



Bis-Man Transit Board Meeting

April 23, 2026, 11:30 AM

<https://us02web.zoom.us/j/86858569605>

Call in: +1 312 626 6799; Meeting ID: 868 5856 9605

Welcome & Introductions

Approval of Agenda

Consent Agenda

1. Previous Month's Minutes
 - a. Attachment A – 2026/3/26 Regular Meeting
 - b. Attachment B – 2026/4/20 CTIC Meeting
 - c. Attachment C – 2026/4/14 Finance Committee Meeting
2. Financial Report
 - a. Attachment D
3. Ride Stats
 - a. Attachment E

Public Comment

New Business

1. Policy and Procedure Update Approval
 - a. Attachment F
2. Employee Handbook Update Approval
 - a. Attachment G
3. Civil Rights Policy Update Approval
 - a. Attachment H

Executive Director Report – Attachment I

1. Upcoming Projects
2. Transit Development Plan Update
3. Grant Update

Operations Report – Attachment J

Other Business



3750 E Rosser Avenue,
Bismarck, ND 58501



701.258.6817



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Adjourn

Annual Meeting

1. 2025 Transit Board Annual Meeting Minutes
 - a. Attachment K
2. Bylaw Discussion
 - a. Attachment L
3. Explanation of Voting Process
4. Introduction of Applicants for Board Positions
 - a. Attachment M
5. Board Election
6. Officer Election

- The next Board Meeting will be held on May 28, 2026, at 11:30 am.



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A

Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

Bis-Man Transit Board Meeting

March 26, 2026, 11:30 AM

Via Zoom & In-person at

3750 E Rosser Ave. Bismarck, ND 58501

Attending:

Lynn Wolf, President

Lacey Long, Vice President

Glenn Lauinger

DeNae Kautzmann, Secretary/Treasurer

Karel Sovak

Steve Heydt

Helen Baumgartner

Julie Horntvedt

Royce Schultze

Commissioner Rohr

Staff:

Deidre Hughes

Tammey Schutt

Mike Mundahl

Craig Thomas

Tom Reisenauer

Amanda O'Brien

Guests:

Trevor Vannett

Susan Dingle

Paulette Jacobsen

Kim Riepl



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Meeting called to order at 11:30 A.M.

Approval of Agenda: Steve moved to approve the agenda. Karel seconded the motion. Motion carried unanimously.

Consent Agenda: Steve moved to approve the Consent Agenda. DeNae seconded the motion. Motion carried unanimously.

1. Previous Month's Minutes
 - a. Attachment A – 2026/2/26 Regular Meeting
 - b. Attachment B – 2026/3/23 CTIC Meeting
 - c. Attachment C – 2026/3/25 Finance Committee Meeting
2. Financial Report
 - a. Attachment D
3. Ride Stats
 - a. Attachment E

Public Comment: N/A

Old Business

1. 2026-2027 Insurance Policy Renewal
 - a. Attachment F

Deidre presented the insurance quote. This insurance quote came in a little below what was budgeted for although it did not contain property insurance. The premium will be \$174,670.50. This does not include the property insurance, which was received and is \$2,829.67. It will be a little over the budget and will need to do a budget amendment. Deidre pointed out that the deductible increased from \$1000 to \$2000. DeNae stated the finance committee recommends that the board approve the insurance proposal and so moved. Glenn seconded the motion. Motion carried unanimously. DeNae so moved to approve the property insurance for \$2,829.67. Glenn seconded the motion. Steve inquired as to the coverage specifically. Deidre highlighted items included in coverage. Motion carried unanimously.

New Business

1. CAT Bus Pass Voucher Program Discussion
 - a. Attachment G

Deidre stated that at the February 24th Bismarck City Commission meeting, Ministry on the Margins submitted a request to utilize a portion of the public transit sales tax funding to purchase CAT bus passes. It was the City Commission's wish that a voucher



program be facilitated by Bis-Man Transit. Staff met with Mayor Schmitz on March 5th to discuss a voucher system for CAT bus passes. Mayor Schmitz feels the program should be facilitated by Bis-Man Transit, with Board approval of the agencies. These items were also discussed. 1. Agencies apply to the Bis-Man Transit Board to qualify for bus passes. The agencies are responsible for tracking who tickets are given to, trip purpose, etc. Bis-Man Transit is not responsible if an approved agency fails to track this information or provides inaccurate information. 2. Run the bus pass voucher program as a pilot program. This allows us to discontinue if we have issues with facilitating the program. 3. Bis-Man Transit Board submits a request to the Bismarck City Commission to provide \$10,000 to fund the program. 4. Limit requests to one day and one-way CAT bus passes to help with tracking. She explained that it could run similarly to the homeless coalition project we had run with the Consensus Council. DeNae stated that the Finance Committee did discuss this. The issue is that the income would be reported to the FTA as fare income and not sales tax income. The sales tax money would be given to Bis-Man Transit to fund this program, but it would be reported as fare income, which is very confusing and may not be permissible under federal regulations. It is additional work for the staff and the board because we would have to approve any agency that applies to participate in the program. She stated it was recommended by Finance that this item be tabled until the May meeting until we have researched these issues with the federal field office and dive deeper into how to administer this program. DeNae moved to table the bus voucher discussion until May. Glenn seconded the motion. Motion carried unanimously.

Executive Director Report – Attachment H

Deidre summarized her report that was included in the board packet.

Operations Report – Attachment I

Craig summarized his report that was included in the board packet.

Other Business:

Adjourn Steve moved to adjourn the meeting. Karel seconded the motion. Motion carried unanimously.

Meeting adjourned at 12:06 P.M.



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B

Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

Community Transportation Input Committee Meeting Minutes April 20, 2026, 2:00 PM

Attending:	Helen Baumgartner	Julie Horntvedt
	Glenn Lauinger	Nate Mickelson
	Jeannie Pedersen	Randee Sailer
	Kandy Swenning	Trevor Vannett
Staff:	Deidre Hughes	Mike Mundahl

Meeting was called to order at 2:01 P.M.

Regular Agenda

1. **Welcome and Introductions:** Deidre stated all meeting attendees.
2. **Policy and Procedure Handbook Update**

Deidre told the committee about changes being made to the policy and procedure handbook. Changes were made to reflect the extended service hours. Language was added to address joyriding. Deidre said the language will help ensure that all CAT bus riders disembark at the transfer points and reboard if needed. The policy language would deter individuals riding with no intention of getting off and help staff track ridership more accurately. Additional changes include language indicating that will-call trips may be delayed depending on the time of day and trip capacity constraints, eliminating language about trip subscriptions, clarifying the 30-minute pick-up window language, and addressing packages transported on the bus. Deidre said failure to apply to the package limit may result in rider suspension.

Trevor asked about package limits and said some riders need to transport groceries on the bus. Deidre said as long as a rider can contain their packages to their area and not impact other riders, it wouldn't be a problem. Trevor asked how the no joyriding policy would be enforced. Deidre said the drivers would not escalate the situation, but a road

supervisor, or law enforcement if needed, would meet the bus at the transfer point. Deidre said riders would be made aware of the policy through signs on the buses. Trevor motioned, Randee seconded, to recommend approval of the changes.

3. Other Business

Trevor commented that he's heard a lot of positive feedback on the extended hours.

Meeting adjourned at 2:28 P.M.



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C

Bis-Man Transit Finance Committee Meeting Minutes

April 14, 2026, 1:30 P.M.
Via Zoom

Attending: DeNae Kautzmann, Chair Lynn Wolf
Glenn Lauinger

Staff: Deidre Hughes

Meeting was called to order at 1:29 PM.

The topic of discussion was the bus voucher program that the City of Bismarck would like us to implement. Lynn expressed concern about whether we should accept the role the City wants us to play. The fiduciary responsibility of the sales tax money would attach to us. As distributors of the bus vouchers the City pays us for, we cannot control how the agencies use the vouchers we issue to them. Further, we would expose Transit to potential lawsuits if we denied an agency to participate in the program, for example.

Glenn pointed out additional potential issues related to the FTA, IRS, ADA, and audit issues if we received the money and then donated it as vouchers. How is the money recorded for example, farebox income or sales tax money.

Deidre said the Mayor is not in favor of having the Homeless Coalition be the recipient of the sales tax money and the purchaser of bus vouchers at this time. She shared that there could be a new President of the Coalition that could change the Mayor's mind.

The Committee agreed we need a purchaser, either the City purchases and names the recipients of the vouchers with the number of vouchers per agreement with Transit, or a separate entity applies to the City for sales tax money and purchases vouchers from Transit.

The Committee has grave concerns and does not want to be put in a difficult position. The Committee decided to request a meeting with the Mayor to outline our concerns and discuss alternate paths forward.

Meeting adjourned at 1:50 pm

March 2026

MONTHLY REPORT

	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD	
RIDERSHIP							
FIXED ROUTE	14,990	41,701	12,193	35,196	22.94%	18.48%	
PARATRANSIT	8,444	23,784	7,955	23,332	6.15%	1.94%	
Total	23,434	65,485	20,148	58,528	16.31%	11.89%	
FR AVG. DAILY BOARDINGS	576.54						
DR AVG. DAILY BOARDINGS	272.39						
Pass./Hour Pass./Hour Pass./Hour							
REVENUE HOURS	Month	YTD	Month	YTD	PY YTD	PY YTD	% INC/DEC OVR PYTD
FIXED ROUTE	1,845.50	5,387.17	8.12	7.74	6.53	5,389.7	-0.05%
PARATRANSIT	3,195.70	9,323.15	2.64	2.55	2.69	8,663.0	7.62%
Total	5,041.20	14,710.32	4.65	4.45	4.2	14,052.6	
Pass./Mile Pass./Mile							
REVENUE MILES	Month	YTD	Month	YTD	PY YTD	PY YTD	% INC/DEC OVR PYTD
FIXED ROUTE	29,345	85,661	0.51	0.49	85,220		0.52%
PARATRANSIT	43,681	123,706	0.19	0.19	122,330		1.13%
Total	73,025.69	209,367.20	0.70	0.68	207,550		0.88%
ON TIME PERFORMANCE							
	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD	
FIXED ROUTE	85.54%	85.29%	84.94%	84.00%	0.71%	1.54%	
PARATRANSIT	94.85%	95.70%	91.05%	91.69%	4.17%	4.37%	
RIDERSHIP PER ROUTE							
ROUTE	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD	
BLACK	2855	8014		2456		16.2%	
BLUE	2482	6845		1943		27.7%	
GREEN	2985	8242		2386		25.1%	
RED	1304	3636		1191		9.5%	
ORANGE	3628	10335		2751		31.9%	
PURPLE	1736	4629		1466		18.4%	
RIDERSHIP BY DESTINATION							
	Month	YTD	PY Month	PY YTD	% INC/DEC OVR PYM	% INC/DEC OVR PYTD	
(Included in 'Ridership Per Route' Numbers)	U-Mary	226	514	456		-50.4%	
	UTTC	48	152	54		-11.1%	
	Bismarck Library	910	2594	832		9.4%	
	Mandan Walmart	95	268	121		-21.5%	
	Mandan Family Fare	453	1271	459		-1.3%	
	CHI St Alexius	401	1187	N/A			
ACCIDENTS							
	Month	Month at Fault	YTD	YTD at Fault			
FIXED ROUTE	0	0	1	1			
PARATRANSIT	0	0	4	4			
SERVICE VEHICLE	0	0	0	0			
SENT TO INSURANCE	0		1				
COMPLAINTS							
	Month	YTD					
FIXED ROUTE	1	1					
PARATRANSIT	0	1					
Office Staff	0	0					
COMPLIMENTS							
	Month	YTD					
FIXED ROUTE	0	0					
PARATRANSIT	3	8					
Office Staff	0	0					



F

Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

April 23, 2026

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: Policies and Procedures Update

BACKGROUND: The current Policy and Procedures document was approved and took effect in December 2025.

DISCUSSION: With increased ridership, we are experiencing challenges tracking CAT Bus riders because many remain on the bus for extended periods. This has triggered staff to review the Policy and Procedure handbook. Through this review, the staff has included “no joyriding” within the updated policy. Other Changes to the Policy:

- Updates to service hours
- Will Call clarification
- Removal subscription service option
- Clarification of pick-up window
- Personal Care Attendant clarification
- Failure to follow the package limit suspension
- Spelling and grammar issues throughout

RECOMMENDATION: Bis-Man Transit staff recommend approval of the Policy and Procedures Handbook update.



3750 E Rosser Avenue,
Bismarck, ND 58501



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Meeting Our Customer's Travel Needs

This guide provides brief information about Bis-Man Transit (door-to-door paratransit service) and Capital Area Transit (fixed route service). It was intended to give service providers resources they need when they refer people to use public transportation services in the Bismarck, Mandan, and Lincoln area. If you have questions about our paratransit or fixed-route bus service after reviewing this guide, please call our Bis-Man Transit office at 701.258.6817.

Bis-Man Transit Paratransit Service

For eligible riders who have a disability that prevents them from making some or all of their trips on the fixed-route system, Bis-Man Transit offers a shared ride, door-to-door service called paratransit. This service is sometimes called "ADA Paratransit Service" because it is provided to meet the requirements of the Americans with Disabilities Act of 1990 (ADA) and ensures all individuals have the opportunity to use public transportation services.

Paratransit schedules and provides service to ADA paratransit eligible persons at any requested time on a particular day in response to a request for service made at least one day in advance. Hours of operation for paratransit are Monday to Saturday from 5:30 AM to 12:00 AM; Sunday from 7:30 AM to 2:30 PM.

Capital Area Transit Fixed Route Service

Capital Area Transit (CAT) is committed to providing transportation services that can be used by all of our customers. Fixed-route buses operate on set routes throughout the Bismarck and Mandan communities. All fixed-route buses have lifts or are low-floor with a kneeling feature to better serve riders who use mobility aids or have difficulty getting up and down the vehicle steps. Our fixed-route vehicles are 100% accessible.

For everyone's benefit and to comply with federal requirements, drivers announce route timing points and transfer points to help riders identify their bus stop or transfer point. A limited number of seats are usually available near the entrance of the bus for persons who have mobility concerns. Reserved spaces with tie-down straps and driver assistance are available for riders who use mobility aids.

Persons with disabilities and seniors age 65 or older may show their Bis-Man Transit membership card or other approved verification of age or disability to receive free fares on the CAT. If someone has a verifiable disability and would like a Bis-Man Transit paratransit ID card to receive free fare, he or she needs to fill out and submit the Bis-Man Transit application, which can be obtained by calling 701.258.6817 or found online at www.bismantransit.com. We encourage our customers with disabilities and seniors to take advantage of the flexibility, independence, and no-cost option that our fixed route services provide.

Students in grades K-12 and college, Medicare cardholders, and Veterans can receive the reduced fare rate. Proper identification, such as a form of school identification, is required for students, and presentation of a Medicare card or military ID is required.

