and Benzoylecgonine, the laboratory must use the same cutoff level for the initial and confirmatory tests (i.e., 15 ng/mL for THCA and 100 ng/mL for Benzoylecgonine).

⁴Methylenedioxymethamphetamine (MDMA)

⁵Methylenedioxyamphetamine (MDA)

These cutoff levels are subject to change by the Department of Health and Human Services as advances in technology or other considerations warrant identification of these substances at other concentrations.

**PARATRANSIT, INC.
APPENDIX D**

**MEDICAL REVIEW:
OFFICER**

~~Chip B. Thuss, Jr., M.D. Kirk A. Roberts, M.D.
a-TEST Consultants, Inc. 26 Grant Blvd, Suite 500
425 W. Broadway, Suite B Kansas City, MO 64108
N. Little Rock, Arkansas 72114 Phone: 844-730-7996
(855) 865-9162 Fax: 816-782-7010~~

LABORATORY:

Clinical Reference Laboratory
8433 Quivira Road
Lenexa, Kansas 66215
(800) 445-6917

**SUBSTANCE ABUSE
PROFESSIONAL(S):**

~~Duncan McPherson~~

~~2701 Cottage Way, Suite 34
Sacramento, California 95825
(800) 607-1010 or (916) 961-1010~~

~~Ray Wooden
2701 Cottage Way, Suite 34
Sacramento, California 95825
(916) 489-3552~~

~~Dellana Hoyer, LAADC
2715 K Street, Office 2
Sacramento, California 95816
(916) 213-4640~~

~~Gretjen Anderson, CAADAC II
2415 K Street, Suite C
Sacramento, California 95816
(916) 425-2495~~

~~Jim Sellars
P.O. Box 2451
Rocklin, California 95677
(916) 2020-9865~~

~~Larry Hearn, CADC II, CADC CS, ICCS
1337 Howe Avenue, Suite 250
Sacramento, California 95825
(916) 662-4137~~

Dellana Hoyer, LAADC, ICCADC II Ron Smith, ICRC, APCC
2110 K Street 9093 Elk Grove Boulevard, Suite 204

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<u>Sacramento, California 95816</u>	<u>Elk Grove, California 95624</u>
<u>(916) 213-4640</u>	<u>(916) 399-3047</u>

<u>Graham Sargent, CADC-II, ICADC</u>	<u>Pamela Maxwell, ICRC</u>
<u>3102 O Street, Suite 6</u>	<u>3626 Fair Oaks Boulevard</u>
<u>Sacramento, California 95816</u>	<u>Sacramento, California 95864</u>
<u>(916) 891-1479</u>	<u>(916) 206-1721</u>

<u>Dana Martinez, CADC-II, ICADC</u>	<u>Rod Fields, ICRC</u>
<u>2129 Hacienda Way, Suite G</u>	<u>2740 Fulton Avenue, Suite 124</u>
<u>Sacramento, California 95825</u>	<u>Sacramento, California 95821</u>
<u>(916) 704-6980</u>	<u>(916) 256-8714</u>

Olga Birgans, LAADC, CADC-II, SUDCC IV-CS, ICAADC
2701 Cottage Way, Suite 7
Sacramento, California 95825
(916) 802-7412

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Federal Regulations require covered employees (including an applicant) with a verified positive drug test result, a verified alcohol test with a concentration of 0.04 or greater or who refuse to submit to a drug test be advised of the resources available in evaluating and resolving problems associated with prohibited drug use, including the names, addresses and telephone numbers of substance abuse professionals (SAP) and counseling and treatment programs. If you choose to use the information provided, you must first contact a substance abuse professional who will perform an evaluation to determine whether you are in need of assistance in resolving problems associated with prohibited drug use. The substance abuse professional will then refer you to a counseling and treatment program.

SUBSTANCE ABUSE PROFESSIONALS

<u>Duncan McPherson</u>	<u>Ray Weeden</u>	<u>Dellena Hoyer, LAADC</u>
<u>2701 Cottage Way, Ste 34</u>	<u>2701 Cottage Way, Ste 34</u>	<u>2715 K Street, Office 2</u>
<u>Sacramento, California 95825</u>	<u>Sacramento, California 95825</u>	<u>Sacramento, California 95816</u>
<u>(800) 607-1010 or (916) 961-1010</u>	<u>(916) 489-3552</u>	<u>(916) 213-4640</u>
<u>www.DOTSAP.com</u>		<u>www.SAPCOUNSELOR.com</u>

<u>Gretjen Anderson, CAADAC II</u>	<u>Jim Sellars</u>	<u>Larry Hearn, CADC II, CADC CS, ICCS</u>
<u>2415 K Street, Ste C</u>	<u>P.O. Box 2451</u>	<u>1337 Howe Avenue, Ste 250</u>
<u>Sacramento, California 95816</u>	<u>Rocklin, California 95677</u>	<u>Sacramento, California 95825</u>
<u>(916) 425-2495</u>	<u>(916) 202-9865</u>	<u>(916) 662-4137</u>
<u>www.accreditedcounseling.net</u>		<u>www.thehearn.net</u>

<u>Dellena Hoyer, LAADC, ICCADC II</u>	<u>Ron Smith, ICRC, APCC</u>
<u>2110 K Street</u>	<u>9093 Elk Grove Boulevard, Suite 204</u>
<u>Sacramento, California 95816</u>	<u>Elk Grove, California 95624</u>
<u>(916) 213-4640</u>	<u>(916) 399-3047</u>

<u>Graham Sargent, CADC-II, ICADC</u>	<u>Pamela Maxwell, ICRC</u>
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<u>(916) 891-1479</u>	<u>(916) 206-1721</u>

<u>Dana Martinez, CADC-II, ICADC</u>	<u>Rod Fields, ICRC</u>
<u>2129 Hacienda Way, Suite G</u>	<u>2740 Fulton Avenue, Suite 124</u>
<u>Sacramento, California 95825</u>	<u>Sacramento, California 95821</u>
<u>(916) 704-6980</u>	<u>(916) 256-8714</u>

Olga Birgans, LAADC, CADC-II, SUDCC IV-CS, ICAADC
2701 Cottage Way, Suite 7
Sacramento, California 95825
(916) 802-7412

SUBSTANCE ABUSE COUNSELING AND TREATMENT RESOURCES

<u>Kaiser Permanente</u>	<u>Kaiser Permanente</u>	<u>Christian Partnerships, Inc.</u>
<u>Alcohol and Drug</u>	<u>Chemical Dependency</u>	<u>Christ-Centered Substance</u>
<u>Abuse Program</u>	<u>Recovery Program</u>	<u>Abuse Recovery</u>
<u>6600 Bruceville Road</u>	<u>1650 Response Road</u>	<u>2251 Florin Road, Ste 136</u>
<u>Sacramento, CA 95823</u>	<u>Sacramento, CA 95825</u>	<u>Sacramento, CA 95822</u>
<u>(916) 525-6100</u>	<u>(916) 482-1132</u>	<u>(916) 424-4470</u>

<u>Kaiser Permanente</u>	<u>Kaiser Permanente</u>
<u>Chemical Dependency</u>	<u>Chemical Dependency</u>
<u>and Recovery Program</u>	<u>and Recovery Program</u>
<u>9324 West Stockton Boulevard</u>	<u>2829 Watt Avenue</u>
<u>Elk Grove, California 95758</u>	<u>Sacramento, California 95821</u>
<u>(916) 525-6100</u>	<u>(916) 482-1132</u>

HOTLINES/SUPPORT GROUPS

<u>National Council on Alcoholism</u>	<u>Sacramento County Drug</u>	<u>Central California Fellowship</u>
<u>and Drug Dependence</u>	<u>and Alcohol Services</u>	<u>of Alcohol Anonymous</u>
<u>2143 Hurley Way, Ste 250</u>	<u>3321 Power Inn Road, Ste 120</u>	<u>9960 Business Park Drive, Ste 110</u>
<u>Sacramento, CA 95825</u>	<u>Sacramento, CA 95826</u>	<u>Sacramento, CA 95827</u>
<u>(916) 921-5121</u>	<u>(916) 874-9754</u>	<u>(916) 454-1100</u>

<u>National Council on Drug Abuse Hotline</u>	<u>SAMHSA National Helpline</u>
<u>(800) 622-2255</u>	<u>(800) 662-4357</u>

