

In recent years the MTA has found it necessary to reduce our workforce in order to produce needed budget cuts as well as implement, what we have been led to believe, were changes for a more efficient organizational structure. We have been assured that most, or all, of those who were vulnerable to such layoffs would be provided the opportunities for transfer to other positions (re-hiring) or have chosen to take advantage of retirement incentives containing salary packages.

We have before us a series of questionable salary increases coming on the heels of recent layoffs and based on budget projections, we can easily speculate that we may face even more layoffs in the next fiscal year.

There is a question whether in some cases, employees may have been laid off improperly, while their positions remain budgeted under different job titles and classifications.

Our policies are clear about what actions are to be taken before a reduction-in-force can take place and what administrative actions are to take place as a result of reducing these positions.

For these reasons, I believe that an investigation by the Inspector General's Office is warranted. First, the Inspector General is charged with investigations of abuses that may have taken place. Secondly, it would be an unfair burden to ask the Executive Administration to conduct an audit of these reduction-in-force activities.

I, THEREFORE, MOVE that this Board instruct the Inspector General to initiate a confidential investigation into the following:

1. Review of all personnel files for individuals laid off since January 2002 to determine:
 - If their position numbers, classifications have been re-used or changed and the subsequently created new positions have been re-filled? Were any of the "re-filled" positions given to laid-off employees?
 - What actions did the HR Department take to inform employees of new opportunities available within MTA for up to one year after their separations?
 - What re-training activities were made available to provide employees with skills for jobs within other departments in MTA? What re-training opportunities were made available to laid-off employees?

2. Determine the number of positions abolished;
 - the number of new positions created,
 - how many of the new positions created involved laid off employees, and
 - how many of the new positions required bringing in personnel from other transit agencies?

3. In how many cases where personnel were brought into the agency could a laid off employee have been retrained for the job; and,
 - In how many cases were laid off employees interviewed or even contacted about job availability?

4. Provide the *Equal Employment Opportunity* (EEO) data, by category, by year as well as cumulative data in each grouping and note changes.

5. The Inspector General shall report back to the full Board at the April 2005 meeting on the status and results of his investigation.