For route and schedule information, travel training information, or any questions you may have about using the CAT bus fixed route bus services, call 701.258.6817 or visit our website at www.bismantransit.com.

TABLE OF CONTENTS

Section One: Guide Introduction	5
Section 1.1 – Purpose of this Guide	5
Section 1.2 – References to Federal Regulations	5
Section 1.3 – Statement of Non-Discrimination	5
Section 1.4 – Accessible Formats	5
Section 1.5 – Paratransit Application Process	5
Section Two: Transportation Services	7
Section 2.1 – Service Description	7
Section 2.2 – Service Hours	7
Section 2.3 – Service Area	7
Section 2.4 – Paratransit Trip Purpose	7
Section 2.5 – Rider Fares	8
Section 2.6 – Refund Policy	9
Section 2.7 – Rider Courtesy and Conduct	10
Section 2.8 – Paratransit Driver Responsibilities.....	13
Section 2.9 – CAT Driver Responsibilities	15
Section Three: Paratransit Eligibility	16
Section 3.1 – Paratransit Eligibility Criteria and ADA Paratransit Eligibility	16
Section 3.2 – Eligibility for Discount Fare on Fixed-Route CAT Buses	17
Section 3.3 – Visitors	17
Section 3.4 – Temporary Disabilities	17
Section 3.5 – Conditional Disabilities	17
Section 3.6 – Eligibility Process for Persons with Disabilities	17
Section 3.7 – Application Form	18
Section 3.8 – Appeal Procedure	18
Section Four: Paratransit Trip Reservations Procedures.....	20
Section 4.1 – Reservations	20
Section 4.2 – Advance Notice Requirement	20
Section 4.3 – Reservation Procedures.....	20
Section 4.4 – Reservation Cancellation	21
Section 4.5 – Same Day Request for Early Pickups.....	21

Section Five: Paratransit Pickup and Travel Procedures	22
Section 5.1 – Pickup Procedures	22
Section 5.2 – Companions	22
Section 5.3 – Escorts.....	22
Section 5.4 – Origin to Destination Service	22
Section 5.5 – Use of Ramp/Lift and Securement Inside Paratransit Buses	23
Section 5.6 – Capacity Constraints	24
Section 5.7 – Service Animals and Life Support Equipment.....	24
Section 5.8 – Prohibited Activities.....	25
Section 5.9 – Animals	25
Section 5.10 – Children.....	25
Section Six: Paratransit Trip Cancellations and Denials	26
Section 6.1 – Cancellation Procedures	26
Section 6.2 – Penalties Imposed for “No-Shows”	26
Section 6.3 – Refusal of Service.....	28
Section 6.4 – Condition of Service.....	28
Section Seven: Other Information	29
Section 7.1 – Travel Training	29
Section 7.2 – Accessible Phone Communications	29
Section 7.3 – Public Information	29
Section 7.4 – Privacy Regarding Medical Information.....	29
Section 7.5 – Complaints and Compliments.....	29
Section 7.6 – Driver Training	30
Section 7.7 – Vehicles.....	30
Section 7.8 – Reporting Abuse	30
Section Eight: Civil Rights Policies	31
Section 8.1 – Title VI Plan/Complaint Process.....	30
Section 8.2 – ADA Complaint Process	61
Section 8.3 – Reasonable Modification Plan/Complaint Process.....	64
<i>Section 6.3 Addendum – Refusal of Service.....</i>	69
<i>Section 2.6 Form</i>	70

SECTION 1: GUIDE INTRODUCTION

Section 1.1 - Purpose of this Guide

This document outlines the operational guidelines for the Bismarck-Mandan and Lincoln area paratransit and fixed- route services. The paratransit service is provided for individuals with disabilities and senior citizens age 70 or older whose transportation needs cannot be met by the CAT Bus fixed-route service. For those individuals able to use or access the city bus, Capital Area Transit provides fully accessible fixed-route bus service throughout the cities of Bismarck and Mandan.

Section 1.2 - References to Federal Regulations

The Bis-Man Transit paratransit and fixed-route services are funded in part through federal, state, and local governments. Operational guidelines comply with federal, state, and local regulations and conform to the applicable provisions of the Americans with Disabilities Act of 1990 (ADA) and Regulation 49 CFR Parts 37.

References will be made throughout this document to specific regulations to assist in updating guidelines as regulations are modified.

Section 1.3 - Statement of Non-Discrimination

[ADA Regulation 49 CFR 39]

The Bis-Man Transit Board does not discriminate against any individual on the basis of race, color, creed, religion, national origin, gender, marital status, status with regard to public assistance, disability, age or familiar status in the provision of public transportation services.

Section 1.4 - Accessible Formats

The information contained in this guide, information concerning the eligibility determination process, application materials, and determinations concerning eligibility are available in accessible formats upon request by contacting the Bis-Man Transit office at 701.258.6817. Information will be provided in a format a person can use according to their disability.

Section 1.5 - Paratransit Application Process

Paratransit service is available to all Bismarck, Mandan, University of Mary, and Lincoln residents eligible for the service. Trips must be located within the predetermined service area. (ADA eligible out-of-town riders see Section 3.3).

To become certified to schedule and ride paratransit, the applicant must obtain and fill out an application by printing it from www.bismantransit.com, receiving a printed application from the Bis-Man Transit office by calling 701.258.6817, or stopping at the Bis-Man Transit office at 3750 E Rosser Ave in Bismarck. Electronic applications are accepted via e-mail at info@bismantransit.com.

The application is to be completed in its entirety by the applicant. The appropriate human service professional listed by the applicant will then be contacted to verify the applicant's disability, if applicable.

- Applicants wishing to be certified on ADA basis must complete the entire application.
- Individuals over 70 wishing to be qualified based on age must complete the general information portion of the application and provide one of the following:
 - Copy of a government issued photo ID
- All applications must be signed by the applicant.

The completed application form and additional documentation of the applicant's age or disability must be mailed or faxed to:

Bis-Man Transit
3750 E Rosser Ave
Bismarck, ND 58501
Fax Number: 701.258.6752

Electronic applications may be e-mailed to:

info@bismantransit.com

Applicants can also bring the application and supplemental documentation to the Bis-Man Transit office at 3750 E Rosser Ave in Bismarck and office staff will make a copy of the supplemental document for the applicant to include with the application form.

Bis-Man Transit staff will evaluate the information on the application. If an application is approved, the new rider will be notified by mail and will be issued a rider verification card. The rider verification card contains the following information:

- Assigned Bis-Man Transit rider ID number
- Name of the eligible rider
- Address of the eligible rider
- Expiration date of paratransit eligibility. For Unconditional Eligibility, this is 3 years from the certification date

Each applicant's eligibility will be determined according to guidelines in Section 3: Paratransit Eligibility.

Riders are encouraged to carry their Bis-Man Transit ID card at all times.

In the case of a temporary disabling condition, a temporary ID card will be provided with the date of the card expiration.

If an application is not approved, the applicant will be notified and he or she will have an opportunity to provide additional information for reconsideration by Bis-Man Transit.

SECTION 2: TRANSPORTATION SERVICES

Section 2.1 - Service Description

[ADA Regulation 49 CFR 37.167(e)]

All Capital Area Transit fixed-route buses are accessible through provision of lifts or ramps (low floor buses).

Bis-Man Transit Paratransit is required to provide door-to-door transportation service on a reservation basis for individuals with disabilities who are ADA paratransit eligible and unable to utilize CAT fixed-route bus service independently (refer to section 3.1). Paratransit utilizes buses with lifts for accessibility. Riders are not able to request a certain vehicle. Considerations for a vehicle request will be considered only if a physician submits a written, detailed description why a rider needs special provisions. This does not guarantee that the rider request will be granted.

Section 2.2 - Service Hours

[ADA Regulation. 49 CPR 37.131 (e)]

The CAT bus fixed-route system's route times are listed on the route maps and on the websites, www.thecatbus.com and www.bismantransit.com.

The CAT bus doesn't run on Sundays or the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, or Christmas Day.

Paratransit door-to-door service is available and operates Monday to Saturday from 5:30 AM to 12:00 AM; Sunday from 7:30 AM to 6:00 PM. Rides need to be scheduled at least the day prior by calling the scheduling dispatch assistants at 701.258.6817 (select option 1) between the hours of 8:00 am and 5:00 pm Monday to Sunday. ~~Trips may also be scheduled by leaving a voice message with dispatch from 2:30 PM to 5:00 PM on Sundays.~~

Section 2.3 - Service Area

[ADA Regulation 49 CFR 37.131 (a)]

The CAT bus fixed-route service operates along set routes throughout the Bismarck and Mandan communities.

Paratransit door-to-door service serves riders within the cities of Bismarck, Mandan, and Lincoln and also serves University of Mary.

Section 2.4 - Paratransit Trip Purpose

[ADA Regulation 49 CFR 37.131 (d)]

No restrictions or priorities are imposed based on trip purpose for rides given by Bis-Man Transit paratransit. Paratransit is not an ambulance service and does not provide emergency medical transportation. Drivers are prohibited from providing delivery services.

Section 2.5 - Rider Fares

ADA Regulation 49 CFR 37.131 (c)]

CAT Bus

The rates for The CAT Bus fixed route service are as follows (January 2017):

- \$1.50 one-way
- \$.75 one students in grades K-12 and college, Medicare card holders and Veterans (verification required to receive discounted rate)
- Free for children age 4 and under when riding with an adult
- Free transfers
- \$6.00 for 1-day pass for adults
- \$3.00 for 1-day pass for students in grades K-12 and college, Medicare card holders and Veterans (verification required to receive discounted rate)
- \$36.00 for 30-day pass for adults
- \$24.00 for 30-day pass for students in grades K-12 and college, Medicare card holders and Veterans (verification required to receive discounted rate)
- Seniors 65 and older, as well as certified paratransit riders may ride the CAT for free at any time (verification required to receive discounted rate)

Each one-way fare listed above is for a one-way complete trip. Once a rider disembarks from the vehicle or arrives at a destination, a trip is completed. Transfers are free at the following locations: Bismarck State College, Mapleton Avenue, Front Avenue, and Dan's Supermarket Mandan.

When transferring, riders must board the next bus going toward their final destination.

CAT Bus fareboxes accept cash and coins. The fareboxes do not return change and drivers do not carry change. If riders do not pay with exact change, they will be issued a ticket with the remaining balance.

The ticket must be used on the CAT Bus within one year of its issue date. Riders must pay the fare or feed their 30-day pass into the farebox immediately when they enter the bus. Drivers are not permitted to access a rider's personal wallet, purse, or backpack.

30-Day passes and 1-Day passes can be purchased from CAT Bus drivers. All passes can also be purchased at the Bis-Man Transit office at 3750 E Rosser Ave in Bismarck. If a rider purchases a pass from a CAT Bus driver, he or she must tell the driver what pass is needed BEFORE money is fed into the farebox. If an agency is purchasing a large quantity of these tickets, it is advised that the agency call ahead and the office staff will get them ready for pickup.

Paratransit

The fare for each one-way trip on paratransit is \$3.00 (January 2017). Exact fare is required in the form of cash or change. Drivers do not have change and they are not permitted to access a rider's personal

wallet, purse, or backpack. Punch cards in \$12 increments are available for purchase at the following locations:

- Bis-Man Transit office (Cash, Credit/Debit Card, or Check)
- **Family Fare** Supermarket Customer Service Counters (North, South, East, West, and Mandan)
- Cash Wise Foods (North and South) Customer Service Counter
- Tickets can also be purchased by phone with a credit/debit card by calling the Administrative Office at 701.258.6817. Tickets may be mailed or picked up in the office.
- Diminishing balances may be refilled via Cash, Credit/Debit Card, or Check.

The following conditions apply to punch card sales:

- Punch cards cannot be redeemed for cash under any circumstances
- Lost or stolen cards will not be replaced
- Punch cards are valid for use on paratransit only

Paratransit personal care assistants with a responsibility to help the rider may ride free of charge (Section 5.3 - Paratransit Escorts). Bis-Man Transit members age 8 and under cannot ride alone and must have an escort (Section 5.10 - Children). Children under the age of 7 ride free when accompanied by an eligible adult rider. Eligible riders are allowed one companion with additional companions on a space available basis. Companions are charged the same rate as the Bis-Man Transit member, which is \$3.00 each way.

Fares cannot be billed at a later date without the approval of the Bis-Man Transit Executive Director. All fares are subject to change for both paratransit and the fixed-route bus systems.

Section 2.6 – Refund Policy

CAT Bus

All CAT Bus passes are non-refundable. Bis-Man Transit does not replace or offer refunds for lost, stolen, or unused passes. If a bus pass is damaged and not functioning properly, the administrative staff will evaluate each request to determine if a replacement pass will be issued.

No refund or replacement ticket will be issued for lost, destroyed, or stolen passes. Bis-Man Transit will not refund due to errors in timetables, inconvenience or damage resulting from missed stops, delayed, canceled, or missed buses, failure to make connections, or equipment shortages. All customers must have a pass in their possession at the time of travel.

Paratransit/Demand Response

Bis-Man Transit will issue paratransit/demand response punch tickets and diminishing balance refunds in the event of the death or relocation of the rider. A copy of the death certificate must be provided in the event of death. For riders relocating, an updated address must be provided.

Punch Tickets can only be refunded if the punch card is unused and undamaged.

If the rider is deceased, diminishing balance funds may be requested up to 60 days from the time of death with a copy of the certified death certificate. If this is not requested within 60 Days, Bis-Man Transit will absorb the remaining balance.

All refunds will be issued by check. No cash refunds will be provided under any circumstances. Refund requests may be submitted in person at the Transit Facility or via mail. Direct all mailed requests to:

Bis-Man Transit Board
3750 East Rosser Ave
Bismarck, ND 58501

Note: All tickets submitted for refund or exchange are subject to review by Bis-Man Transit management. Any ticket deemed to be counterfeit or stolen will be confiscated, and the requester will be denied any of the above options. Refund requests may take up to two weeks.

Section 2.7 - Rider Courtesy and Conduct

Bis-Man Transit and Capital Area Transit have lists of rules and courtesy to ensure the safety of all riders and drivers. Riders, their escorts, or companions traveling with riders who engage in physical abuse or cause physical injury to another rider or driver, or who engage in other illegal activities, may be subject to immediate suspension from riding paratransit and/or CAT buses. They also may be subject to possible criminal prosecution, which may include fines.

Riders who engage in an activity that disrupts the safe or effective operation of paratransit or CAT Bus services may be subject to a suspension of service. If a rider is disruptive, Bis-Man Transit reserves the right to require an escort travel with the rider as an alternative to service suspension.