<u>National Council on Alcoholism</u>	<u>Sacramento County Drug</u>
<u>and Drug Dependence</u>	<u>and Alcohol Services</u>
<u>1440 Ethan Way, Suite 101</u>	<u>3321 Power Inn Road, Suite 120</u>
<u>Sacramento, California 95825</u>	<u>Sacramento, California 95826</u>
<u>(916) 922-9217</u>	<u>(916) 874-9754</u>

<u>Central California Fellowship</u>	<u>National Council on Alcoholism</u>
<u>of Alcoholics Anonymous</u>	<u>And Drug Dependence Hopeline</u>
<u>9960 Business Park Drive, Suite 110</u>	<u>(800) 622-2255</u>
<u>Sacramento, CA 95827</u>	
<u>(916) 454-1100</u>	

SAMHSA National Helpline
(800) 662-4357

**PARATRANSIT, INC.
CERTIFICATION OF TRAINING**

Paratransit, Inc. certifies that training conducted under the Federal Transit Administration (FTA) Drug and Alcohol Testing Regulations 49 CFR Parts 40 and 655 complies with the requirements for that training which includes:

- a) Education which includes display and distribution to every covered employee of informational material and a list of telephone numbers for employee assistance; and
- b) Training for:
 - 1. covered employees which includes at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on the signs and symptoms which may indicate prohibited drug use; and,
 - 2. supervisors and/or other company officers authorized by the Company to make reasonable suspicion determinations which includes at least 60 minutes of training on 1) the physical, behavioral, and performance indicators of probable drug use and at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse, and 2) initiating, substantiating and documenting the referral, and employee intervention.

ACKNOWLEDGEMENT

I have received a copy of Paratransit, Inc.'s Drug and Alcohol Testing Policy
amended ~~May 21, 2018~~ November 21, 2022.

Employee's Signature

Date

Employee's Printed Name



RESOLUTION NO. 12-22

ADOPTING AMENDMENTS TO THE PARATRANSIT, INC. DRUG AND ALCOHOL TESTING POLICY

WHEREAS, Paratransit, Inc. puts the safety and security of our passengers and employees as our highest priority; and

WHEREAS, in accordance with Federal Transit Administration requirements, staff has developed a Drug and Alcohol Testing policy; and

WHEREAS, FTA requires the Board of Directors to formally adopt amendments to the Drug and Alcohol Testing Policy; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of Paratransit, Inc. adopts Resolution 12-22 adopting the amended Drug and Alcohol Testing Policy.

Patrick Hume, President
Paratransit, Inc., Board of Directors
Dated: November 21, 2022



**Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 5D**

AGENDA TITLE: Approve Resolution 13-22 Authorizing the Chief Executive Officer to prepare, submit and execute Agreements for various upcoming grant programs from the Sacramento Area Council of Governments, the State of California, the Federal Transit Administration, and assorted local programs

MEETING DATE: November 21, 2022

PREPARED BY: Tiffani M. Fink, Chief Executive Officer
Lisa M Cappellari, Chief Financial Officer

RECOMMENDED ACTION:

Adopt Resolution 13-22 authorizing the Chief Executive Officer to Submit Proposals and Funding Applications, as opportunities arise, to pursue funding from the Federal Transit Administration, SACOG, the State of California or other funding sources and to execute any contracts and/or agreements, if awarded.

BACKGROUND AND DISCUSSION:

Paratransit, Inc. routinely applies for numerous calls for project funding applications for funding to operate our services. Many of the programs are on two-year cycles which are soon going to open. In addition, with the passage of the Bi-Partisan Infrastructure Bill and the Build Back Better bill, staff is requesting authority to pursue funding advantageous to continuation and expanding our programs.

FISCAL IMPACT:

The current year fiscal budget is built upon already awarded funds. Any funding awarded would be included in future budgets.

ATTACHMENTS:

1. Resolution 13-22



RESOLUTION NO. 13-22

AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO PREPARE, SUBMIT AND EXECUTE AGREEMENTS FOR VARIOUS UPCOMING GRANT PROGRAMS FROM THE SACRAMENTO AREA COUNCIL OF GOVERNMENTS, STATE OF CALIFORNIA, FEDERAL TRANSIT ADMINISTRATION AND ASSORTED LOCAL PROGRAMS

WHEREAS, Congress recently passed the Bi-Partisan Infrastructure Bill and SACOG is entering into their upcoming funding cycles; and

WHEREAS, as a transit and social service provider, Paratransit, Inc. is considered an essential business delivering critical infrastructure and needs to continue providing essential public services; and

WHEREAS, many of the programs and services Paratransit provides are eligible for these funding programs.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of Paratransit, Inc. hereby authorizes the Chief Executive Officer to prepare, submit and execute Agreements for various upcoming grant programs from the Sacramento Area Council of Governments, State of California, Federal Transit Administration, and assorted local programs.

Patrick Hume, President
Paratransit, Inc., Board of Directors

Date



**Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 5E**

AGENDA TITLE: Adopt Resolution 14-22 Adopting Update #2 to the Paratransit, Inc. Public Transit Agency Safety Plan

MEETING DATE: November 21, 2022

PREPARED BY: Tiffani M Fink, Chief Executive Officer

RECOMMENDED ACTION:

Adopt Resolution 14-22 adopting Update #2 to the Paratransit, Inc. Public Transit Agency Safety Plan.

BACKGROUND AND DISCUSSION:

The Federal Transit Administration Regulations (49 C.F.R. Part 637) required public transit agencies like Paratransit, Inc. to adopt a Public Transportation Agency Safety Plan (PTASP) no later than December 31, 2020. The regulations also require the PTASP to be approved by the Board of Directors. Agencies are also required to update the PTASP annually. The Paratransit Board adopted the original PTASP in November 2020. This update to the plan revises annual reporting data and the posting dates of the plan.

The Federal Transit Administration (FTA) published the PTASP Regulation, 49 C.F.R. Part 673, on July 19, 2018. The regulation implements a risk-based Safety Management System (SMS) approach. The PTASP is one element of the FTA's comprehensive Public Transportation Safety Program. The PTASP explains our safety processes. The plan is a data driven approach to manage hazards and includes performance measures and targets. A plan is coordinated with internal stakeholders and the stakeholders will be provided with training. The PTASP must be based on Safety

Management System (SMS) Principles. The four components to SMS are: safety management policy, safety risk management, safety assurance and safety promotion. The safety management policy assigns authorities, accountabilities and responsibilities for all Paratransit, Inc staff. There must also be integration with Emergency Management and SMS documentation and records. Safety risk management is the safety hazard identification process. This process also includes safety risk assessment and safety risk mitigation. Safety assurance is the safety performance monitoring and measurements process. This includes management of change and continuous improvement. Examples of performance measurements are reportable injuries, reportable safety events and system reliability. Safety promotion is the safety training program and safety communication. Once the plan is in effect, staff will regularly audit the plan to verify the processes and programs are being followed and based on trends, implement strategies for continuous safety improvement. In addition to internal audits, the PTASP will also be audited by the FTA triennially. Staff recommends that the Board adopt Update #2 to the PTASP for Paratransit, Inc.

FISCAL IMPACT:

There is no fiscal impact with approving the Plan, however the future safety needs will have a financial impact and will be incorporate into the budget process. Adoption of a PTASP is required to comply with federal requirements for funding.

ATTACHMENTS:

1. Resolution 14-22



Paratransit, Inc. (PI)

Public Transit Agency Safety Plan





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Transit Agency Information

Transit Agency: Paratransit, Inc.

Transit Agency Address

Administrative Office: 2501 Florin Road Sacramento, CA 95822

Accountable Executive: Tiffani M. Fink, Chief Executive Officer

Chief Safety Officer: Gary Vickers, Director of Operations

Modes of Service: Demand Response and Social Service
Transportation (Directly Operated)

FTA Funding Received: 5307, 5310, and 5339



Plan Development, Approval, and Updates

Development

Paratransit, Inc. drafted this plan. By signature below, the Accountable Executive confirms the development this plan.



Tiffani M. Fink, Accountable Executive

11/17/2022
Date Signed

Approval

The Paratransit, Inc. Board of Directors approved this plan as so indicated by the signature of the Board of Directors' President on the date noted below, and as specified in Resolution Number 14-22 and the Board of Directors Meeting Minutes from November 20, 2022. The meeting minutes can be reviewed on the Paratransit, Inc. website.