Paratransit

- Riders shall maintain appropriate, reasonable personal hygiene.
- Shirts and shoes must be worn.
- No eating, drinking, or smoking in vehicles.
- Smoking is not allowed within 20 feet of Bis-Man Transit doors and windows.
- Make reservations a minimum of one day in advance.
- Be ready at pickup location and be on time.
- Call if the vehicle has not arrived by the end of the "30-minute window"
- Call to cancel unneeded rides at least 30 minutes prior to the scheduled pickup time to avoid a "no show."
- Pay the correct fare in the exact amount or with a pre-purchased punch card.
- Wear seat belts.
- Avoid distracting the driver or annoying other riders with inappropriate behavior.
- Head, arms, and other body parts must be kept inside the vehicle
- No abusive, threatening, or obscene language or actions.
- No physical abuse of another rider or the driver.
- Baby strollers and walkers must be folded and stowed so as not to block the aisle or cause injury to persons on the vehicle.
- Parents must control children.

- Expect "shared-ride" service. Others may be picked up after you or dropped off before you reach your destination.
- No littering in the vehicle.
- Objects must not be thrown from a vehicle window.
- No riding with open containers of alcohol or illegal drugs.
- No riding while under the influence of alcohol or illegal drugs if the rider's behavior disrupts the driver or other riders.
- No deliberate fare evasion.
- No petting guide dogs or other service animals without the permission of the owner.
- No playing of radios, mp3 players, or other multimedia devices (without headphones) and no other noisy equipment while on board.
- No operating or tampering with any vehicle equipment.
- Dangerous weapons are prohibited on Bis-Man Transit vehicles.
- Federal regulations prohibit the transportation of flammable or explosive materials on paratransit vehicles.
- Packages are limited to what the rider can carry in one trip and must be contained within their seating area on the Bis-Man Transit vehicle.

CAT Bus

- Riders shall maintain appropriate, reasonable personal hygiene.
- Shirts and shoes must be worn.
- Pay the correct fare in the exact amount or with a 1- or 30-day pass.
- Keep arms, legs, and personal items out of the aisles.
- Do not stand in the stairwells.
- No eating, drinking, and no open containers on the bus.
- No smoking on the bus or within 20 feet of bus doors and windows.
- No multimedia devices without headphones.
- No rollerblades or in-line skates may be worn on the bus.
- Animals must be contained to a cage on CAT buses (except service animals)
- Please limit yourself to 2 packages.
- Strollers and walkers must be folded and stored out of the aisles.
- Parents must control children.
- No littering in the vehicles or shelters.
- No riding with open containers of alcohol or, with illegal drugs.
- No riding while under the influence of alcohol or illegal drugs if the rider's behavior disrupts the driver or other riders.
- No operating or tampering with any vehicle equipment.
- Dangerous weapons are prohibited on CAT buses.
- You may ask your driver questions pertaining to the routes while on the bus; however, please refrain from carrying on a conversation with the driver while the bus is in motion.
- Avoid distracting the driver or annoying other riders with inappropriate behavior.
- Threatening behavior or vulgar language may result in suspension or rider being asked to leave the bus.
- No joyriding. Joyriding, which is defined as riding the bus for one full trip without exiting, is not allowed. Passengers will be asked to exit the bus at transfer points and reboard to ensure proper fares have been collected for each passenger.
- Drivers have the right to refuse service.

Suspension of Service Due to Prohibited Behaviors

Any disruptive behavior as described in the above section shall result in an immediate seven (7)-day suspension from service. After the suspension has begun, the manager of the transit provider shall review the particulars of the incident. Upon the conclusion of this review, the suspension can be either sustained or lifted immediately. All offenses will be documented by the transit provider.

- | | |
|---------------------------------------|----------------------------------|
| 1. First Offense | (7)- Day suspension from service |
| 2. Second Offense in 12-month period | (3)-Week suspension from service |
| 3. Third Offense in a 12-month period | (8)-Week suspension from service |

Service Suspension for Violent, Seriously Disruptive and/or Illegal Conduct

Service will immediately be suspended for a minimum of 30 days, with the option to increase the duration based on the severity of the offense, or until an appeal hearing is held, for riders who engage in violent, seriously disruptive, or illegal conduct.

This conduct could include, but is not limited to:

- Threats of physical harm to other passengers, operators, or other service personnel
- Physical assault or battery of operators or other passengers
- Verbal abuse, intimidation, or altercation with operators or other passengers
- Unlawful harassment of the operator and/or other passengers, including but not limited to unwelcome verbal, non-verbal, or physical behavior having sexual or racial connotations
- Unauthorized use of, or willful damage to, vehicle equipment
- Repeatedly violating the rules posted inside of Bis-Man Transit vehicles, including smoking on the vehicle, standing while the vehicle is in motion, eating or drinking on the vehicle without a valid medical reason, defacing equipment, or refusing to comply with other service requirements specified in the policies included in this document
- Any other criminal conduct defined in and/or prohibited by law

1. First offense: A minimum of 30 days, with the option to increase duration based on the severity of the offense.
2. Subsequent offenses are subject to increased suspension, up to one year.

Appeals

Appeals to any suspension shall be made in writing (either by mail or e-mail) sent to the Executive Director at the Bis-Man Transit Facility (3750 E Rosser Ave, Bismarck, ND 58501 or info@bismantransit.com). The appeal shall include the words: "Appeal of Transit Suspension." Any appeal must be filed within 30 days of the date of suspension to be considered. Bis-Man Transit shall process any appeal received within 30 days of receipt, and may contact the appellant and others in conducting the review. If the appellant does not provide the requested additional information to Bis-

Man Transit, the transit provider can administratively close the appeal. The appellant may choose to no longer pursue the appeal at any time during this process. When Bis-Man Transit has concluded its review, it will issue a letter either modifying, affirming or erasing the suspension.

Section 2.8 - Paratransit Driver Responsibilities

Bis-Man Transit has a list of rules to ensure the safety of drivers and riders and to provide a positive riding experience. Drivers will adhere to the same standards of common courtesy and personal hygiene as those required of the riders.

- Treat riders with courtesy.
- Be uniformed appropriately.
- Stay within sight of their vehicle at all times.
- Maintain the assigned service schedule for the convenience of all riders.
- With permission, assist riders when entering or leaving the vehicle.
- Provide rider assistance when instructed by the dispatcher.
- On request, the driver will assist riders between the vehicle and up to the entrance of a house, apartment building, or other building.
- Drivers are allowed to carry no more than what they can carry in one trip per paratransit eligible rider (maximum total weight of 25 pounds).
- Assure seat belts and all mobility devices are properly secured.
- Follow the guidelines for pick up and drop offs.
- Maintain radio contact with dispatch.
- Collect fares for riders' trips as appropriate.
- Follow all safety protocols put in place by Bis-Man Transit.

On request, the driver will assist passengers between the vehicle and the entrance of a house, apartment building, or other building. Such assistance must be requested in advance by notifying the scheduler when you make your reservation. If the passenger has indicated on their application that they require driver assistance regularly, this shall be indicated on the driver's schedule for all future trips.

Driver assistance ends when the driver has assisted the passenger in getting through the main door of the building. This includes assistance through a short entryway into the climate-controlled portion of the building. If the passenger needs additional assistance beyond the main door, they must have someone meet them at the door or have a personal care attendant ride along. The driver will not assist customers in mobility aids into buildings that are not accessible (other than opening doors), nor will drivers push mobility aids through areas that have not been cleared of snow.

If requested, the driver will assist with either two grocery-size bags or one small collapsible cart. The driver will not bring packages past the first door. Space for packages is limited. The rider must be able to carry their packages in one trip, and the packages must be safely secured while on the vehicle. Guests and personal care attendants are expected to assist the passenger.

Bis-Man Transit reserves the right to refuse service or load at a location deemed as unsafe for the passenger, driver, or the vehicle/equipment, including areas not cleared of snow. The driver will attempt to find an alternate loading point that is deemed safe by the driver and acceptable by the passenger.

The driver must be able to keep the vehicle in sight at all times, and cannot assist passengers to an entrance that hinders this.

Service will be impacted during a snow event. The drivers will only travel on roads that are reasonably clear of snow. If a passenger is leaving their residence during a snow event and plans to return that day, it is the passenger's responsibility to arrange for snow removal on their property so there is a clear path for the driver to assist the passenger to the door. The driver is not to shovel a path to the door for the passenger.

If a major snow event is probable, service may be canceled by Bis-Man Transit. Passengers are to listen to local media to find out if the service has been canceled. If it appears during the afternoon that service may be canceled the next day, staff may contact riders to determine an appropriate course of action.

Ramps to the passenger's door must be safe for both the passenger and the driver. The passenger is responsible for ensuring the ramp is free of snow and ice.

Passengers unable to independently conduct themselves inside an origin/destination building lobby must have someone meet them at the door or have a personal care attendant (PCA) ride along. If the destination building is locked, a PCA is not along, and no one is available to meet the customer, the driver, after first receiving approval from the Dispatcher, may return the customer to the place of origin at the next available trip. If this is not an option, the rider will be returned to the bus and remain on board until the driver receives instructions from the Dispatcher. The driver will continue completing scheduled trips to avoid delaying another passenger's service. Once Dispatch contacts the rider's guardian/PCA, the driver will be instructed to return to the drop-off point as their schedule permits.

Bis-Man Transit will track policy violations, specifically those that result in delays for other riders and overall system productivity. Violations prior to the policy approval will not be assessed.

On the day the rider violates the policy, the following progressive action will be taken:

- First violation (1st ride) — A warning letter will be issued advising the rider/guardian of the policy violation and informing them of the next steps that may be taken.
- Second violation (2nd ride) — Customer will receive a seven (7) day suspension.
- Third violation (3rd ride) — Customer will receive a fourteen (14) day suspension.
- Fourth violation (4th ride) — Customer will receive a twenty-one (21) day suspension.
- Subsequent violations will result in an additional seven (7) day suspension. (5th+ ride)

Violations will be tracked on a **sixty (60) day** rolling calendar period.

Appealing a Warning or Suspension

Customers can appeal a service suspension with Bis-Man Transit. If any customer using the Bis-Man Transit system has a concern or disagreement, they are asked to submit their issue in writing. All written appeals will be investigated, and a response will be issued within five (5) working days.

If the customer is not satisfied with the response received from the Administrative office, they have the right to appeal the decision to the Bis-Man Transit Board of Directors at their next scheduled meeting. After the Board of Directors has reviewed the situation, they will provide a written response within ten

(10) working days. If the customer is not satisfied, they have the right to submit a complaint to the Federal Transit Administration at 1200 New Jersey Avenue, SE, Washington, DC 20590 United States.

Section 2.9 - CAT Driver Responsibilities

Bis-Man Transit has a list of rules to ensure the safety of drivers and riders and to provide a positive riding experience. Drivers will adhere to the same standards of common courtesy and personal hygiene as those required of the riders.

- Treat riders with courtesy.
- Be uniformed appropriately.
- Stay within sight of their vehicle at all times.
- Maintain the assigned service schedule for the convenience of all riders.
- Assist riders with trip planning questions, while maintaining safe operation.
- Follow all safety protocols put in place by Bis-Man Transit.

Drivers are NOT permitted to:

- Enter a rider's residence or other buildings
- Access a rider's personal wallet, purse, or backpack
- Perform any personal care assistance for riders
- Lift or carry riders or mobility aids up or down steps
- Call riders to pick them up earlier or later than scheduled (all drivers must only use the dispatcher to communicate with riders)

SECTION 3: PARATRANSIT ELIGIBILITY

Section 3.1 - Paratransit Eligibility Criteria and ADA Paratransit Eligibility

Bis-Man Transit paratransit service is intended to provide transportation to individuals with disabilities and to seniors age 70 or older who are unable to use the fixed-route CAT Bus system independently. To be eligible to use paratransit, riders must be considered eligible based on the application process.

Paratransit eligibility is based on a functional, rather than a medical model. Persons are not qualified or disqualified on the basis of a specific diagnosis or disability. An individual will be certified as paratransit eligible if there is any part of the CAT fixed-route system in the designated service area which cannot be used or navigated by that individual because of a disability.

The three categories of ADA paratransit eligibility established by the federal government are listed below:

Category 1 - Persons unable to board, ride, or disembark from fully accessible fixed-route services

Any individual with a disability who is unable, as a result of a physical or mental impairment, including a visual impairment) and without the assistance of another individual (except the operator of a mobility-aid lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities. [37.123 (e)(1)]

An example of eligibility under this category includes persons with mental disabilities or vision impairments who cannot "navigate the system" or otherwise cannot physically use fixed-route services. This would include people with physical disabilities who cannot stand on a bus, get on or off the lift, or proceed from the mobility-aid securement area without assistance except as provided by the driver or other employee of the service.

Category 2-Persons unable to board, ride, and disembark even if the vehicle is accessible (equipped with a ramp or lift)

Any individual with a disability who needs the assistance of a mobility-aid lift or other boarding assistance device and is able, with such assistance, to board, ride, and disembark from any vehicle that is readily accessible to and unable by individuals with disabilities if the individual wants to travel on a route of the system during the hours or operation of the system at a time, or within a reasonable period of such time, when such a vehicle is not being used to provide designated public transportation on the route. [37.123 (e)(2)]

Eligibility under this category depends on the accessibility of vehicles and routes. A person is eligible for paratransit service if the fixed route on which they want to travel is not yet accessible.

- An individual is eligible for paratransit if a vehicle's lift or boarding device cannot be deployed at the stop that they want to use
- An individual is eligible if they use a mobility aid but cannot be served by the fixed- route system because the lift on the vehicle they need fails to work
- All Capital Area Transit vehicles are 100% accessible

Category 3 - Persons unable to travel to the boarding location or from the disembarking location.

Any individual with a disability who has a specific impairment-related condition that prevents such individual from traveling to a boarding location or from a disembarking location on such system.

[37.123(e)(3)]

Environmental conditions and architectural barriers not under the control of the public entity do not, when considered alone, confer eligibility. If, however, travel to or from a boarding location is prevented when these factors are combined with the person's specific impairment-related condition, paratransit service must be provided. Examples of architectural and environmental factors that, in combination with certain disabilities, could prevent travel include: lack of curb cuts, the distance from the stop to the trip origin or destination, snow or ice, temperature extremes, major intersections, or temporary construction projects.

Section 3.2 - Eligibility for Discount Fare on Fixed-Route CAT Buses

The paratransit ID card issued by Bis-Man Transit entitles an individual to ride the fixed-route CAT Bus System (Capital Area Transit) free of charge. The rider must show the Bis-Man Transit membership card to the driver when boarding the bus. (Refer to section 3.5 - Eligibility Process to apply for paratransit certification)

Section 3.3 - Visitors

[ADA Regulation 49 CFR 37.127]

Individuals certified as eligible by another public entity that claims to be "ADA Eligible" are presumed to be eligible and will be similarly provided service. Any limitation/condition placed upon a certification by another public entity will be honored for paratransit services. Verification of this eligibility may be required.

Section 3.4 - Temporary Disabilities

An individual with a temporary disability that meets paratransit eligibility criteria will be issued a temporary Bis-Man Transit paratransit ID card upon completion of the Bis-Man Paratransit Application. An example of a temporary disability is a broken leg.

Section 3.5 - Conditional Disabilities

An individual with a conditional disability that meets paratransit eligibility criteria will be issued a "Conditional" Bis-Man Transit paratransit ID card upon completion of the Bis-Man Paratransit Application. An example of conditional disability is difficulty with mobility in temperatures below freezing.

Section 3.6 - Eligibility Process for Persons with Disabilities

[ADA Regulation 49 CFR 37.125]

Applicants must submit a completed, written application to Bis-Man Transit at 3750 E Rosser Ave, Bismarck, ND 58501. Applications may be faxed to 701.258.6752 or e-mailed to info@bismantransit.com.

For the purpose of determining eligibility for paratransit services, the individual applying for services must fill out the paratransit application in its entirety.

Bis-Man Transit is responsible for reviewing applications and determining eligibility. A written response stating the eligibility determination will be mailed to the applicant within 21 calendar days of receipt of a completed application and appropriate provider verification. Determination of ineligibility will include reasons for the finding.

Approved riders will be issued a Bis-Man Transit membership card stating they are eligible for paratransit. This membership card shall include the following:

- Assigned Bis-Man Transit rider ID number
- Name of the eligible rider
- Address of the eligible rider
- Expiration date of rider eligibility. For Unconditional Eligibility, this is 3 years from the certification date.

Rider's must complete the recertification application every three years to ensure Bis-Man Transit has current contact information.

Section 3.7 - Application Form

The following contents of the Bis-Man Transit Application for Transit Services will be utilized by Bis-Man Transit in determining and notifying individuals of eligibility for paratransit service:

- General Information (contact, date of birth, emergency contact information)
- "About Your Disability."
- "Getting to and From the Bus Stop."
- "Tell us about what you can do & what affects your abilities."
- "Using the fixed route bus."

Applicants age 70 or older must submit a copy of a state-issued identification card. Applicants with a disability must provide contact information for a Health Care Professional who can verify the application. Bis-Man Transit staff will contact the provider directly.

Section 3.8 Appeal Procedure

Eligibility will be determined by Bis-Man Transit within 21 days of the completion of the application process. NOTE: Applications are not considered complete until the professional verification has been received and, if required, an interview has been completed. Bis-Man Transit will notify you in writing of the decision on your eligibility status. If it is determined that you are able to use the fixed route service and are found not eligible for paratransit service, Bis-Man Transit will provide an explanation for the determination. If you are determined "Not Eligible" or are dissatisfied with your eligibility type, you may

appeal the decision. A written request to appeal the decision must be received within 60 days of the written eligibility notification letter.

Submit a letter stating your wish to appeal the decision that was made. You may include information as to why you feel you were incorrectly denied (or limited) for ADA Paratransit service and attach copies of any other information you feel supports your appeal, though this is not required. A hearing date will be set within thirty (30) days of receipt of the appeal request.

The decision of the appeals committee will be issued within thirty (30) days of the hearing date and provided in writing (and/or in other accessible formats as requested). The decision made by the appeal panel will be the final determination. You may then only resubmit an application if your condition changes. ADA Paratransit service will not be provided for new applicants during the appeal process, unless the appeal process cannot be concluded within thirty (30) days.

Appeals must be in writing and forwarded to:

Executive Director
c/o Bis-Man Transit
3750 East Rosser Avenue
Bismarck, ND 58501

SECTION 4: PARATRANSIT TRIP RESERVATIONS PROCEDURES

[ADA 49 CFR 37.131 (b)]

Section 4.1 - Reservations

The following telephone number must be called to reserve a ride:

701.223.9901

Call volumes tend to be higher on weekends, so riders are encouraged to schedule their rides Monday-Friday.

Individuals who utilize a text telephone or TDD should call the Relay Service at 7-1-1 to get assistance in reserving a ride.

Section 4.2 - Advance Notice Requirement

Reservations may be made no more than fourteen (14) calendar days prior to when the individual wishes to ride. Rides need to be scheduled at least the day prior by calling the scheduling dispatch assistants at 701.223.9001 (select option 1) between the hours of 8:00 AM and 5:00 PM Monday to Sunday. ~~8:00 AM and 2:30 PM on Sunday. Trips may also be scheduled by leaving a voice message with dispatch from 2:30 PM to 5:00 PM on Sundays.~~

Medical appointments and some work arrangements allow for "will call" returns. For a "will call," the rider can call the scheduling line when their appointment is complete, and the dispatcher will send a vehicle as soon as possible. **Please keep in mind that "will call" trips may be delayed based on trip capacity at the time of request.** If a rider has a return trip scheduled for his or her medical appointment or work, and he or she will be delayed past the scheduled ride time due to unforeseen circumstances, the rider needs to call the scheduling line immediately, and we will attempt to reschedule the trip and accommodate the rider on a space-available basis.

Section 4.3 - Reservation Procedures

Paratransit trips will be coordinated to transport as many riders as possible.

When calling the scheduling line, have the following information ready:

- Name
- Date ride is needed
- Pickup location
- Destination
- Time that the rider needs to arrive at the destination
- If a companion or escort will be accompanying the rider
- If rider assistance is needed by the driver (what type of assistance)
- Time of return trip

The scheduler that takes the call will give an estimated time for when the bus will pick the rider up for the trip and the return trip.

Section 4.4 - Reservation Cancellation

A rider who arrives up to 30 minutes prior to the scheduled pickup time may cancel reservations without being penalized for a no-show. (Refer to Section 6.2 - Penalties Imposed for "No Shows").

~~Section 4.5—Subscription Service~~

~~[ADA Regulation 49 37.133]~~

~~If a rider wishes to ride at the same time and to the same destination on a regular basis, he or she may make a subscription reservation. Subscription service may not absorb more than fifty (50) percent of the number of trips available at any given time of the day, unless there is a non-subscription capacity.~~

~~Subscription reservations are restricted during all weekday peak demand operating hours to the following trip purposes: work (including volunteer), school, medical/counseling services, meals and social service programs. The dispatcher may reschedule or rearrange subscription reservations as needed for efficient use of vehicles and the rider will be notified of the change.~~

Section 4.5 - Same Day Request for Early Pickups

Requests to change your return pickup time because you are ready early will be accepted, but there is no guarantee that the time will be changed. The only exception to this will be return trips from appointments that are set up as "will calls." In this case, every effort will be made to adjust the rider's return trip pickup time and assign another vehicle to pick him or her up at a later time.

SECTION 5: PARATRANSIT PICKUP AND TRAVEL PROCEDURES

Section 5.1 - Pickup Procedures

The rider will be provided with a scheduled pickup time. For an on-time pickup, a driver may show up anytime within the 30 minutes pickup window. The driver will wait five (5) minutes beyond the scheduled pickup time for the rider to appear. If the rider does not appear within the five minutes, he or she will be considered a no-show.

If the vehicle arrives earlier than 30 minutes prior to the scheduled pickup time, dispatch will attempt to contact the rider. If the rider is not yet ready, the driver will wait until scheduled pickup time before beginning to count the five minutes allowed for the rider to appear.

If the paratransit vehicle arrives more than 30 minutes later than the scheduled time under normal weather, road and operating conditions, and the rider chooses not to take the ride this will be considered a "missed trip" rather than a "no show". If the rider decides to still take the trip; the rider may not be obligated for pay the fare if he or she calls the Bis-Man Transit office at 701.258.6817 and discusses the situation with the Transit Director.

The entrance to the building where the rider is picked up will be the same entrance the rider will be brought back to unless the scheduler is notified otherwise at the time the rider is booking the ride.

Section 5.2 - Companions

[ADA Regulation 49 CFR 37.123 (f)]

Eligible riders may take one (1) companion with them. The beginning and ending destination of this companion must be the same as the Bis-Man Transit rider. Companions must pay for their ride (refer to Section 2.5 -Rider Fares). Additional companions may be accommodated on a space available basis. Escorts are not counted as companions.

Section 5.3 – Personal Care Attendant (PCA)

[AD A Regulation 49 CFR 37.123 (f) and 37.131 (c) (3)]

A personal care attendant is defined as someone designated or employed specifically to help the eligible rider meet his or her personal needs. PCA's are allowed to ride free. If a rider requires an PCA, he or she must indicate this on the application for eligibility form or notify the main office by calling 701.258.6817 if the need arises after the person becomes a rider. A PCA may not be an ADA qualifying rider. PCA's must have the same origin and destination as the eligible individual. PCA's must remain with the rider during the complete trip. Please note, only one PCA is allowed per passenger.

Section 5.4 - Origin to Destination Service

[ADA Regulation 49 CFR 37.129]

On request, the driver will assist riders between the vehicle and the entrance of a house, apartment building, or other building. Such assistance must be requested in advance by notifying the dispatcher

when the rider makes the reservation. If the rider has indicated on his or her application that he or she requires driver assistance regularly, the schedulers shall indicate this on the rides for all future trips.

Driver assistance ends when the driver has assisted the rider in getting to the main door of the building. If the rider needs additional assistance beyond the main door, they should have someone meet them at the door or have an escort and/or companion ride along. The driver will not assist individuals with mobility aids into buildings that are not accessible (other than opening doors), nor will the driver push mobility aids through areas that have not been cleared of snow. Assistance will be provided up/down curbs.

If the destination building is locked and an escort is not with or no one is available to meet the rider, the driver may get approval from the dispatcher to return the rider to the place of origin. For the rider's safety, frequent disruptions to service may require an escort to accompany the rider.

Because the vehicle will be shared, riders should limit their parcels to one armload. Packages must be kept on the rider's lap or under the rider's seat. For the safety of all riders, no explosives, acids, flammable liquids, weapons, or other hazardous materials may be transported.

Drivers are allowed to assist with carrying one load of packages per trip (maximum total weight of 25 pounds). For grocery trips, the number of packages is still limited to one trip. Small personal grocery carts may be brought on the paratransit vehicle; however, they must be placed behind a seat out of the aisle. A limit on the number of packages is established due to the available space and time required to carry the items. Packages may be placed on the floor as long as they don't interfere with mobility-aid securements. **Failure to abide by the package limit may result in rider suspension.**

During the winter months, it is the riders' responsibility to ensure that all sidewalks and pathways at their residence are clear of snow. If a rider cannot be accommodated due to impossible boarding conditions, the trip is considered canceled.

Section 5.5 - Use of Ramp/Lift and Securement Inside Paratransit Buses

[ADA Regulation 49 CFR 37.165)

For those riding in mobility aids, the driver will secure the mobility aid using the vehicle's securement system. Mobility aids must be secured during transport. Refusal by the rider to allow the use of securement devices will result in the denial of service.

[ADA Regulation 49 CFR 37.165]

It is recommended, for safety reasons, that electrically powered mobility aids must have the main power switch placed in the "off" position at all times while the vehicle is in motion.

With respect to mobility-aid/occupant combinations that are larger or heavier than those to which the design standards for vehicles and equipment in 49 CFR part 38 apply, Bis-Man Transit will carry the mobility-aid and occupant if the lift and vehicle can accommodate them. Bis-Man Transit may decline to carry a mobility aid/occupant if the combined weight exceeds the lift specifications or if carriage of the mobility aid is demonstrated to be inconsistent with legitimate safety requirements.

Bis-Man Transit may recommend to a user of a mobility aid that the rider transfer to a vehicle seat.

Where necessary or upon request, Bis-Man Transit personnel shall assist individuals with disabilities with the use of securement systems, ramps, and lifts. If personnel need to leave their seats to provide this assistance, they shall do so.

Bis-Man Transit shall permit individuals with disabilities who do not use mobility aids, including standees, to use a vehicle's lift or ramp to enter the vehicle.

The definition of "mobility-aid" specifically includes mobility scooters, and contains no requirements for brakes, footrests, push handles, or other equipment.

Drivers and riders shall use seat belts at all times. Drivers shall instruct each rider to use the belt. Before pulling away from a stop, drivers shall ensure that riders are seated and that seat belts are properly secured. Children under the age of seven (7) who weigh less than 80 pounds and are less than 4'9" (57 inches) tall shall use an approved child restraint system at all times. The child restraint system is to be provided by the customer. Failure to use the seat belt and/or child restraint system shall result in the denial of transportation services to the rider for that trip.

Exceptions to the mandatory seat belt requirements will be granted for medical reasons upon receipt of a written statement from a physician stating that the individual cannot be safely transported with seat belts due to a medical condition, body size, or physical disability.

Section 5.6 - Capacity Constraints

Bis-Man Transit will monitor service levels to determine whether to increase or reduce service to meet riders' transportation needs. Therefore, records of untimely pickups, missed trips, and excessively long trips (see definitions below) are kept and reviewed monthly to assess the need for additional vehicles to meet capacity. There must be a consistent pattern, and problems must be considered substantial in order to identify capacity constraints. If a significant capacity constraint is identified, additional vehicles may be placed into service to meet the demand.

Missed trip - Trips that are not completed because the vehicle arrives more than 30 minutes after the scheduled time will be considered a "missed trip."

Excessively long trips - Travel time between pickup and drop-off of more than 1 hour will be considered an "excessively long trip."

Bis-Man Transit is not responsible for operational problems caused by circumstances beyond our control, such as unanticipated weather or traffic problems (trains, accidents, etc). Such problems will not be considered in determining whether patterns that limit service availability exist.

The Bis-Man Transit driver cannot change a route (pickup or destination points) or make detours upon a rider's request without first informing the dispatcher and receiving authorization.

Section 5.7 - Service Animals and Life Support Equipment

[ADA Regulation 49 CFR 37.167]

ADA paratransit eligible riders may travel with service animals trained to assist them. Service animals include guide dogs used by persons with vision or hearing impairments, as well as dogs and other animals that provide aid to persons with mobility problems. Riders should tell the scheduler when reserving trips that a service animal will be traveling with them. Eligible riders may travel with portable life-support equipment, such as respirators and portable oxygen.

Service Animals: The ADA defines a service animal as any guide dog, signal dog, or other animal individually trained to aid an individual with a disability. If the animal meets this definition, it is considered a service animal under the ADA, regardless of whether it has been licensed or certified by a state or local government.

Emotional support animals are not considered service animals under ADA. Transit operators may ask the rider what kind of assistance or service the animal provides, but cannot ask for proof of a service certificate.

The Department of Justice states: You may exclude any animal, including a service animal, from your facility when that animal's behavior poses a direct threat to the health or safety of others. For example, any service animal that displays vicious behavior toward other riders or the driver may be excluded.

People may not make assumptions, however, about how a particular animal is likely to behave based on past experience with other animals. Each situation must be considered individually.