Patrick Hume, President
Paratransit, Inc. Board of Directors

Date Signed

Certification

Paratransit, Inc.'s Public Transit Agency Safety Plan (PTASP) addresses all applicable requirements. Paratransit, Inc.'s Agency Plan was certified by Gary Vickers, Director of Operations, on November 17th, 2022.



Annual Review and Revisions of the Public Transportation Agency Safety Plan

Each Fall, the PTASP will be reviewed by the Chief Safety Officer and updated, if needed. All substantive revisions will be presented to the Accountable Executive and Paratransit, Inc. Board of Directors for annual approval. A table that records the history of revisions made to the Agency's PTASP is contained in Appendix A of this document.

Glossary and Acronyms

A glossary of terms and acronyms can be found in Appendix B.

Safety Performance Targets

Paratransit, Inc.'s safety performance targets are reviewed and updated during the annual review. The specific performance targets are based on the safety performance measures established under the National Public Transportation Safety Plan and any additional performance goals set by PI. These targets are specific numerical targets set by PI, and must be based on the safety performance measures established by FTA in the National Public Transportation Safety Plan referenced in the Safety and Security Quick Reference Guide in Appendix C.

PI fleet vehicles are interchanged between modes. PI uses the Predominant Use Rule when an event affects more than one mode. If two or more transit modes are affected by an event, PI will report the event in only one mode.

Fatalities: Total number of reportable fatalities and rate per total vehicle revenue miles by mode in a calendar year.

Injuries: Total number of reportable injuries¹ (defined in the NTD Safety and Security Reporting Manual) and rate per total vehicle revenue miles by mode in a calendar year.

¹NTD: *An injury (employee or passenger) requiring immediate medical attention away from the scene for one or more persons.*

Safety Events: Total number of reportable events² and rate per total vehicle revenue miles by mode in a calendar year.

²NTD: *Preventable events that occur at transit revenue facilities, on transit infrastructure, or during a transit maintenance activity.*

Total injuries and safety events are calculated by averaging previous year totals and the rates are indicated as a fraction with the total over the estimated ridership per mode.

System Reliability: Mean distance, in miles, between major mechanical failures by mode in a calendar year.

System reliability is calculated using the Predominant Use Rule. The miles between road calls are averaged for previous years and the total is divided by the percentage assigned to each mode.

Mode of Transit Service	Fatalities (Total)	Fatalities (Rate)	Injuries (Total)	Injuries (Rate)	Safety Events (Total)	Safety Events (Rate)
Demand Response (DR)	0	0	1	1/293,035	0	0/293,035

Safety Management System (SMS)

A Safety Management System (SMS) is a comprehensive approach to managing safety within the transit system. Management and staff work together to control risk, identify and correct hazards, measure and analyze safety performance metrics, and disseminate safety information. The SMS helps transit agencies apply resources to risk and ensure they have an organizational infrastructure to support decision-making at all levels regarding the assignment of resources.

Key components include:

- Effective policies and procedures
- Strong executive leadership focused on safety
- Clearly defined safety roles and responsibilities
- Safety accountabilities and communication
- Active employee involvement

Safety Management Policy

Safety Management Policy Statement

PI is committed to the management of safety. PI will develop, implement, maintain, and constantly improve processes to ensure that all the transit service delivery activities take place under a balanced allocation of organizational resources. As a core business function, PI is aimed at achieving the highest level of safety performance and meeting established standards.

All levels of management and all employees are accountable for the delivery of this highest level of safety performance, starting with the Chief Executive Officer.

Paratransit, Inc. is committed to:

- Support safety management through the provision of appropriate resources. This will result in a culture that fosters safe practices, encourages effective employee reporting and communication;
- Integrate the management of safety among the primary responsibilities of all managers and employees;
- Clearly define for all staff and managers alike their accountabilities and responsibilities for the delivery of the Agency's safety performance and the performance of the safety management system;

- Establish and operate hazard identification and analysis, and safety risk evaluation activities, including an employee safety reporting program in order to eliminate or mitigate the safety risks resulting from operations or activities consistent with acceptable level of safety performance;
- Ensure that no action will be taken against any employee who discloses a safety concern through the employee safety reporting program, unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of the collective bargaining agreement, regulations, policies, or procedures;
- Comply with, and wherever possible exceed, legislative and regulatory requirements and standards;
- Ensure that sufficient skilled and trained staff are available to implement safety management processes;
- Ensure that all staff are provided with adequate and appropriate safety-related information and training, are competent in safety management matters, and are allocated only tasks commensurate with their skills;
- Establish and measure safety performance against realistic and data-driven safety performance indicators and safety performance targets;
- Continually improve safety performance through management processes that ensure appropriate safety management action is taken and is effective; and
- Ensure externally supplied systems and services to support operations are delivered meeting safety performance standards.

Safety Management Policy Communication

The Safety Management Policy is posted at Paratransit, Inc.'s Administrative Office and in the employee breakroom. The Safety Management Policy will be first shared



with employees after the completion of the PTASP through a series of employee meetings. PI disseminated the Safety Management Policy to the public in the following manner:

- Paratransit, Inc. Board of Directors meeting (Date of Publication: November 20, 2022)
- PI website (Date of Publication: November 18, 2022)
- Staff intranet (Date of Publication: November 18, 2022)
- New hire orientation-ongoing
- PI email blasts (Date of Publication: scheduled for November 21, 2022)

In addition to the Safety Management Policy, PI has numerous standard operating procedures (SOPs) and operational policies to supplement, detail, and support the overall the SMS. Examples of Paratransit, Inc.'s policies include Smoking, Cash Variance, Appearance, Vehicle Backing/Spotters, Lost and Found, and Reasonable Modification. Each policy includes safety components to ensure the wellbeing of PI staff, passengers, and the greater community. Similarly, there are various SOPs (e.g. Boarding and Securement, Post Collision) for maintenance and operations to safeguard everyone. Staff sign acknowledgments for all policies and procedures after they receive training and have an opportunity to ask questions. Staff participation in all safety trainings and the safety committee meetings is recorded through a sign-in sheet. PI will maintain documentation related to the implementation of the SMS; the programs, policies, and procedures used to carry out the PTASP; and the results from its SMS processes and activities for three years after creation. This documentation will be available to the FTA or other Federal or oversight entity upon request.

Authorities, Accountabilities, and Responsibilities

Safety is everyone's responsibility at PI. Anyone may observe a hazard that could result in an event. All employees must remain alert and observant to ensure hazards are mitigated to the greatest extent possible. Below are the authorities,



accountabilities, and responsibilities of the following individuals in the development and management of Paratransit, Inc.'s SMS.

Accountable Executive

The Accountable Executive may delegate specific responsibilities, but not their accountability for the transit agency's safety performance and PTASP in accordance with 49 U.S.C. 5329(d) and 49 U.S.C. 5326.

Paratransit, Inc.'s Accountable Executive reviewed the draft policy after it had been developed by staff. Comments and recommended changes were taken into account when the final document was developed. The Accountable Executive then submitted the policy to the Paratransit, Inc. Board of Directors for approval. Once approved, the Accountable Executive signed the policy. Additional responsibilities include, but are not limited to:

- Decision-making regarding resources (e.g. staff and funds) to support asset management, SMS activities, and capital investments;
- Signing SMS implementation planning documents; and
- Endorsing SMS implementation team membership.

Chief Safety Officer

The Chief Safety Officer oversaw the development of the Safety Management Policy. The Chief Safety Officer worked with Chief Financial Officer, Human Resources/Risk Manager, Maintenance Manager, Chief Operating Officer, and management staff to develop the plan. Paratransit, Inc.'s Chief Safety Officer is the team's liaison with the Accountable Executive. The Chief Safety Officer's duties include, but are not limited to:

- Developing and maintaining SMS documentation;
- Directing hazard identification and safety risk assessment;
- Monitoring safety risk mitigation activities;
- Providing periodic reports on safety performance;



- Briefing the Accountable Executive and Board of Directors on SMS implementation progress; and
- Planning safety management training.

Key Staff

Below are Paratransit, Inc.'s managers and supervisors who play leadership roles in providing important data or resources to accomplish the agency's safety goals and ensure the day to day safe operation of Paratransit, Inc.'s modes of transportation.