Section 5.8 - Prohibited Activities

Smoking, drinking, or eating is not permitted in Bis-Man Transit vehicles. Smoking is not permitted within 20 feet of Bis-Man Transit vehicle doors and windows.

Section 5.9 - Animals

Pets may be brought on Bis-Man Transit vehicles if they are contained within a pet carrier during the entire trip.

Section 5.10 - Children

ADA eligible children age eight (8) and under are required to be accompanied by an adult, who will serve as the child's escort. If special equipment is needed to transport an infant or toddler. The family member or guardian accompanying the rider must provide the equipment (such as a car seat). The adult escort will not pay a fare.

SECTION 6: PARATRANSIT TRIP CANCELLATIONS AND DENIALS

Section 6.1 - Cancellations Procedures

Rides must be canceled at least 30 minutes prior to the scheduled pickup time; the ride will be considered a "no show". Bis-Man Transit requests that cancellations be called in as soon as possible, as a courtesy to others needing a ride.

The dispatcher's clock is the correct time for determining the lateness of cancellations. Clocks at the Bis-Man Transit office are regulated by atomic clocks on satellite time. Refer to a cell phone or an atomic clock for the same time as ours.

Section 6.2 - Penalties Imposed for "No-Shows"

[Federal Regulation 49 CFR 37.125 (h)]

In order to be considered "a no show", each of the following conditions has occurred:

- The customer has a scheduled paratransit trip.
- The ADA vehicle arrives at the scheduled pick-up point within the scheduled thirty (30) minute pick-up window.
- The driver waits at least five (5) full minutes beyond the start of the scheduled pick-up window, and the customer fails to board the vehicle.

Late cancellations will be counted as a no-show for the purposes of this policy.

A late cancellation occurs when the customer (or customer's representative) fails to call dispatch thirty (30) minutes or more prior to the scheduled pick-up time to cancel their ride.

If the customer has more than one ride scheduled, a no-show does not automatically cancel the remaining rides for the day. It is still the customer's responsibility to call and cancel the remaining rides for the day. If the rides are not canceled and the customer does not ride, the result would be additional no-shows.

A demonstrated pattern of late cancellations or no-shows is a serious disruption of service. Once a customer reaches three (3) no-shows or late cancellations in a single calendar month, and these incidents total ten percent (10%) or more of your scheduled trips within that calendar month, the Bis-Man Transit No Show Policy will take effect. No customer shall be suspended from service for having two or fewer no-shows or late cancellations in a month. After a violation is issued, the count for the next violation starts at zero (0). Each violation stays on the customer's record for twelve (12) months from the day it was issued. After twelve (12) months from the day a violation is issued, that violation will be cleared from the customer's record.

On the day the rider violates the no-show/late cancellation policy, the following progressive action will be taken:

- First violation — A warning letter will be issued advising the rider that they have violated Bis-man Transit's no-show/late cancellation policy.
- Second violation — Customer will receive a seven (7) day suspension.
- Third violation — Customer will receive a fourteen (14) day suspension.

- Fourth violation — Customer will receive a twenty-one (21) day suspension.
- Subsequent violations will result in an additional seven (7) day suspension.

Appealing a Warning or Suspension

Customers can appeal a service suspension with Bis-Man Transit. If any customer using the Bis-Man Transit system has a concern, disagreement, or appeal, they are asked to submit their issue in writing within 60 days of the notice. Customers may waive their right to appeal and complete the suspension to avoid further delays.

The Appeals Panel will investigate all written appeals and issue a decision within five (5) working days. The Panel includes the Bis-Man Transit Executive Director, or designee, and two other staff members who were not involved in the initial No-Show suspension determination. The Panel will review information provided by the customer (or the customer's representative) as well as ride reports and decide whether to uphold the suspension or excuse it.

If the individual is not satisfied with the decision of the Appeals Panel, they have the right to appeal it to the Bis-Man Transit Board of Directors. The said appeal will be heard at the Bis-Man Transit Board of Directors' next regularly scheduled meeting. After the Board of Directors has reviewed the basis of the appeal, a written decision will be provided within ten working days of the Board meeting.

Bis-Man Transit Paratransit service shall be provided to the customer until the decision on the appeal is made.

If the individual is not satisfied with the response received from the Administrative office, they have the right to appeal the decision to the Bis-Man Transit Board of Directors at their next scheduled meeting. After the Board of Directors has reviewed the situation, they will provide a written response within ten (10) working days.

No-shows are EXCUSED when the trip is missed for the following reasons:

- The customer has a family emergency
- Mobility aid failure
- Appointment canceled/delayed for reasons not the customer's fault
- Adverse weather: Snowstorm, extreme heat, or extreme cold
- Staffing error: The transit coordinator did not make all the cancellations the client requested; or a customer just found out the ride was scheduled for the wrong day, time, or location; or the customer was not informed that their pick-up time was changed, and was not ready.

No-shows or cancellations are NOT EXCUSED when the trip is missed for the following reasons:

- Customer didn't want to travel today
- Customer changed their mind about using the appointment
- Customer didn't know or forgot that they had a ride scheduled or was supposed to call to cancel
- Customer got another ride
- Customer told someone else they were not planning to travel (driver, facility, etc.)
- Someone else scheduled the ride for them

- Customer does not want to ride with a specific driver or passenger, or on a specific vehicle

Section 6.3 - Refusal of Service

[Federal Regulation 49 CFR 37.5 (h)]

Service may be refused to anyone who is seriously disruptive or commits an illegal or violent act in violation of an established regulation or law. An example would be a rider who refuses to use a seat belt during travel.

Seriously disruptive behavior does not include conduct related to a rider's disability that may be disruptive or annoying to other riders. An example of this is a person with Tourette's syndrome who may periodically utter involuntary profane statements.

Bis-Man Transit reserves the right to deny entrance into a vehicle if the rider appears disorderly or leads the driver to conclude that the rider will exhibit disruptive behavior that would pose a safety threat not only to the driver, but also to the other riders, including, but not limited to, intoxication and use of illegal drugs.

The use of offensive language when addressing the scheduler, driver, or other riders is not allowed. Refusal to discontinue usage upon request may result in trip denial.

Service may be refused to an individual who throws up or has an accident in which bodily fluids are involved. If a rider enters the vehicle and becomes ill or has an accident that requires the driver to take the vehicle into the garage before service can resume, Bis-Man Transit has the right to charge a reasonable fee for cleaning the vehicle.

Denials of service shall be recorded. A copy of the record can be provided to the rider or the rider's legal guardian upon request.

Section 6.4 - Condition of Service

Bis-Man Transit reserves the right to require an escort when transporting a rider who has a documented medical or behavioral condition that could pose an unsafe situation for the rider, driver, or other riders. Bis-Man Transit may suspend eligibility or permanently revoke riding privileges if our records indicate that the rider has threatened or abused a driver or other rider.

SECTION 7: OTHER INFORMATION

Section 7.1 - Travel Training

Information about travel training for riders for Bis-Man Transit and the fixed-route Capital Area Transit buses may be obtained by calling the Bis-Man Transit office at 701.258.6817.

Section 7.2 - Accessible Phone Communications

[ADA Regulation 49 CFR 37.167 (f)]

Individuals who may utilize a TDD phone should call 7-1-1 to reserve a ride.

Section 7.3 - Public Information

[ADA49 CFR 37.167 (f)]

For information on how to obtain large print copies or an **audio recording** of these guidelines, please call the Bis-Man Transit office at 701.258.6817 or TDD phone line at 7-1-1. Copies may be obtained from the Bis-Man Transit office, 3750 E Rosser Ave, Bismarck, ND 58501. Copies are also available on the website at www.bismantransit.com.

Section 7.4 - Privacy Regarding Medical Information

The medical information that may be gathered as part of the eligibility determination process will not be shared with any other party. Bis-Man Transit, however, may share information regarding an individual's functional ability to use transit services with another transit system if required to determine eligibility in that system.

Section 7.5 - Complaints and Compliments

Bis-Man Transit would like to hear your suggestions, compliments, or complaints. Comments should be forwarded to the Transit Director by calling 701.258.6817 or TDD phone line 7-1-1 or in writing to:

Bis-Man Transit
3750 E Rosser Ave
Bismarck, ND 58501

Bis-Man Transit Board Official Complaint Process

Bis-Man Transit is responsible for providing a safe, dependable, and affordable transportation service. We encourage any rider or concerned citizen to notify the administrative office if he or she is not provided such a service. We also encourage any citizen who observes a driver not driving safely to contact the administrative office with the time and place where the vehicle was observed.

Bis-Man Transit will not discriminate against any individual on the basis of race, color, or national origin, as prohibited under Title VI of the Civil Rights Act of 1964. To make an official complaint, a person must submit the complaint in writing to the administrative office. (If the individual filing the complaint is

unable to write out the complaint, Transit staff will assist the individual with writing the complaint. All written complaints will be investigated, and a report will be issued to the individual within 5 working days. If the individual is not satisfied with the response from the administrative office, he or she has the right to appeal the decision to the Bis-Man Transit Board of Directors at its next meeting.

After the Board of Directors has reviewed the situation, they will provide a written response within 10 working days. In regards to an appeal of a Title VI complaint decision, the appeal will be made to the City of Bismarck, following the city's appeal process.

Section 7.6 - Driver Training

Drivers are trained to provide service to seniors and people with disabilities. In addition, all drivers received training in defensive driving and sensitivity, ~~CPR and First Aid.~~

Section 7.7 - Vehicles

Bis-Man Transit requires vehicles to receive regular service and maintenance according to specified standards. If you feel that some aspect of the vehicle may not have been properly maintained, please call the Bis-Man Transit office at 701.258.6817 or TDD line at 7-1-1.

Section 7.8 - Reporting Abuse

[Vulnerable Adult Act]

Drivers are to report any suspicion or knowledge that a vulnerable adult rider being transported has been abused, neglected, or exploited as soon as possible. Riders will be informed that the driver is making an "Adult Protection Report" with details of the observation or knowledge.

Section 2.6 Form

REFUND FORM

All sections must be completed to be considered for refund. Refunds will not be processed on the same day. All approved refunds will be by check.

1. PERSONAL INFORMATION

Customer Name: _____ Phone: _____

Home Address: _____ City: _____ State: _____ Zip: _____

E-mail address: _____

Customer Signature: _____ Today's Date: ____/____/____

I hereby certify that I am the original purchaser or personal representative of the below-described ticket(s)

2. REASON FOR REFUND

Relocation

Death

3. TICKET INFORMATION

Ticket Type: Paratransit Punch Tickets

Diminishing Balance

Number of Punch Tickets @ \$12.00: _____

Account Balance: _____

Total Refund Request Amount: _____

DO NOT WRITE BELOW THIS LINE – OFFICE USE ONLY

Original Form Taken By: _____ Date Taken: ____/____/____

Amount of Refund: _____ Claim Approved Claim Disapproved

Authorized By: _____ Date: ____/____/____

PLEASE READ THE FOLLOWING INSTRUCTIONS TO ENSURE A PROMPT INVESTIGATION AND RESOLUTION OF YOUR REFUND.

If you are returning unused punch tickets for a refund due to death:

- Please complete all sections.
- Punch tickets must be undamaged and unused to be considered for refund.
- Punch tickets will not be refunded unless a copy of the certified death certificate is provided.

If you are requesting a refund for a diminishing balance account:

- Please complete all sections, including the reasoning for the refund.
- Diminishing balance refunds due to death will not be refunded unless a copy of the certified death certificate is provided.

Claims may be submitted in person at the Transit Facility or via mail. If you prefer to submit your claim by mail, please send to:

**Bis-Man Transit Board
3750 East Rosser Ave
Bismarck, ND 58501**

We will contact you regarding your claim within two weeks. If you have any questions, please call the Administrative Office during regular business hours at 701.258.6817.



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Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

April 23, 2026

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: Employee Handbook Revision Recommendation

BACKGROUND: The employee handbooks has been updated to align with what the company offers.

DISCUSSION: The proposed changes include the following revisions:

- Clarification of employee health insurance
- Supplemental insurance
- Removal of holiday pay restrictions
- Removal of "Personnel Policy Manual" language – Bis-Man Transit does not have this policy
- Removal of "Galaxy Tablet" language
- Spelling and grammatical corrections throughout

RECOMMENDATION: Staff recommends approval of the Employee Handbook revisions as presented.



3750 E Rosser Avenue,
Bismarck, ND 58501



701.258.6817



info@bismantransit.com



www.bismantransit.com

**BIS-MAN TRANSIT
EMPLOYEE HANDBOOK
(04/23/2026)**

WELCOME

Welcome to Bis-Man Transit!

This Employee Handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees are required to read the Employee Handbook and be familiar with its contents. Any questions about this handbook should be directed to management.

Public transportation is a critical component to building social and economic growth in the Bismarck-Mandan area. Bis-Man Transit transports people to work, school, healthcare, shopping and recreation and our employees that provide these services that our customers and community rely upon. Take pride in knowing that you are joining a team that drives growth and success for Bis-Man Transit and the community.

Your employment at Bis-Man Transit will be challenging, enjoyable and rewarding. We are excited to have you with us and wish you every success here!

Deidre Hughes
Executive Director

EMPLOYMENT

AT WILL STATEMENT: Your employment with Bis-Man Transit is a voluntary one and is subject to termination by you or Bis-Man Transit at will, with or without cause, and with or without notice, at any time. Nothing in these policies shall be interpreted to be in conflict with or to eliminate or modify in any way the employment-at-will status of Bis-Man Transit employees.

This policy of employment-at-will may not be modified by any officer or employee and shall not be modified in any publication or document. The only exception to this policy is a written employment agreement approved at the discretion of the Executive Director or Board of Directors, whichever is applicable.

These personnel policies shall not be construed to be a contract between Bis-Man Transit and its employees. Bis-Man Transit reserves the right to amend, revise, or delete any of the policies herein.

EVALUATION PERIOD: The first three (3) months of employment and the first three (3) months after a transfer to a new position shall be considered an evaluation period. The evaluation period is a time for Bis-Man Transit to determine whether the employee is an appropriate match for the position. It is also a time for the employee to determine if the job is suitable to the employee. Bis-Man Transit in its discretion may extend the evaluation period thirty (30) days. Bis-Man Transit retains the right to terminate employment or return an employee to a prior position or comparable position at any point during or upon conclusion of the evaluation period. Completion of the evaluation period shall not confer any enforceable or contractual right to continued employment.

EQUAL EMPLOYMENT OPPORTUNITY: As a matter of policy, Bis-Man Transit requires all aspects of the employment relationship, training and promotions, and all personnel actions to be based on individual merit and individual capabilities. Bis-Man Transit shall not discriminate on the basis of race, religion, color, national origin, sex, sexual orientation, age, or disability, marital status, military status, unfavorable discharge from military service (except dishonorable), or any other protected status under applicable local, state or federal law. This policy applies to recruitment, hiring, compensation, promotion, transfer, disciplinary action, discharge, training, and all other terms, conditions and privileges of employment.