Chief Executive Officer (Accountable Executive)

- Provides guiding direction to staff on Paratransit, Inc.'s mission, vision, and goals. Leads the organization's safety culture
- Makes decisions regarding resources (e.g. staff and funds) to support asset management, SMS activities, and capital investments
- Signs SMS implementation planning documents and endorses SMS implementation and team participation
- Distributes information to external partners and passengers
 - Rider alerts posted on social media
 - Rider alerts on the PI website
 - Transit app alerts

Chief Operating Officer (Chief Safety Officer)

- Leads all transit efforts
- Allocates funds to transit safety programs (capital and operating)
- Participates in root cause investigations
- Reviews route development for safety consideration
- Ensures compliance to include monitoring the industry for best practices, new regulations, and even trainings
- Inspects buildings, equipment, utility systems and facilities to determine needed repairs and maintenance and ensure they are kept in a State of Good Repair, consistent with FTA guidance and PI adopted standards

Chief Financial Officer

- Reports to funding agencies on revenue mileage, insurance costs, and experience modification
- Reports expenditures on safety and security
- Oversees insurance claims
- Ensures financial securities including:
 - Separation of financial duties
 - Limited access and privileges to accounting software and cash account
 - Bank verification of expenses
 - Annual financial audits

Chief Administrative Officer/Human Resources/Risk Officer

- Records the employee retention rates
- Recordkeeping and reporting OSHA injury and illness
- Coordinates and tracks worker's compensation cases
- Participates on the safety committee
- Coordinates safety meeting facilitators for staff
- Reviews standard operating procedures with staff
- Directs the risk management program, including insurance and liability
- Sets up and monitors records and program functions for risk management activities relating to proper appraisal and insuring of District properties, fixed assets and other items
- Recommends and implements policy/procedure updates as they relate to legal, legislative and other developments concerning risk management matters and related impacts on operations

Maintenance Manager

- Supervisory and administrative responsibility for the maintenance and safety of all revenue and non-revenue vehicles, equipment, and facilities
- Administers the Transit Management Plan

- Inspects buildings, equipment, utility systems and facilities to determine needed repairs and maintenance and ensure they are kept in a State of Good Repair, consistent with FTA guidance and PI adopted standards
- Maintains the collection and provision of maintenance data, such as frequency, cost of materials, and cost of labor for repairs
- Provides training to maintenance staff, assists in safety meeting deliverables, contributes to the safety committee, and participates in root cause investigations
- Establishes and monitors work policies, procedures and safety standards; trains assigned staff accordingly; executes corrective disciplinary actions, as required
- Prepares and maintains records, logs, and reports related to activities, inventory, MSDS (materials data safety sheet) documentation, work requests, accident and safety issues

Director of Operations

- Monitors and supervises operator performance and policy adherence to assure a safe, high quality, fixed-route and paratransit service is provided to the public
- Assesses, develops, and provides appropriate training as necessary
- Visits the field to interact and develop positive rapport with operators, road supervisors and the public to assure safe, courteous and reliable service
- Conducts investigations and interviews, levies discipline for operators concerning performance issues, up to and including termination
- Updates the PTASP
- Responds to employee incident reports and safety concerns in the Operations Department
- Participates in root cause investigations, manages safety related data collection
- Assists with the development of routes, including timing and safety considerations



- Assists in safety meeting deliverables, coordinates facilitators for safety meetings, contributes to the safety committee, and participates in root cause investigations
- Leads customer complaint investigation
- Leads the develop of SOPs; trains and reviews with staff

Transportation Operations Supervisors

- Leads root cause investigations, tracks safety events, identifies trends or patterns, and oversees training and retraining of all operations staff
- Leads in route development, including timing and safety considerations
- Schedules road supervisors, operators, and dispatchers; monitors hours per DOT regulations
- Inspects and verifies work in progress and completed work of assigned employees and contractors for accuracy, proper safe work methods, techniques, and compliance with applicable safety standards and specifications
- Participates in the Safety Committee
- Assists in the customer complaint investigation
- Assists in the development of SOPs
- Assists with distribution of external information
- Responsible for self-inspections and reporting unsafe work practices/conditions to one or more of the above parties, ensures operators properly complete pre/post-trip inspections
- Observes driving skills and work habits of operators in the field; evaluates and trains operators; responds to problems in the field, such as equipment failures and incidents
- Makes work practice observations to all areas under their supervision
- Completes accident investigation forms and participates in determining the root cause of an accident/incident; assists in investigating and resolving customer complaints



- Oversees and provides input to route changes/emergency needs due to inclement weather or other situations that demand attention
- Ensures all PI policies and procedures are followed by staff; models safe practices
- Routinely utilizes video management system (VMS) software to document incidents and submit reports and statements as necessary

Trainers

- Observations of unsafe trends or patterns
- Provisions training needs
- Ensures acceptable pass rates for new operators
- Performs evaluations of new operators

Analyst(s)

- Reports to the National Transit Database (NTD)
- Participates in route development, including timing and safety considerations
- Leads Short Range Transit Plan (SRTP) development

Safety Sensitive Staff (Operators, Mechanics, Dispatchers, and Utility Workers)

- Responsible for self-inspections and reporting safety concerns immediately, either to a supervisor, Human Resources/Risk Manager, one or more of the above parties, or anonymously by way(s) per the agency's policy
- Responsible for participating in mandatory safety meetings; voluntary participation in safety committee
- Responsible for all aspects related to fitness for duty
- Abides by all Department of Transportation (DOT) regulations
- Obeys all traffic laws
- Monitors passengers' behavior to ensure their safety and the safety of other passengers

Employee Safety Reporting Program

Paratransit, Inc.'s system of communication (management, supervisors, and employees), is designed to facilitate a continuous flow of two-way safety information in a form that is readily understandable to, and between, all affected personnel. This two-way communication may include language interpreters, when appropriate. Safety information is entered, aggregated, and queried through an information management system, The Reporting Solution. Below are the current methods of information sharing:

- All PI staff participate in a new staff orientation, including a discussion of site-specific safety and health policies and procedures; the policies and procedures are referenced throughout training to ensure understanding, implementation, and retention
- Transit staff attend safety training meetings which encourage employee participation and dialog, including topic suggestions
- Routine completion of the Daily Vehicle Inspection Reports (DVIRs) of operators to alert maintenance of any mechanical defect
- Staff may anonymously report safety concerns and inform management of work place hazards
- Dispatchers, Road Supervisors and management make safety announcements over the two-way radio
- Staff may review safety promotional materials on the communication board, agency e-mails, and memorandums
- Safety Meetings
 - New policies/procedures are discussed to help determine implementation
 - Workplace hazards are discussed in detail on how to prevent events from re-occurring
 - Root cause investigation outcomes are discussed
 - Internal Controls and Personal Protective Equipment (PPE) are evaluated to assist in reducing injuries/illnesses



- All employees are invited and attendees are urged to suggest ways to maintain a safe working environment and serve as role models for the entire team

Depending on the method in which the safety concern was communicated will dictate how the manager responds, including how the employee will receive updates, and how the resolution will be communicated. The manager will follow-up directly with the employee with status updates and the resolution. If the report was made anonymously, the receipt of the concern is documented in the safety committee meeting minutes, as well as the outcome.

The Collective Bargaining Agreement (CBA) outlines the disciplinary process for all representative staff. Management encourages honest accountability when safety events occur.

Safety Risk Management Process

Safety Risk Management is an essential process within Paratransit, Inc.'s SMS for identifying hazards, assessing, and reducing safety risk.