Bis-Man Transit will provide a reasonable accommodation to employees with a disability upon request, provided accommodation does not present an undue hardship. Reasonable accommodation generally involves modification or adjustment of a job, employment practice, or the work environment which makes it possible for an individual with a disability to perform the essential functions of the employee's job. An employee who believes he or she requires accommodation should contact the Executive Director. Consideration of such requests may entail an interactive dialogue over the requested accommodation. As part of the interactive process, Bis-Man Transit may request the employee to provide certain medical information related to the employee's ability to perform the essential job functions with or without reasonable accommodation.

CATEGORIES OF EMPLOYEES

For purposes of salary administration and eligibility for overtime payments and employee benefits, Bis-Man Transit classifies its employees and other workers as follows:

A) Full-time employees- Employees hired to work Bis-Man Transit's full-time (36) hour workweek on a regular basis. Such employees may be "exempt" or "nonexempt" as further defined.

B) Part-time employees- Employees hired to work fewer than thirty (36) hours per week on a regular basis. Such employees may be "exempt" or "nonexempt" as defined below.

C) Temporary employees- Employees engaged to work full time or part time on Bis-Man Transit's payroll with the understanding that their employment will be terminated no later than on completion of a specific assignment. (Note that a temporary employee may be offered and may accept a new temporary assignment with Bis-Man Transit and thus still retain temporary status.) Such employees may be "exempt" or "nonexempt" as defined below. (Note that employees hired through temporary employment agencies or as independent contractors for specific temporary assignments are employees of the respective agency or independent contractors and not employees of Bis-Man Transit.)

D) Nonexempt employees- Employees who are required to be paid overtime at the rate of one and one-half times (1.5) times their regular rate of pay for all hours worked beyond forty (40) paid hours in a workweek, in accordance with applicable state and federal wage and hour laws.

E) Exempt employees- Employees who perform administrative, executive or professional work as determined by Bis-Man Transit to be exempt from overtime requirements under applicable state and federal wage and hour laws.

JOB/INTERNAL POSTING

It is the policy of Bis-Man Transit to hire the most qualified employees available for all jobs and to encourage a career within Bis-Man Transit by promoting present employees whenever possible to fill vacancies as well as creating and sustaining a welcoming culture in which to conduct BIS-MAN TRANSIT business.

The Executive Director is responsible for the final selection and filling of authorized positions within Bis-Man Transit. The Executive Director is encouraged to consider current qualified Bis-Man Transit employees for vacant positions and may post job vacancies for a minimum of three (3) days internally before seeking applications from the general public. The posting of a notice internally does not guarantee placement of an internal candidate. In all instances, Bis-Man Transit will seek to fill a position with the most qualified applicant whether from within the organization or outside of the organization.

All candidates for a position may be subject to a drug test, criminal background check and other background investigation to determine qualifications and fitness for employment. Additionally,

all candidates for a position may be subject to a post-offer, pre-employment health examination to determine fitness for the position applied for when said position requires particular physical demands of the candidate.

TRANSFER AND PROMOTIONS

It is the policy of BIS-MAN TRANSIT to transfer and promote from within consistent with the interests of Bis-Man Transit. Employees are urged to obtain the necessary skills, training, education, professional registration or licenses necessary in order to be eligible candidates for transfer or promotion.

Criteria for Promotion to be considered - Employees seeking promotion to an open position must also apply to the Executive Director. They may be required to re-submit an application and they will also be interviewed by the hiring authority. In the selection of an employee to fill a higher job, the following will be considered:

- A) Aptitude, skills, ability and past performance, where applicable;
- B) Prior or newly acquired credentials which may qualify the employee for consideration in another classification.

TELEWORK

Bis-Man Transit confirms its commitment to recruit, develop, and retain a diverse and skilled workforce. Teleworking, or telecommuting, occurs when an eligible employee is allowed to work from home or another location on a full- or part-time basis. Teleworking is not a guaranteed benefit of employment and is not allowed under any circumstances where the operational needs of Bis-Man Transit would be adversely affected or disrupted or when an employee's telework arrangement would create an undue burden on Bis-Man Transit and other employees.

Definition of Teleworking

Telework is defined as working at home or at other off-site locations that are linked electronically (via computer, fax, etc.) to a central office or principal place of employment. Teleworking is a cooperative arrangement between Bis-Man Transit and staff, based upon the needs of the job and the Organization.

Teleworking is not a formal, universal employee benefit. Rather it is an alternative method of meeting the needs of the company. Bis-Man Transit has the right to refuse to make teleworking available to an employee and to terminate a teleworking arrangement at any time.

Eligibility

To be eligible for consideration of a telework arrangement, an employee must have no record of performance problems or disciplinary actions within the preceding two (2) years or term of employment. In the case of a new hire, the Organization will conduct a thorough reference check with past employers to determine whether he/she meets the requirement.

The employee must have demonstrated the following prior to approval of telework: proven ability to perform, high job knowledge, ability to establish clear objectives, flexibility and the ability to work independently and with dependability.

In addition, the employee must hold a position that will allow for the employee to work alone or with equipment that can be transported or kept at the alternate work site and have clearly defined tasks and objectives, does not require a regular direct face to face contact either with a client or team members, has measurable work activities, and does not require a high degree of supervision.

Prior written approval of any teleworking arrangement must be received by the Executive Director prior to any regular telework being performed.

Job Responsibilities

Under no circumstances will job responsibilities change due to teleworking. Professionalism in terms of job responsibilities, work output, and customer orientation will continue to follow the standards set by the Organization. The amount of time an employee is expected to work will not change due to teleworking. In the event that business conditions require the teleworking employee's presence at a central work location function, meeting, or other event, the employee is expected to report to the central work location, even if such occurs during normally scheduled home-work area hours.

Contact with the Central Work Location

Once a teleworking arrangement has been approved, the teleworking employee is responsible for maintaining contact with the Executive Director. It is expected that the Executive Director and the teleworker will act together to keep each other apprised of events or information obtained during the working day just as they normally would in an on-site employment arrangement.

Alternate Work Area

Bis-Man Transit shall provide workers' compensation and liability protection as obligated by State Statutes for the employee while in the course of employment within the agreed upon location and defined work schedule. The Organization assumes no responsibility for any activity, damages, or injury which is not directly associated or resulting from the official job duties for which the Organization has no ability to exercise control. The Organization assumes no responsibility for the employee's personal property.

In addition, the following must be adhered to:

A) A designated workspace should be maintained by the employee in a clean, professional, and safe condition.

B) Any change in the approved job assignment, location or defined work schedule must be reviewed and approved by the Executive Director in advance.

C) As liability may extend to accidents which could occur in the alternative work location, the Organization retains the right to make on-site inspections of this work area, at a mutually agreed upon time, to ensure that safe work conditions exist.

D) Employee tax implications related to alternate work locations are the responsibility of the employee.

E) Employee expenses not specifically covered in this policy will be dealt with on a case-by-case basis between the employee and the Executive Director.

F) Employees who work at home will manage dependent care and personal responsibilities in a way that allows them to successfully meet job responsibilities.

Equipment

A) Any hardware or software purchased by Bis-Man Transit remains the property of the Organization and will be returned to the Organization should the alternative work arrangement be terminated.

B) Software owned by the Organization may not be duplicated except as formally authorized by policy.

C) Employees using Organization software must adhere to the manufacturer's licensing agreements.

D) Restricted access materials (such as payroll, personnel files, etc.) may not be taken out of the office, copied, or compromised in any way. Employees working at alternate sites will take all precautions necessary to secure sensitive information and prevent unauthorized access to the Organization.

E) Bis-Man Transit equipment located at an alternative work location may not be used for personal activities.

Disclaimers

Bis-Man Transit will follow the rules and regulations of the Fair Labor Standards Act related to all wages owed to non-exempt and exempt employees working under a telework arrangement. Furthermore, in conjunction with the organization's Telework policy, Bis-Man Transit complies with the Americans with Disabilities Act ("ADA") and the Americans with Disabilities Amendments Act ("ADAA") in engaging in an interactive process to determine workplace accommodations for all employees who are injured or sick due to a qualifying short-term or long-term disability.

CHANGE OF NAME, ADDRESS, MARITAL OR FAMILY STATUS

Employees shall report all changes in name, address, telephone number and marital or family status to the Executive Director as follows:

A) Change of address - Provide on Employee Change of Information Form.

B) Change of family status - (add or delete dependents) - Federal and North Dakota Tax forms, beneficiary changes to Deferred Compensation and group insurance.

CONFLICT OF INTEREST

No employee of Bis-Man Transit shall have any substantial interest, direct or indirect, or engage in any business transaction or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of their duties in the public interest.

No employee of Bis-Man Transit shall use their position to secure special privileges or exemptions, personally or for others. No employee of Bis-Man Transit shall directly or indirectly receive or agree to receive any compensation, gift, reward or gratuity from any source except Bis-Man Transit, for any matter or proceeding connected with or related to the duties of such employee.

Situations that may pose a conflict of interest must be reported to the Executive Director by the employee immediately. However, honoraria or expenses paid for papers, talks, demonstrations or appearances made by employees on their own time shall not be deemed as a violation of this section provided such activity is approved by the Executive Director.

CONFIDENTIALITY

You are required at all times while an employee of BIS-MAN TRANSIT and thereafter, to protect confidential information. Confidential information cannot be given to anyone without express prior approval of an authorized member of BIS-MAN TRANSIT management.

Further, all employees are prohibited from directly or indirectly using or allowing the use of official information obtained through, or in connection with, employment with Bis-Man Transit which has not been made available to the general public, for the furtherance of any private interest. Violation of this principle is a serious matter and will result in immediate disciplinary action. Additionally, disclosure of any information discussed and recorded in closed session held by the Board is strictly prohibited. Violation of this provision by any employee of Bis-Man Transit shall result in disciplinary action taken pursuant to those of this policy, and/or other provision that may be required under state law.

During your employment you may receive or have access to varying types of confidential information. Bis-Man Transit places a high value on confidential information. Confidential information means information that is not generally known to the public that is valuable and

which, if disclosed, could compromise client security or cause harm, damage or other adverse consequences to BIS-MAN TRANSIT, clients, customers and fellow employees.

Information is confidential regardless of its form. Your confidentiality obligations extend to confidential information included in memos, emails, computer files and other electronic formats.

OUTSIDE EMPLOYMENT

No full-time or part-time employee shall engage in outside employment which is not compatible with the full and proper discharge of duties and responsibilities of one's position or which tends to impair the capacity to perform one's duties and responsibilities in an acceptable manner. A full-time or part-time employee wishing to engage in outside employment shall notify the Executive Director of outside employment. The Executive Director shall evaluate the outside employment and determine its compatibility with the employee's obligation for full discharge of duties and responsibilities. Bis-Man Transit must assure that no conflict or appearance thereof occurs, and that no unauthorized use of position or Bis-Man Transit's facilities or property takes place.

BENEFITS

Bis-Man Transit has established a variety of employee benefit programs designed to assist employees and their eligible dependents in meeting financial burdens that can result from illness and disability, and to help plan for retirement. This portion of the Employee Handbook contains general descriptions of the benefits to which employees may be entitled.

This employee handbook does not change or otherwise interpret the terms of the official Benefit Plan Documents. To the extent that any of the information contained in this employee handbook is inconsistent with the official Benefit Plan Documents, the provisions of the official documents will govern in all cases.

INSURANCE

GROUP HEALTH INSURANCE: Bis-Man Transit provides health and major medical, dental, and vision to eligible employees. Eligible employees are defined as those who work an average of 36 or more hours a week as determined by Bis-Man Transit. Any eligible employee may enroll after 30 days of employment. The Executive Director will, in addition, promote the benefits and provide information and assistance to those eligible. Employee and family medical coverage is employer paid in full by the Board. This is subject to change at the Board's discretion. Enrollment of dependents after the initial medical insurance sign-up period will be subject to qualifying changes in status. Employee plus one dental and vision coverage is employer paid up to the limit set by the Board during the annual budget process.

Eligibility Date - Any eligible employee may enroll after 30 days of employment.

COBRA

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, if an employee terminates employment with Bis-Man Transit or has any other qualifying event, the employee is entitled to continue participating in the Company's group health plan for a prescribed period of time, usually 18 months. COBRA coverage may not be extended to employees terminated for gross misconduct.

For detailed information or questions on COBRA, employees should contact the Executive Director.

HIPAA

As required by the Health Insurance Portability and Accountability Act (HIPAA), Bis-Man has adopted a policy that protects the privacy and confidentiality of protected health information (PHI) whenever it is used by Bis-Man representatives. The private and confidential use of such information will be the responsibility of all individuals with job duties requiring access to PHI in the course of the jobs.

Bis-Man Transit has designated the Executive Director as the HIPAA Compliance Officer (HCO). Any questions or issues regarding PHI should be presented to the Executive Director for resolution.

ADDITIONAL BENEFITS

Bis-Man Transit allows employees to opt in annually for a flex spending account and dependent care assistance program account. Employees may participate in either option. Bis-Man Transit does not provide funding for these account options. Employees may also participate in a variety of supplemental insurance plans through Colonial Life at their own cost.

RETIREMENT PLAN

Effective January 1, 2021, all eligible employee's contributions will be matched up to a maximum of 3% of the employee's base salary.

EDUCATION ASSISTANCE

Education programs will generally fall within the following categories:

- Bis-Man Transit-sponsored orientation programs.
- In-service/in-house education provided by Bis-Man Transit.
- Outside workshops, lectures, meetings and seminars.

On-going employee education and development opportunities are essential to sustaining an effective and satisfied workforce. Bis-Man Transit will provide, within reasonable, budgeted resources, employee education and development deemed necessary to assist Bis-Man Transit in achieving its stated mission.

Specific program content may change based upon business conditions and situational need. This policy applies to all employees of Bis-Man Transit.

POLICY

A) Employees may pursue education and development opportunities deemed necessary for the execution of day-to-day job-related duties as well as long-term development purposes to promote/grow Bis-Man Transit.

B) Bis-Man Transit may provide and/or facilitate:

1. On-the-job training and/or work-related instruction that prepares/supports the employees in performing their current roles. This includes instruction required by regulation, law and/or organizational policy.
2. Courses, workshops and seminars as well as attendance at conferences and conventions directed at enhancing and/or expanding employee work-related skills.
3. One-on-one, subject-specific mentoring engagements. Engagements are dependent upon mentor/protégé availability and fit with specific employee development needs.

C) It will be the responsibility of the Executive Director to authorize, monitor and ensure programs are satisfactorily completed within reasonable and customary timeframes.

Programs must be scheduled in accordance with Bis-Man Transits' operating needs and budgetary availability.