Safety Hazard Identification

Routine inspections are an important source of information about safety concerns. Results from inspections may also help identify areas where mitigations were designed and adopted to manage safety risk, but have not been carried out as required. Inspections include personnel, vehicles, facilities, and data that identify potential safety concerns:

Personnel:

- Operations personnel fitness-for-duty checks, which may identify:
 - Impairment
 - Fatigue
 - Absence of corrective lenses
 - Missing credentials (e.g. medical certification, driver's license)

- Apparent injuries, and
 - Uniform or equipment issues
- Operator gate/field checks; operator evaluations
- Customer complaints
- Radio or digital communication checks

Vehicles:

- Routine Preventive Maintenance Inspections (PMIs)
- Pre/Post trip vehicle inspections
- Fleet and Facility Requests and Service Incidents
 - Facilities inspections
 - Employee observations
- Federal Transit Administration (FTA) notices and announcements
- Transit industry publications

Facilities:

- Targeted inspections to identify and evaluate workplace hazards are performed by management when the following situations occur:
 - New substances, processes, procedures, or equipment that presents the potential for new safety concerns are introduced into the workplace
 - New or previously unidentified hazards are recognized
 - New job duties are introduced or assigned
 - Facility conditions warrant an inspection
 - Transit Asset Management (TAM) assess condition assessments

Administrative:

- Rules compliance checks, which may identify:
 - Non-compliance with safety rules
 - Challenges in complying with safety rules
 - Emerging practices
- Incident reports, including near misses
 - Trend and pattern identification

- Electronic Pull Notice (EPN) program
- Third Party Administrators for Worker's Compensation and for Liability Claims
 - Cal-OSHA lost and restricted days reported on the Cal-OSHA 300
 - Occupational illnesses/ injuries occurrence (i.e. workers compensation claims)

Safety Risk Assessment

Methods and processes used to assess the safety risks associated with identified safety concerns and prioritizing the hazards are based on the level of safety risk. Safety risk must be assessed in terms of likelihood or the probability of a consequence occurring and the severity or seriousness of the consequence, if it occurs. On the safety risk matrix, the Y axis is the likelihood/probability and the X axis is the severity/seriousness. Events are analyzed by using the relevant number on the X and Y axis. The square where the relevant X and Y axis score meet is used. The corresponding numbers on the X and Y axis are multiplied and this number is used to identify the score on the risk score legend.

For example, an event that is both definite (5) and catastrophic (5) it will result in a score of 25 and rank the highest on the matrix. Conversely, if the event was rare (1) and insignificant (1), it will result in a score of one and rank lowest on the matrix. Most events will rank somewhere in the middle and as the matrix is utilized, the tool may be refined to better suit the application at PI. Paratransit, Inc.'s Safety Risk Matrix and Risk Score Legend is located in Appendices D and E, respectively. When a safety concern is identified, the affected supervisors and/or managers use the matrix and legend to understand when actions are necessary to reduce or mitigate the safety risk and the urgency of the mitigation.

PI assesses safety risk by evaluating unsafe work conditions, practices or procedures at the facility. Safety risks shall be corrected in a timely manner, based on the severity of the hazards and according to the following procedures:

- When observed, or discovered
- When an imminent hazard exists, which cannot be immediately abated without endangering employees(s) and or property, PI will remove all exposed employees from the area except those necessary to correct the existing condition. Employees required to remain available to correct the hazardous condition shall be provided with the necessary PPE.
- All such actions taken and dates of the completed corrections will be documented

Investigation of workplace events, hazards, and near misses are completed by the affected employee's supervisor, and include:

- Visiting the scene as soon as possible
- Interviewing affected worker and any witnesses
- Examining the workplace for factors associated with the event/hazard/near miss
- Determine the root cause and any associated causes of event/hazard/near miss
- Near misses are be treated with the same urgency as an actual event
- Take corrective actions to prevent the event from reoccurring
- Document findings and actions taken
- Management is notified immediately of a fatality or serious injury or illness and notifies the nearest office of the Division of Occupational Safety and Health by phone or fax within eight (8) hours (CCR Title 8, Section 342)

Safety Risk Mitigation

The goal of risk mitigation is to reduce the risk to an acceptable level; however, mitigations do not typically eliminate the risk entirely. The methods or processes to identify mitigations or strategies necessary will depend on the event and who in the agency is qualified to select appropriate safety risk mitigations. PI may survey



other transit agencies to ensure any proposed safety mitigation is appropriate and there are no unintended effects (i.e. new hazards).

The team who evaluates the risk and the mitigation will be determined based on the risk. If an event occurs at the facility, it is likely the Fleet and Facility Manager will be involved in the mitigation assessment to offer insights about the building or property. Facility risks may be mitigated by improved snow removal or upgrades to the building and property.

As PI identifies operational risks, the operations manager and other operations staff will assess mitigation strategies. New trainings may be implemented or existing training curriculum may be revised to address operational risks. If risks emerge on an existing route, PI may opt to engage a planner to gather perspective on changes to the path of travel. Each mitigation will depend on the circumstances of the risk and practical, yet creative, options available. PI will monitor the effectiveness of the approach and make adjustments as needed.

Safety Assurance

Safety Performance Monitoring and Measurement

Safety hazards are identified in a number of ways as outlined in the previous sections. Paratransit, Inc.'s activities to monitor compliance with operations and maintenance procedures are described below.

Direct observation is the most valuable method of monitoring the safety of the system. All PI employees are responsible for this observation as they navigate through the facilities and greater service area. Environmental challenges such as icy roads, inadequate snow removal, traffic, malfunctioning traffic signals, road construction, and road closures are all common when operating in a mountainous environment with high visitation. To stay current on all conditions, road supervisors continuously check the service area with heightened attention to the more dangerous regions. Two-way radio communication is the most immediate method

to alert operators of potential hazards, move to a detour or snow route, or suspend service.

Operators and road supervisors have the most first-hand opportunities to recognize hazards in the field. Employees are encouraged to complete employee incident reports any time something out of the ordinary occurs, including near misses. After review of the employee incident report, at least two supervisor(s) or manager(s) will review the video of the incident, depending on the seriousness and probability using the Safety Risk Matrix. If the initial review of the event creates concern around the employee's performance, the deficiency is addressed with retraining and coaching. Depending on the situation, this may include video review of the unsafe behavior with the employee, review of training materials, and hands-on behind the wheel training. All training is documented on a coaching form and, if necessary, disciplinary action is included in the file. All training, coaching, and disciplinary records are retained for at least three years.

Every collision, regardless of how minor, is evaluated using a notice of collision determination form. At least two supervisor(s) or manager(s) review all of the information related to the event and make a determination if it was preventable, non-preventable, or undeterminable. A root cause investigation may be conducted for preventable and undeterminable safety events.

A root cause investigation is an in-depth analysis of all possible causal factors. A root cause investigation is usually conducted by a team, which may include supervisors, operators, risk management, and union representatives. The following factors are evaluated to determine causation or contribution:

- PI and other vehicle(s)
- Environment (weather, time of day, road conditions)
- Passengers
- Policies & Procedures
- Mobility device, if applicable



- Pedestrians
- Operator's training, previous coaching, and active discipline

All members of the team share their perspectives and a final root cause report is drafted. Root cause reports are shared at the safety committee meetings to reduce the likelihood of the event reoccurring and this information is saved at least three years.

Per PI standard operating procedure, and in alignment with DOT regulations, operators complete pre-trip and post-trip inspections on the vehicles driven over the course of the day using a DVIR. The completed DVIRs are turned into the maintenance department and reviewed for safety defects. Work orders are generated through The Reporting Solution for each defect noted on the DVIR. Each vehicle has a designated clipboard with all open work orders attached, the clipboards are accessible to all staff. This allows operators to see the progress on the defect they reported.

Paratransit, Inc.'s maintenance department monitors road calls, fleet and facility requests, DVIRs, service incidents, and routinely visually inspects the vehicles. Preventive maintenance inspections are regulated based on a calculation of miles (i.e. annual miles each subfleet traveled divided by the inspection interval miles for that subfleet) and the results of oil analyses. The PMI schedule is tracked in our Enterprise Asset Management (EAM) software (which links to our PASS Operating system) and the PMI includes a multi-item checklist, followed by a road test to verify serviceability of the vehicle. PMIs assess the conditions of Paratransit, Inc.'s assets on a routine basis. Paratransit, Inc.'s inspections include a multi-item check list that touches on every wearing item/system on the bus and is followed by a road test to verify the serviceability of the bus. Inspection of all electrical equipment including video cameras, Zonar, and radios are also performed at this time.

Operational Safety Inspections are also tracked through EAM and are performed every 90 days in compliance with the California Highway Patrol, California Vehicle



Code. The maintenance department monitors technical bulletins, manufacturing notifications, and recall notifications. Defects identified will be handled in-house within Paratransit, Inc.'s resources and its personnel's scope of training. All other defects are contracted with professionals who specialize in the area of expertise.

All maintenance work, regardless of the source, is entered into EAM. Data can be aggregated in various ways to query different reports depending on the need. Updates are entered for ongoing repairs, providing electronic documentation of the full evolution of the repair.

EAM allows management to search key words and create reports on any fleet and facility requests, service incidents, employee incidents, or customer comments entered into the software. Custom reports may also be made when a unique situation arises. Key performance indicator reports are available to outline the number of work orders created and closed, labor hours, road calls, bus availability, and part requests. This level of monitoring allows management to identify safety risk mitigations that are ineffective or inappropriate. EAM maintains an indefinite retention of data, entries, and reports at this time.

All safety concerns and suggestions, anonymous or not, are reviewed. The concerns/suggestions are documented for all staff to review. If the suggestion has a limited likelihood of occurring and the severity is negligible, the appropriate person will investigate the issue and report back at the next management meeting. Depending on the complexity of the matter, the issue might be mitigated or it might require more group input at the next meeting.

The Cal-OSHA 300 Log is a record of work-related injuries and illnesses. The log classifies work-related injuries and illnesses and notes the extent and severity of each case. When an incident occurs, the log is used to record specific details about what happened and how it occurred. PI has logs for each physical location. An annual summary shows the totals for the year in each category. The annual summary is posted for employees to be aware of the injuries and illnesses occurring



at their workplace. After the Cal-OSHA 300 Log is posted for two months, the Human Resources/Risk Manager retains the log for at least three years.

Safety Promotion

Competencies and Training

PI requires employees including the Accountable Executive, Chief Safety Officer, and contractors, to complete training to be able to fulfill their safety-related roles and responsibilities. Initial training will be completed at hire/assignment, refresher training will be provided when behaviors indicate a need, and/or there are changes to the PTASP, operations, procedures, organizational structure, or when new safety concerns are identified and mitigation measures are developed. Each new Director on the PI Board of Director's receives an orientation packet and the plan will be included.

All transit staff are required to participate in Harassment, Distracted Driving, Injury and Illness Prevention Program, Hazardous Communication, Stress Management, Workplace Violence, Active Shooter, and Ethics. All safety sensitive staff are required to complete the Substance Abuse Awareness Training Program.

Paratransit, Inc.'s training program is constantly updated to reflect the changing regulations and best practices in the industry. Several specialized trainings for Paratransit, Inc.'s environment, policies/procedures, PASS: Passenger Assistance Safety and Sensitivity, and technologies. The road supervisor and dispatcher training includes more emphasis on the office technologies such as Computer Aided Dispatch and Automatic Vehicle Locator software (CAD-AVL), paratransit scheduling software, and The Reporting Solution software. The road supervisors also receive training on farebox troubleshooting, video review, and supervisor-specific reasonable suspicion and harassment trainings. All of the training is also available in an open format for retraining to ensure all staff feel confident in their skills.



All CDL holders have a minimum of 20 hours of classroom training and 30 hours of behind the wheel training. The exact number of training hours varies depending on the operator's license and endorsements. New employees training with PI to obtain their CDL average over 100 hours of training.

Maintenance staff (Mechanics and Service Assistants) must complete the following trainings:

- Preventive Maintenance checklist training
- Personal Protective Equipment (PPE) selection and use
- Shop daily safety inspection and cleaning procedures
- Lockout Tagout equipment procedure
- Proper hydration during summer months
- Tire training
- Eye wash and eye safety procedures
- Proper use of a fire extinguisher
- Spill Management prevention
- Proper air conditioning refrigerant recovery , recycling and service procedures
- Blood borne Pathogen safety training.
- Safety Data Sheet (SDS) location and understanding
- Walking safely in shop
- Proper lifting, bending, carrying
- Moving and road test driving vehicles
- Use of hydraulic lift
- Use of powered hand tools
- Use of compressed air tools
- General use of electric machinery
- Battery jump starting



Paratransit, Inc.'s insurance companies all provide various in-person and online safety training opportunities. PI also prioritizes training for staff through the Transit Safety Institute (TSI) and National Transit Institute (NTI).

Safety meetings are held for all maintenance and also for operations staff. The topics of the safety trainings are often suggested by staff, as a result of a pattern identified within PI, or something that is a current transit trend or update.

Safety Communication

Passengers and Community Communication

External communication occurs through email distribution lists, social media, PI website, and mobile application alerts. Additionally, informational flyers and public notices are posted in the buses.

Internal Communication

The following is Paratransit, Inc.'s system of communication, designed to facilitate a continuous flow of two-way (management, supervisors & employees) safety and health information in a form that is readily understandable to and between all affected personnel:

- New worker orientation, including a discussion of site-specific safety and health policies and procedures
- Follow through by supervision to ensure effectiveness
- Monthly safety training meetings that encourages employee input
- Posted and distributed safety information
- Paper and electronic systems for employees to anonymously inform management about workplace hazards or safety concerns
- Safety Communication Board
- Agency e-mails, and memorandums
- Posters, notices, memos, white board announcements



- Safety messages over the MDT's
- Regular updates to the Board of Directors

Following adoption of this plan, and any subsequent revisions, copies will be provided to Caltrans and SACOG in accordance with Federal Transit Administration guidelines.

Appendices

Appendix A: Record of Revisions

A table that records the history of revisions made to the agency's PTASP is contained in the table that follows. The history of the changes was placed in this appendix to help preserve the page numbering to the extent possible.

Plan Version Number and Updates			
Version Number	Section/Pages Affected	Reason for Change	Date Issued
1	various	Updated dates and annual numbers	12/17/21
2	Various	Updates dates, numbers and roles	11/20/22

Appendix B: Glossary of Terms and Acronyms

Term	Definition
Accident	Accident means an Event that involves any of the following: a loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause. (per § 673.5)
Accountable Executive	<p>§ 673.5 Definitions – Accountable Executive means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency’s Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency’s Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. § 5329(d), and the agency’s Transit Asset Management Plan in accordance with 49 U.S.C. § 5326.</p> <p>§ 673.23(d)(1) – The transit agency must identify an Accountable Executive. The Accountable Executive is accountable for ensuring that the agency’s SMS is effectively implemented throughout the agency’s public transportation system. The Accountable Executive is accountable for ensuring action is taken, as necessary, to address substandard performance in the agency’s SMS. The Accountable Executive may delegate specific responsibilities, but the ultimate accountability for the transit agency’s safety performance cannot be delegated and always rests with the Accountable Executive.</p> <p><i>Each transit agency must identify an Accountable Executive within its organization who ultimately is responsible for carrying</i></p>

Term	Definition
	<i>out and implementing its Safety Plan. A State that drafts a plan on behalf of another recipient or sub-recipient is not the Accountable Executive.</i>
Chief Safety Officer/SMS Executive	<p>§ 673.31 Definitions – Chief Safety Officer means an adequately trained individual who has responsibility for safety and reports directly to a transit agency’s chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.</p> <p>Safety Management System (SMS) Executive means a Chief Safety Officer or an equivalent.</p> <p>§ 673.23(d)(2) – The Accountable Executive must designate a Chief Safety Officer or SMS Executive who has the authority and responsibility for day-to-day implementation and operation of an agency’s SMS. The Chief Safety Officer hold a direct line of reporting to the Accountable Executive. A transit agency may allow the Accountable Executive to also serve as the Chief Safety Officer or SMS Executive.</p> <p><i>Each transit agency must identify a Chief Safety Officer within its organization who has the authority and responsibility for day-to-day implementation and operation of the agency’s SMS. The Chief Safety Officer must meet the requirements specified in § 673.31 and § 673.23(d)(2). For SMS to be successful and effective, this person should have a strong working relationship with the operations and asset management functions at the transit agency.</i></p> <p><i>Small public transportation providers may designate a Chief Safety Officer or SMS Executive who also manages other</i></p>

Term	Definition
	<p><i>functions, such as operations, maintenance, and grant administration. For these transit agencies, the Chief Safety Officer may be a full-time employee of the transit system who has responsibility for duties other than safety, a part-time employee of the transit system, or a contracted employee.</i></p> <p><i>Bus transit systems that operate more than 100 vehicles in peak revenue service should have a dedicated Chief Safety Officer, given the increased safety risk of those systems. However, this is not a requirement.</i></p>
Consequence	Consequences are outcomes or what those conditions can cause. Transit agencies should assess the likelihood and severity of the <i>consequences</i> of a hazard, not of the hazard itself (per § 673.5)
Event	Event means any Accident, Incident, or Occurrence. (per § 673.5)
Hazard	Hazard means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment. Hazard are conditions. (per § 673.5)
Incident	Incident means an Event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency. (per § 673.5)
Occurrence	Occurrence means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency. (per § 673.5)

Term	Definition
Performance Target	Performance target means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Transit Administration (FTA). (per § 673.5)
Safety Performance Target	Safety performance target means a Performance Target related to safety management activities. (per § 673.5)
Serious Injury	Serious injury means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface. (per § 673.5)

Acronyms:

Caltrans: California Department of Transportation

Cal-OSHA: California Department of Occupational Safety and Health

CSO: Chief Safety Officer

DR: Demand Response

FTA: Federal Transit Administration

MB: Motor Bus

NTD: National Transit Database

NDOT: Nevada Department of Transportation



PI: Paratransit, Inc.