D) Employees planning to attend an outside conference or convention will be required to obtain the approval of the Board of Directors in advance prior to committing to registration/travel fees.

E) Newly-hired employees will be provided Orientation Training upon hire. Training topics will be designed to rapidly assimilate the employee into Bis-Man Transit organization while maximizing individual performance opportunities. Any specific-to-the job training that is critical will be provided immediately upon starting in the role.

F) Attendance at educational programs will NOT be counted as paid time IF ALL of the following four criteria are met:

1. Attendance is outside of the employee's regular working hours.
2. Attendance is voluntary. (Attendance is not voluntary if it is required by the employer. It is not voluntary if the employee is given to understand or is led to believe that his/her present working conditions or the continuation of his/her employment would be adversely affected by non-attendance.)
3. The educational program is not directly related to the employee's job.
4. The employee does not perform any productive work during such attendance.

G) The employee will be paid at their regular rate of pay per their typical schedule for the time off work for educational program attendance. If the educational program keeps the employee away from home overnight, the time outside of regular working hours will not be considered work time.

H) Travel time to educational programs will be counted as hours worked during normal working hours for non-exempt employees. If drive or travel time is outside of normal work hours and the trip is not an overnight trip, then time spent traveling is compensable for both non-exempt driver and passenger(s).

TIME OFF
VACATION

ENTITLEMENT AND ACCRUAL RATE: From the first day of employment, all full-time employees shall accrue vacation leave with pay, according to the following schedule. Application for vacation leave shall be in accordance with Bis-Man Transit policy.

The following table shows the annual accrual of vacation time for eligible employees:

<i>Years of Service</i>	<i>Vacation Time</i>
First 3 years	8 hours per month
4 th - 7 th Years	10 hours per month
8 th - 12 th Years	12 hours per month
13 th – 18 th Years	14 hours per month
Over 18 years	16 hours per month

All vacation will be prorated based on an individuals' hire date. Vacation time is not considered time worked when calculating overtime.

Part time employees will accumulate vacation leave at a prorated rate based on the average weekly hours worked.

- 36-40 hours = 100%
- 28-36 hours = 75%
- 20-28 hours= 50%
- 12-20 hours= 25%
- Less than 12= 0%

Employees shall accumulate vacation time on a monthly basis which will be rolled over annually on December 31st of each calendar year. No employee may roll over more than 120 hours of vacation. In the stance of an employee who has already been granted scheduled vacation time off, adequate to avoid forfeiting any accruals or a circumstance beyond the employee's control

prevents the taking of the scheduled vacation. Vacation leave extension may also be granted by the Board of Directors during extenuating circumstances.

SCHEDULING OF VACATION TIME: Since vacation leave is perceived to be a benefit for both the employee and Bis-Man Transit, employees should be encouraged to use such leave. The Executive Director will support this policy by preparing a schedule of appropriate times for taking of such leave and indicating, where known, the dates during which the work load precludes employee scheduled absences. Vacation time may be used in **half hour** increments. All hourly employees must complete a vacation time off request form and have it approved by the Executive Director prior to utilizing vacation time.

PAYMENT UPON TERMINATION: An employee who is terminated/resigns is entitled to full payment for any unused, earned vacation that has accrued and is available for use.

Bis-Man Transit provides the following notices: (1) Only unused leave benefits that have actually accrued and been earned will be paid out upon an employee's separation from the Company; and (2) NO earned or unearned leave benefits will be paid out to any employee who has been employed with the Company for less than one year and quits employment without giving the Company a five-day notice of employment separation

NO ACCRUAL DURING UNPAID LEAVES OF ABSENCE: Vacation time shall not accrue during any approved unpaid leave of absence, except for military leave, FMLA leave, medical leave of absence resulting from illness or compensated injury. Leave will not accrue after 30 consecutive days in an FMLA status.

PERSONAL LEAVE

Personal leave is allotted by Bis-Man Transit and is designed to be a flexible form of paid leave and is to be used through an employee's accumulated, earned Vacation time. It may be used for any reason that an employee sees necessary. Unless the reason for personal leave is an emergency situation, precluding the making of prior arrangements, the leave is to be scheduled with the consent of the Executive Director far enough in advance to keep personal leave time geared both to operation needs of Bis-Man Transit and the convenience of the employee.

Personal time leave is allotted for discretionary purposes to every full-time, Bis-Man Transit employee through the use of the employee's available vacation time. A maximum of (40) hours of accumulated and earned vacation time may be allocated as personal time each calendar year. Employees hired after the beginning of the fiscal year shall be allowed to use the pro-rata amount of personal time for that year, based on date of hire. All uses of personal leave shall be charged in one (1) hour increments and is subject to the Executive Director's approval.

Part time employees will be allowed to utilize personal leave at the prorated rate of what is provided to full time employees.

HOLIDAYS

Bis-Man Transit administration observes ten (10) company paid holidays per year. Paid holidays are as follows: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, and one floating holiday.

FLOATING HOLIDAY: A floating holiday must be approved in writing by the Executive Director. Approvals will be made on a first requested basis but are subject to the needs to Bis-Man Transit for that day.

NON-WORKING HOLIDAY: When a holiday falls on a non-working day, the nearest adjacent workday shall be granted as the holiday.

HOLIDAY REGULATIONS: For the purpose of administration, the following regulations shall be observed:

~~A) To qualify for holiday pay, an employee shall work the scheduled day prior to and the scheduled day following the holiday. Part-time employees shall work their work assignment the scheduled day prior to and the scheduled day following the holiday to qualify for holiday pay. Any exceptions to this qualification must be approved with the Executive Director prior to an employee's use of vacation. Employees on a current non paid status are not eligible for holiday pay.~~

A) Part-time regular employees shall be compensated for four (4) hour for holidays according to their normally scheduled workday. The holiday must fall on a day normally scheduled as a workday for part-time employees to be eligible for compensation.

SICK LEAVE

ENTITLEMENT: It is the policy of Bis-Man Transit to provide protection for its fulltime employees against loss of income because of illness. All eligible employees are encouraged to save as much sick leave as possible to meet serious illness situations. It is a self-insurance program provided by Bis-Man Transit for the employee.

SICK LEAVE BENEFIT: All regular full-time, Bis-Man Transit administration employees receive (8) hours sick leave per month. At the end of the calendar year, an employee may carry over any unused sick days from the prior year. Sick leave may be accumulated to the maximum of (240) hours.

Part time employees will accumulate sick leave at the prorated rate of what is provided to full time employees as described under vacation hours.

TAKING UNEARNED SICK LEAVE NOT PERMITTED: No employee will be permitted to take leave not yet earned. Sick leave shall be paid at full pay at the employee's current rate of compensation.

PURPOSE OF SICK LEAVE: Employees may utilize sick leave when they are too ill to report to work, in the event of injury, or for routine medical and dental appointments. Employees may also use up to 50% of accumulated sick leave earned in the prior 12 months, to care for other ill persons within the employee's immediate family. The immediate family shall be defined as an employee's spouse and dependent children within the home (including foster children). All foreseeable leave for such purposes shall require specific prior approval of the Executive Director. In the event of sick leave usage for any purpose, the Executive Director may require certification of a medical doctor confirming validity of the illness/injury.

NOTIFICATION: An employee must contact the Executive Director at least one hour prior to their scheduled start time to request the use of sick leave. During authorized sick leave, an employee must notify the Executive Director periodically so that he or she may plan on the return. This may be waived in the event of confinement or illness for a specific period of time as indicated in a physician's statement. The standard procedure for use of sick leave benefits is as follows:

A) An employee on sick leave shall inform the Executive Director of the facts and the reason for the absence as soon as possible. Failure to do so on the first (1st) day of illness may be cause for denial of the sick leave pay for the period of absence.

B) Absence for part of a day that is chargeable to sick leave shall be charged proportionately in an amount not less than one (1) hours per day for non-exempt employees.

C) An employee returning to work after an extended illness of longer than three (3) consecutive days may be required to provide a physician's statement substantiating that the employee may return to work.

Failure to apply for a leave of absence for extended illness upon expiration of all such benefits will result in automatic termination.

D) Notice of an employee's desire to return to work after an illness of one week or more must be given to the Executive Director no later than 5:00 p.m., Monday through Friday, on the workday prior to the date for return to work. The employer may request a physician's note to verify propriety of returning to work and noting any restrictions which the employer will consider and accommodate when appropriate.

AUTHORITY TO SEND HOME: The Executive Director may direct an employee who appears ill to leave work. In such instances, this time off shall be charged to available sick leave.

EXCLUDED FROM OVERTIME BASE: Sick pay for hours not worked will be excluded when computing overtime for the workweek in which it was taken.

RATE OF PAY FOR SICK TIME: An employee shall be paid sick leave equivalent to their normally scheduled straight time pay.

RESULTS OF IMPROPER USE OR REPORTING: An employee who uses sick leave for purposes other than those authorized by this policy or who otherwise use sick leave in a manner inconsistent with this policy or Executive Director who falsely certified sick leave allowance for absence from work may be subject to disciplinary action, up to and including immediate dismissal.

EFFECT OF WORKFORCE SAFETY AND INSURANCE PAYMENTS: Employees who are injured on the job and have lost time from the job because of their injury may not receive sick leave payments once Worker's Compensation Insurance payments begin.

LEAVE DONATION

An employee may be eligible to receive donated sick leave from other employees if he or she is suffering from a medical emergency or donated vacation leave if he or she has a relative or household member suffering from an a medical emergency, which is defined as a medical condition of the employee or a family member that will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available apart from a leave-sharing plan. Donated sick leave may also be used for an employee for the purpose of donating an organ or bone marrow.

Donated vacation leave is also available for a qualifying exigency arising from the fact that the employee's spouse, child, or parent is a covered military service member who is on covered active duty or has been notified of impending call or order to active duty in the Armed Forces.

Amount of Donated Leave

The sick/vacation leave donation cannot exceed four months in a 12-month period.

Employee Eligibility to Receive Leave Donation

1. To be eligible to receive donated leave, the employee: Must use all accrued vacation leave, compensatory time, and sick leave prior to receiving the donated hours; (Note: When the situation is for an employee's relative or household member, sick leave means only family sick leave.) Must have over six months of continuous regular service;
2. Cannot be on probationary or temporary status; and
3. Must submit a written request to receive donated hours to the Executive Director.
4. Accompanying this request must be a written statement from a licensed physician or health care practitioner verifying the severe or extraordinary nature of the condition, certifying the leave is necessary, and stating the length of time needed to be absent from work and when the leave should begin.

Also accompanying this request must be a written statement from the Executive Director indicating his or her response to the employee's request.

The Executive Director must approve a request for donated leave before the request is initiated for the employee.

Employee Donation

Employee donations must be done on a voluntary basis.

By completing the Employee Donation of Leave form, an employee can donate leave in one-hour increments.

The donating employee must retain sick and vacation leave balance of at least 40 hours after the donation. Donated annual leave is not returnable.

Employees can donate up to 40 hours of their accrued sick leave hours. Donated sick leave is not returnable.

Definitions Specific to Donated Sick Leave

“Relative of the employee” is limited to the spouse, child, stepchild, foster child, grandchild, grandparent, stepparent, or parent of the employee.

“Household member” means those individuals who reside in the same home, who have mutual obligations to and do provide financial support for one another, and foster children or legal wards, even if they do not live in the same home.

“Severe” or “extraordinary” means serious, extreme, or life-threatening. These terms do not include conditions associated with normal pregnancy.

“Qualifying exigency” includes short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that may arise out of active duty or call to active duty status and upon which the employer and employee agree

BALANCE NOT PAID UPON TERMINATION: Upon termination from Bis-Man Transit service, accumulated but unused sick leave benefits will not be paid.

FAMILY AND MEDICAL LEAVE:

FAMILY AND MEDICAL LEAVE ACT (FMLA): If an employee has worked for Bis-Man Transit a minimum of one (1) year, and has worked 1,250 hours or more during the twelve (12) months prior to requesting leave, they are eligible for family and medical leave.

If eligible, an employee will be allowed up to twelve (12) weeks of unpaid leave within a twelve (12) month period for the birth or adoption of a child, to provide either physical or psychological care for a child, spouse, or parent with a serious health condition, or to care for the employee's own serious health condition. FMLA leave may also be used for qualifying activities if an employee's spouse, son, daughter or parent is on covered active duty or called to covered active duty status. This twelve (12) month period is measured forward from the date an employee's first FMLA leave begins. However, an employee must conclude leave for the birth or placement of a child for adoption or foster care within twelve (12) months after the event. Leave may begin prior to birth or placement, as circumstances dictate.

To qualify for medical leave, the health condition or treatment(s) must be such that it requires an employee to be absent from work on a recurring basis or for more than a few days for treatment or recovery.

INTERMITTENT OR REDUCED LEAVE: In the case of an employee's own serious health condition or that of a qualifying family member, the employee may take leave intermittently or on a reduced work schedule, if medically necessary. When the leave is for adoption or birth of a child, an employee may take leave intermittently or on a reduced work schedule only with the joint approval of the employee and Bis-Man Transit.

If an employee requests intermittent or reduced leave status, Bis-Man Transit may temporarily transfer them to another position of equivalent pay and benefits to better accommodate their leave.

USE OF PAID TIME OFF BENEFITS: An employee taking an FMLA leave is required to use all available PTO leave benefits, prior to taking the remainder of the FMLA leave unpaid. Using paid time off benefits does not add to the total length of the FMLA leave. PTO time will no longer accrue after 30 days in an FMLA status.

To the extent an employee does not have available paid time off benefits, their pay will be reduced for all full days of unpaid leave taken or for all partial days of leave taken. If the employee is exempt, reducing their pay for partial days off will not affect their exempt status under the Fair Labor Standards Act.

LEAVE PROVISIONS FOR SPOUSES BOTH WORKING FOR BIS-MAN TRANSIT: If leave is taken for the adoption or birth of a child, the maximum combined leave for both spouses is twelve (12) weeks. If leave is taken to care for an ill child or spouse, each spouse is entitled to twelve (12) total weeks of leave.

JOB RESTORATION: Most employees granted leave will be returned to the same position held prior to the leave, or one that is equivalent in pay, benefits, and other terms and conditions of employment.

Certain highly compensated salaried employees are eligible for leave, but are not guaranteed restoration to their position if they choose to take leave.

EMPLOYEE BENEFITS: An employee's health care benefits will continue during their leave. Both Bis-Man Transit and the employee will continue to pay their customary portions of the monthly premium. The Accountant will advise the employee of the payment due dates.

NOTIFICATION: An employee must provide Bis-Man Transit with thirty (30) days' written notice of their need for leave, or, if emergency conditions prevent such notice, the employee must notify Bis-Man Transit as soon as is practical. Such notice must be provided to the Executive Director. The employee may need to report periodically on their status during the leave period.