PPE: Personal Protective Equipment

PTASP: Public Transit Agency Safety Plan

SMS: Safety Management System

SOP: Standard Operating Procedure

TrAMS: Transit Award Management System

Appendix C: 2018 NTD Safety & Security Quick Reference Guide – Non-Rail Mode Reporting

Reportable Event: A safety or security event occurring: on transit right-of-way or infrastructure, at a transit revenue facility, at a maintenance facility or rail yard, during a transit-related maintenance activity, or involving a transit revenue vehicle. Excluded from this event reporting requirement are events that occur off transit property where affected persons, vehicles, or objects come to rest on transit property after the event, OSHA events in administrative buildings, deaths that are a result of illness or other natural causes, other events (assault, robbery, non-transit vehicle collisions, etc.) occurring at bus stops or shelters that are not on transit-controlled property, collisions that occur while travelling to or from a transit-related maintenance activity, collisions involving a supervisor car, or other transit service vehicle operating on public roads.

S&S-40 Major Event Report	S&S-50 Non-Major Monthly Summary
MAJOR THRESHOLDS	NON-MAJOR THRESHOLDS
<p>An event meeting the reportable event definition AND meeting <i>one or more</i> of the following reporting thresholds:</p> <ul style="list-style-type: none"> • A fatality confirmed within 30 days (including suicide) • An injury requiring transport away from the scene for medical attention for one or more persons (partial exception in the case of Other Safety Events) 	<p>Less severe Other Safety Occurrence Not Otherwise Classified (OSONOC) injuries meeting the reportable event definition that is NOT a result of a collision, derailment, evacuation, security event, hazmat spill, or Act of God and non-major fires.</p> <p>OSONOC:</p> <ul style="list-style-type: none"> • Single injury event requiring transport away from the scene for

S&S-40 Major Event Report	S&S-50 Non-Major Monthly Summary
MAJOR THRESHOLDS	NON-MAJOR THRESHOLDS
<ul style="list-style-type: none"> Estimated property damage equal to or exceeding \$25,000 An evacuation for life safety reasons Collisions involving transit roadway revenue vehicles that require towing away of a transit roadway vehicle or other non-transit roadway vehicle <p>Reports are due within 30 days of the date of the event.</p>	<p>medical attention (do not report “minor” collisions on S&S-50)</p> <p>Fires:</p> <ul style="list-style-type: none"> Requires suppression that does not meet a major incident reporting threshold <i>injury, fatality, evacuation, or property damage of \$25,000 or more</i> <p>Reports due by the end of the following month (e.g., January data due by end of February)</p>

S&S-40 Major Event Report	S&S-50 Non-Major Monthly Summary
EVENT TYPES	EVENT TYPES
<ul style="list-style-type: none"> • A collision (including suicide/attempted suicide) • A fire • A hazardous material spill (requires <i>specialized</i> clean-up) • Acts of God (nature) • System security: <ul style="list-style-type: none"> ○ Arson ○ Bomb threat/bombing ○ Burglary/vandalism ○ Chemical/biological/radiological/nuclear release ○ Cyber security event ○ Hijacking ○ Sabotage ○ Suspicious package ○ Other security event (shots fired, projectiles, etc.) • Personal Security: <ul style="list-style-type: none"> ○ Assault ○ Homicide ○ Robbery ○ Larceny/theft ○ Motor vehicle theft ○ Rape 	<p>OSONOC:</p> <p>Injury due to:</p> <ul style="list-style-type: none"> • Slip/trip • Fall <ul style="list-style-type: none"> ○ Including person making contact with a non-moving transit vehicle • Injury to maintenance workers • Boarding/alighting • Electric shock/burns • Abrupt or evasive transit vehicle maneuvers • Mobility device (e.g. wheelchair) securement issues • Injury sustained on a mobility device lift • Stairs/elevator/escalator injury <p>Fire:</p> <ul style="list-style-type: none"> • Requires suppression but no major threshold is met <ul style="list-style-type: none"> ○ Small fire in transit station ○ Small engine fire on transit vehicle

S&S-40 Major Event Report	S&S-50 Non-Major Monthly Summary
EVENT TYPES	EVENT TYPES
<ul style="list-style-type: none"> ○ Other personal security events (non-collision suicide/attempted suicide, etc.) ● OSONOC (two injuries and/or another threshold) ○ Miscellaneous events that meet a threshold 	

Appendix D: Safety Risk Matrix

Safety Risk Matrix					
Likelihood/Probability	Rare (1)				Flood
	Unlikely (2)				
	Possible (3)			Fire	Gas leak
	Likely (4)	Power Outage		Traffic	Serious Injury
	Definite (5)	Cold/Hot Temperatures	FOG	FOG with Heavy Traffic	Serious Injury
		Insignificant (1)	Marginal (2)	Moderate (3)	Critical (4)
Severity/Seriousness					
					Catastrophic (5)

Appendix E: Risk Score Legend

Risk Score Legend

Risk Score	Risk Level Category	Description
1-4 (green)	Low Risk	Manage by routine procedures and operations; should not require much attention.
5-9 (yellow)	Moderate Risk	Manage by specific monitoring or response procedures.
10-14 (orange)	High Risk	Requires escalation to management.
15-25 (red)	Critical Risk	Requires escalation to Accountable Executive.



RESOLUTION NO. 14-22

**ADOPTING UPDATE #2 TO THE PARATRANSIT, INC PUBLIC TRANSIT AGENCY
SAFETY PLAN**

WHEREAS, Paratransit, Inc. puts the safety and security of our passengers and employees as our highest priority; and

WHEREAS, in accordance with Federal Transit Administration requirements, staff has developed a Public Transit Agency Safety Plan; and

WHEREAS, FTA requires the Board of Directors to formally adopt the Update to the PTASP by December 31, 2021.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of Paratransit, Inc. adopts Resolution 14-22 adopting the Public Transit Agency Safety Plan.

Patrick Hume, President
Paratransit, Inc., Board of Directors
Dated: November 21, 2022



**Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 5F**

AGENDA TITLE: Adopt Resolution 15-22 Adopting Updates to the Paratransit, Inc. Conflict of Interest Code

MEETING DATE: November 21, 2022

PREPARED BY: Tiffani M Fink, Chief Executive Officer

RECOMMENDED ACTION:

Adopt Resolution 15-22 adopting updates to the Paratransit, Inc. Conflict of Interest Code.

BACKGROUND AND DISCUSSION:

The Political Reform Act, Government Code Section 81000 *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes. Updates to the Code are approved by the Board of Directors. The proposed updates to the Code include updating position titles to reflect those currently used by the Agency and deleting obsolete titles. Titles to be deleted are in ~~red strikethrough text~~ and titles to be added are in red underlined text. Staff recommends that the Board adopt the updates to the Conflict of Interest Code for Paratransit, Inc.

FISCAL IMPACT:

There is no fiscal impact with approving the Plan.

ATTACHMENTS:

1. Paratransit, Inc. Conflict of Interest Code
2. Resolution 15-22



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CONFLICT OF INTEREST CODE FOR
PARATRANSIT, INC.

The Political Reform Act, Government Code Section 81000 *et seq.*, requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation, and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of Paratransit, Inc.

Designated employees shall file statements of economic interest with their agency. Upon receipt of the statements of the Board Members, the Alternates, and the Chief Executive Officer-Director, Paratransit shall make and retain copies and forward the originals of these statements to the Fair Political Practices Commission. Statements for all other designated employees will be retained by the agency.

PARATRANSIT, INC.

APPENDIX

**List of Designated
Positions**

**Assigned Disclosure
Categories**

Chief Operating Officer	2
Chief Administrative Officer	2
Chief Financial Officer	All
Chief Executive Officer	All
Deputy Executive Director	All
Director of Human Resources	2
Director of Information Technology	2
Director of Operations	2
Director of Strategic Initiatives and Mobility	2
All Managers	2
All Assistant Managers	2
All Positions Responsible for Procurement and Purchasing	2
Maintenance Manager	2
Members of the Board of Directors	All
Professional Consultants	All
Contracted Legal Services	All
Mobility Options Manager	2
Program Coordinator	2
Customer Service, Dispatch and Facility Manager	2
Driving and Training Manager	2
Program Manager	2

Disclosure Categories

Disclosure Category 1

Persons in this category shall disclose all interests in real property which are located in whole or in part within the State of California.

Disclosure Category 2

Persons in this Category shall disclose all investments, business positions and income, including gifts, loans and travel payments, or income from a nonprofit organization, if the source is of a type that contracts with Paratransit, Inc. to provide services, supplies, materials, machinery, or equipment.

**THIS IS THE LAST PAGE OF THE CONFLICT OF INTEREST
CODE OF PARATRANSIT, INC.**



RESOLUTION NO. 15-22

**ADOPTING UPDATES TO THE PARATRANSIT, INC.
CONFLICT OF INTEREST CODE**

WHEREAS, Paratransit, Inc. places the highest of ethical standards on our employees, Board of Directors and contracted professional consultants and legal advisors; and

WHEREAS, in accordance with The Political Reform Act, Government Code Section 8100 *et seq.*, staff has developed a Conflict of Interest Code; and

WHEREAS, the Act requires the Board of Directors to formally adopt updates to the Conflict of Interest Code; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of Paratransit, Inc. adopts Resolution 15-22 adopting the updated Conflict of Interest Code.

Patrick Hume, President
Paratransit, Inc., Board of Directors
Dated: November 21, 2022



Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 5G

AGENDA TITLE: Adopt Resolution 16-22 Approving the Paratransit, Inc. Board Meeting Calendar for the Calendar Year 2023

MEETING DATE: November 21, 2022

PREPARED BY: Chris M. Brown, SHRM-SCP, SPHR, Assistant Secretary of the Board of Directors

RECOMMENDED ACTION:

Staff recommends that the Board of Directors adopt Resolution 16-22 Approving the Paratransit, Inc. Board Meeting Calendar for the Calendar Year 2023.

BACKGROUND AND DISCUSSION:

Annually, executive staff prepares the meeting calendar for the Board of Directors. All meetings are on the on the third Monday of the month except February and the meetings are scheduled for 6:00 p.m. Due to the holiday in February, the meeting is scheduled for Wednesday, February 15, 2023 at 6:00 p.m.

FISCAL IMPACT:

None

ATTACHMENTS:

1. Board of Directors Meeting Calendar
2. Resolution 16-22 Approving the Paratransit, Inc. Board Meeting Calendar for the Calendar Year 2023



BOARD OF DIRECTORS' 2023 MEETING DATES

Paratransit, Inc.

2501 Florin Road

Sacramento, CA 95822

6:00 p.m.

February 15, 2023 (Wednesday)

April 17, 2023

June 19, 2023

August 21, 2023

October 16, 2023

December 18, 2023

Paratransit, Inc. Welcomes Public Attendance

**Please call 429-2009 if you would like to request an agenda.
Agendas are prepared and ready for public distribution three (3) days
before meeting dates.**



RESOLUTION NO. 16-22

**APPROVING THE PARATRANSIT, INC BOARD MEETING CALENDAR FOR THE
CALENDAR YEAR 2023**

WHEREAS, Paratransit, Inc. holds Board of Directors Meetings that are regularly scheduled and open to the public; and

WHEREAS, the Board of Directors has identified 6:00 p.m. on the third Monday of the Month as the meeting time for the months of February, April, June, August; October and December; and

WHEREAS, the February Board meeting date varies from year to year and has been set for 6:00 p.m. on February 15, 2023; and

WHEREAS, adopting the calendar at the November Board of Directors' meeting allows staff to post the meeting calendar on the Paratransit, Inc. website.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of Paratransit, Inc. adopts Resolution 16-22 approving the Paratransit, Inc. Board Meeting Calendar for the Calendar Year 2023.

Pat Hume, President
Paratransit, Inc. Board of Directors
Dated: November 21, 2022



**Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 6A**

AGENDA TITLE: Discussion and Appointment of Two New Board Members for a 3 year term, beginning January 1, 2023.

MEETING DATE: November 21, 2022

PREPARED BY: Tiffani M Fink, Chief Executive Officer

RECOMMENDED ACTION:

Discussion and appointment of a two board members for a 3 year term, beginning January 1, 2023.

BACKGROUND AND DISCUSSION:

At the August 2021 meeting the Board participated in a facilitated discussion on Board governance and Board design. As part of that meeting the Board directed the Chief Executive Officer (CEO) to begin the recruitment process to annually select new Board members. Consistent with the direction provided at the meeting the CEO developed a short list of candidates (two) and provided them to the Board President. The Board President has met with the two potential Board members. At the meeting, the Nominating Committee will present their recommendation for consideration of appointment. The remaining two Board positions will be brought to the Board for action at the December 2022 meeting.

FISCAL IMPACT:

There is no fiscal impact with this action.

ATTACHMENTS:

None



Paratransit, Inc.
Board of Directors Staff Report
Agenda Item 6B

AGENDA TITLE: Discussion and Possible Action to Authorize the Chief Executive Officer (CEO) and Chief Financial Officer (CFO) to begin the formation of a New 501(c3) for the purposes of developing a housing project on Woodbine Avenue, engage legal services to prepare all necessary legal documentation and to finalize final steps for potential Project Adoption at the December 2022 Board meeting

MEETING DATE: November 21, 2022

PREPARED BY: Tiffani M. Fink, Chief Executive Officer

RECOMMENDED ACTION:

Discussion and possible action to authorize the Chief Executive Officer and Chief Financial Officer to begin the formation of a New 501(c3) for the purposes of developing a housing project on Woodbine Avenue, engage legal services to prepare all necessary legal documentation and to finalize final steps for potential Project Adoption at the December 2022 Board meeting.

BACKGROUND AND DISCUSSION:

In September of 2020, the Board of Directors adopted the first Strategic Development Plan. In April 2022, the Board of Directors engaged in an in-depth review of the agency Strategic Development Plan and in June 2022, the Board adopted the second update.

Included in the Business Development Plan was an item to develop the 2.5 acre vacant parcels owned by Paratransit on Woodbine Avenue, adjacent to the main administrative offices. Staff discussed this item with the Board in

April and was given approval to explore the options related to developing housing on the parcels. The CEO and CFO have been engaged in active discussions with the City of Sacramento and the development team of Urban Elements and Fulcrum Properties. Together a project has been designed to construct 216 units of attainable, supportive housing that would rent within the Housing Choice Voucher limits.

The main concept for the project would be to borrow the partnership structure used in our mobility partnership programs and apply them to the new housing project. 6 local non-profits have signed on as interested partners in securing housing at the potential location. These non-profits include Lutheran Social Services, Waking the Village, Resources for Independent Living, Creative Living Options, City Year and the Sacramento LGBT Community Center. In addition, staff is exploring conversations with two of our existing partners (Salvation Army and St. John's Program for Change) who are interested in collaborating on the housing program as well. In addition to providing clients to secure the housing units, each of the non-profits is committed to providing supportive services to the site. Staff is exploring property management operators and will have more specifics for the Board at the meeting.

On October 25th, the Sacramento City Council adopted a new strategic approach to the housing crisis in Sacramento with a focus on development of permanent housing solutions. Included in that approach was a commitment of a 55 year, receipts only loan (with opportunity for debt forgiveness) of \$8.4 million. It passed the City Council unanimously. The City has signed on as a partner and would be able to directly refer 10 individuals from their programs into the on-site housing.

Staff is continuing to work on the fine details and financing package for this project and will bring that forward in December with consideration of formal project approval. To keep the project on track, there are some administrative and legal steps that need to occur before formal Board consideration. These items include: creation of potential partnership agreements with the non-profits, development of a formal letter of intent, and to establish the groundwork and legal framework development to create a second non-profit (established and overseen by Paratransit) to hold the housing development for the financial benefit of Paratransit. Staff will present more in-depth information on these items at the meeting and answer questions.

FISCAL IMPACT:

All current activities are included within the existing budget. Cost for future expanded services such as providing services and maintenance would be offset by secured revenues prior to formal adoption.