Within a reasonable time after receiving an employee's notice, Bis-Man Transit will provide detailed information about the requirements and availability of the leave.

CERTIFICATION: Certification of the need for leave to care for an employee's illness or injury or that of a qualifying family member is required. An employee must obtain the following information from a health care provider and make it available to Bis-Man Transit:

- The date the serious health condition began
- The duration of the condition
- A statement that the employee needs to care for the ill person and the estimated length of the leave or a statement that the employee is unable to perform the functions of their job
- If applicable, the medical reasons verifying the need for intermittent leave or a reduced work schedule, such as scheduled dates for treatment(s)

DISPUTE RESOLUTION: If there is a dispute about the medical opinion provided by an employee's physician, Bis-Man Transit may require a second opinion by a physician of its choice, at its expense. If a third opinion is necessary, a third doctor may be selected, also at the Bis-Man Transit's expense. The doctor must be agreed upon by both the employee and Bis-Man Transit.

RELEASE TO RETURN TO WORK: A doctor's release is required to return from a medical leave of one (1) week or longer.

PROBLEM RESOLUTION: It is the policy of Bis-Man Transit not to terminate or discriminate against any employee exercising their rights under the Family Medical Leave Act. If an employee thinks they have been treated unfairly, the employee should contact the Executive Director. If for any reason the problem is not able to be resolved at that level, the employee should contact the Board of Directors. The decision made will be final and binding.

BENEFIT ACCURALS: An employee taking leave under the FMLA will continue benefits during the entire period of such FMLA leave, excluding paid time off (PTO) accruals after 30 consecutive days in an FMLA status.

NOTE: Bis-Man Transit will comply with all state FMLA laws. When both the federal and state law apply, leave will run concurrently and the provisions more beneficial to the employee will apply. Any revisions to FMLA statutes, regulations or guidelines will automatically be included in this policy upon their effective date, regardless if this policy has specifically been revised to include those revisions

TYPES OF LEAVE

MATERNITY, PATERNITY, ADOPTION, OR FOSTER CARE PLACEMENT: Employees are eligible for up to 12 weeks of family leave (during any rolling 12-month period) for maternity, paternity, adoption, or foster care placement for bonding with the child. All maternity, paternity, or adoption leave must be taken on a consecutive basis and at the time of birth or adoption. If both parents are employed by Bis-Man Transit, they are limited to a total of 12 weeks combined for such bonding leave.

Leave for birth mother maternity recovery is typically six weeks for births. Requests for maternity recovery leave in excess of six weeks must be supported by the employee's physician. Documentation from a physician regarding expected recovery required. Employees may use up to six weeks of paid sick leave concurrently with the first six weeks of leave in connection with maternity, paternity, adoption, or foster care placement for baby bonding time. Once paid sick time (up to six weeks) has been exhausted, the employee must use accrued vacation time concurrently with the FMLA leave as described under the "Provisions" section of this policy. If an employee has less than six weeks of accrued sick leave or elects more than six weeks of maternity, paternity or adoption leave, time off must be vacation and/or approved unpaid leave.

If during maternity leave the employee experiences medical complications, additional sick leave past the normal six weeks may be used.

In regards to Foster Care or Legal Guardianship, each request will be reviewed on a case-by-case basis to determine paid or unpaid leave. Intermittent leave approval may be granted based on the circumstances.

Leave may be taken before the actual placement of a child if an absence from work is required for the placement or foster care to proceed.

SERIOUS HEALTH CONDITION – FAMILY MEMBER: Family: Spouse, parent, child, foster child, or step child under the age of 18 or incapable of self-care.

Up to 80 hours of sick leave in a rolling 12-month period may be used, if available.

Documentation from a physician will be required.

Serious Health Condition – Employee

Employees must use accrued sick leave and/or vacation. The remainder of the leave is unpaid. However, leave donation may apply (see Leave Donation guideline).

Documentation from a physician will be required upon return to work.

SNOW DAYS: On days when the Bis-Man Transit Administrative Office is closed due to adverse weather conditions, employees will be paid for their scheduled work hours. If the administrative office is open but the employee is unable to make it in to the office due to adverse weather, the employee may use available accrued vacation time if available.

BEREAVEMENT LEAVE: Bis-Man Transit provides bereavement leave to employees as follows:

Employees will be granted up to three (3) working days in conjunction with the time of death or date of the funeral for the employee's:

- Parent
- Spouse or Domestic Partner
- Child (including step children)
- Sibling (including step siblings)
- Current Spouse or Domestic Partner's Father or Mother or Sibling
- Sibling's current Spouse or Domestic Partner
- Niece/Nephew
- Grandchild/Grandparent, including step relationships
- Aunt/Uncle

A working day shall be defined as a day on which the employee is regularly scheduled to work. Pay will be calculated based upon the employee's actual scheduled hours missed due to Bereavement Leave and will be paid at the employee's base rate. Bereavement leave is not counted as hours worked for the purposes of computing overtime pay.

Should additional time off be desired, it must be approved by the Executive Director and will be taken from the employee's vacation/personal time accrual.

Employees must notify the Executive Director of the need for a Bereavement Leave as soon as possible.

CIVIC LEAVES OF ABSENCE

JURY AND WITNESS DUTY: Bis-Man Transit encourages all employees to be civic minded. If notice is received to serve on a jury or as a subpoena for a witness, official documentation should be reported to Bis-Man Transit.

When summoned to jury duty, employees have the option of requesting paid time off or jury duty leave for the time away from the job. An employee requesting jury duty leave shall be granted time off with pay for a maximum of three days. If paid time off is requested for jury duty, the employee may keep the fees paid to them as jury duty pay. If no PTO is available, time off without pay will be given after three days.

When asked to appear as a witness or expert witness on behalf of Bis-Man Transit, an employee shall be deemed to be performing duties or services for Bis-Man Transit and shall receive the same compensation as during regularly scheduled work hours. An employee may not retain any witness fee while serving as a witness on behalf of Bis-Man Transit.

An employee who performs witness duties unrelated to their official capacity with Bis-Man Transit must do so in a paid time off or leave without pay status. In these situations, the employee will retain witness fees, mileage and/or subsistence payments received.

Employees must return to work on any day when jury or witness duty dismisses prior to the end of the employee's regularly scheduled workday.

TIME OFF TO VOTE: Employees are encouraged to vote either before or after work to minimize time away from work. Employees will, however, be allowed up to one hour away from work to vote. If time away from work to vote exceeds more than one (1) hour, employees will be required to use PTO or, if unavailable, unpaid leave.

MILITARY DUTY: Excused absence will be granted to all employees required for military training duty with the National Guard or other branches of the military forces. The employee's salary will be maintained for a maximum of two (2) weeks (ten (10) working days) in a calendar year. In addition, Bis-man Transit will follow all rules and regulations under the Uniformed Services Employment and Reemployment Rights Act (USERRA) for activated military personnel.

EXTENDED LEAVES OF ABSENCE:

A) Vacation leave and compensatory time off accumulated may be used for personal obligations requiring leaves of absence for longer duration than the personal leave, subject to the approval of the Executive Director.

B) The employee must request leave without pay from the Executive Director in writing for leave in excess of available or accumulated paid time off before said leave is taken.

C) Leave under this section or extension thereof must be approved by the Executive Director.

D) An employee on an extended leave of absence, without pay, does not accrue vacation leave or sick leave credit for the period of the unpaid leave of absence. Such employees may continue medical, dental and insurance coverage, but only where the employee pays the total cost of such participation while on unpaid leave of absence.

EXCUSED ABSENCES WITHOUT PAY

The following policy regarding excused absences without pay in no way alters or preempts Bis-Man Transit's legal obligations to employees under the federal Family and Medical Leave Act and Bis-Man Transit's FMLA policy.

An excused absence without pay may be granted to an employee at the discretion of management for less than thirty (30) consecutive calendar days. An excused absence without pay does not break the continuity of an employee's service, provided the employee returns to work at the end of the leave.

Generally, excused absences without pay are limited to looking after urgent personal affairs, taking time off for military training or emergency service, or dealing with the extended sickness of the employee or members of the employee's immediate family, whether or not involving an FMLA leave.

Reinstatement following a period of excused absence without pay is not guaranteed (unless guaranteed under FMLA or other law), since operational conditions may change during that period. If Bis-Man Transit's conditions make reinstatement possible, the employee will receive the same consideration as if employment had not been interrupted.

An employee may not engage in any other employment during this period of absence without the written permission of the Executive Director

Employees taking excused absences without pay are required to use all available paid time off prior to taking an unpaid leave.

COMPENSATION

ANNUAL SALARY ADJUSTMENTS: Upon approval of the Board, employees may be eligible for a salary adjustment as authorized by the Executive Director.

Bis-Man Transit believes that performance measurements and achievement provide the best methodology for determining pay progression. This allows an employee's rate of pay to be determined by the employee's own performance and value to the organization.

It provides Bis-Man Transit with an incentive tool to achieve organizational goals and encourages all employees to reach their maximum potential. Such increases recognize individuals whose performance is superior, as well as those who need to improve.

MERIT INCREASES

ELIGIBILITY: Employees are generally eligible for merit increase consideration on January 1st. Each employee eligible for a merit increase shall be evaluated in accordance with this compensation plan and the requirements of the evaluation instrument and instructions so that

said evaluation is completed and discussed with the employee prior to the actual Merit Anniversary Date of January 1st.

In the case of part-time employees, the actual Merit Anniversary Date shall not be considered to have occurred unless the employee has at least nine hundred (900) hours of actual work hours (including benefit time) since the last merit increase or four hundred and fifty (450) hours when the first merit increase is six (6) months from the date of hire. The merit increase shall be effective on January 1st.

EVALUATION PERIOD: All newly hired employees shall serve a six (6) month evaluation period, which may be extended by the Executive Director if additional time is necessary to properly evaluate the employee's prospects of success in the position.

All merit increases require that a performance evaluation form be submitted to the Executive Director along with the merit increase request, i.e., a completed Payroll Change Form. Whether or not the employee receives a merit increase, the evaluation form shall be sent to the Accountant no later than December 20th.

OVERTIME PAYMENTS

The Federal Fair Labor Standards Act (FLSA), as well as State law, requires that all employees who are not exempt from overtime payment be compensated at the rate of one and one-half (1-1/2) times their regular hourly rate for all hours actually worked beyond forty (40) hours in a work week.

CONTINUOUS/NON-CONTINUOUS: In conformance with the FLSA, the following policy for providing overtime payment as wages is utilized for those employees who are eligible for overtime:

A) Employees in non-continuous operations are those employees in position classifications with schedules that do not generally require overtime work and that do not require a replacement when they are absent. These employees shall receive one and one-half (1-1/2) times their regular hourly rate for all hours worked over forty (40) in a workweek.

REQUIREMENTS FOR OVERTIME: All overtime must be authorized by the Executive Director in advance of being worked. The Executive Director will make every effort to assign foreseeable overtime in the most equitable and even manner possible. Typically, any time spent performing job duties, traveling between job sites during work hours, attending required training programs/meetings, or responding to a work-related subpoena is productive time and counts toward overtime calculations. Paid time off, sick, funeral or jury duties are non-productive and are excluded from overtime calculations.

HOURS OF WORK

The operating days and hours of Bis-Man Transit are Monday through Friday, 8:00 a.m. to 5:00 p.m.

The flextime policy at Bis-Man Transit allows employees to work extra time throughout the work week to allow for early departure. The time of arrival and departure may not differ from the standard operating hours by more than two hours, except for the half day early departure. For example, a typical flextime arrangement is Monday through Thursday arriving at 7:30 a.m. and departing at 5:30 p.m. and on Friday arriving at 8:00 and departing at 12:00 pm. This arrangement example allows for a one-hour lunch break Monday through Thursday. In the event of a paid holiday within the week, the flextime policy will not be applicable.

The Executive Director approves flextime on a case-by-case basis. A flextime arrangement may be suspended or cancelled at any time. Exempt employees must depart from any flextime schedule when needed to perform their job duties. Nonexempt employees may be asked to work overtime, regardless of a flextime schedule.

REST AND MEAL PERIODS AS HOURS OF WORK: Lunch periods are normally one-half to one (1) hour in duration. Such time is to be considered the employee's time and they should not perform work tasks during their meal period.

A) Employees must be allowed at least a ½ hour uninterrupted meal period if working more than five (5) hours.

B) The Executive Director has the authority to grant rest periods to their employees. Such periods of rest, in general, should not exceed fifteen (15) minutes and the employee may not leave the work facility during such periods of rest and can be called back to work at any time. Typically, there are two rest periods: one in the early part of the shift and one in the latter part. Either/both can be canceled at any time based on business needs. The rest period(s) may not be combined with the meal period under any circumstances.

GENERAL PAYROLL INFORMATION - PAYROLL PERIODS: Pay periods shall be bi-weekly, completed by the end of the week on Friday, with 26 total pay periods yearly. Paychecks will be issued within seven (7) calendar days of the close of the reporting period.

MERIT-BASED BONUS: The Executive Director may qualify for a merit-based bonus yearly at the discretion of the Board of Directors. This will take place in the last quarter of each year, following the employee evaluation, completed by the Board of Directors.

HOLIDAY BONUS: All employees may qualify for a monetary holiday bonus in the last quarter of each year. This is dependent on budget and Board of Directors' approval.

VOLUNTARY PAYROLL DEDUCTIONS: Other payroll deductions may be offered by the Board to employees if there are sufficient numbers of employees who wish the same type of deduction (i.e., Colonial Life). Such requests shall be reviewed by the Accountant and the Executive Director; their recommendation will be presented to the Board for approval.

ON THE JOB

DISCIPLINE PROCEDURE

DEFINITIONS:

Coaching—Primary method to improve work performance and develop employees for potential advancement within the organization. The goal is to clarify needs, expectations, and roles and offer additional assistance to employees so they can be successful in the work environment. It may also include a review of the employee’s job description.

Oral Reprimand/Warning—Formal discussion in which the employee is verbally advised regarding some act(s) of improper conduct, performance deficiencies, or violation of a regulation, rule, etc. The documentation is noted in the Executive Director’s file for that employee, as well as in the employee’s personnel file.

Written Warning—A formal written statement completed by the Executive Director containing a complete description of an offense or performance deficiency. Where appropriate, the report should also include written performance-improvement objectives, along with a timetable for achieving them.

Disciplinary Suspension—For (potentially) serious infractions of policies, procedures, values, mission, and/or vision of BIS-MAN TRANSIT, an unpaid suspension may be invoked by the BIS-MAN TRANSIT Executive Director to gain the employee’s acknowledgment of needed behavioral/performance changes required immediately and consistently. An employee may be placed on an interim paid or unpaid suspension while the investigation is carried out, which shall not be considered disciplinary action.

Discharge—Taken after previous discipline and expected improvement has not resulted, and/or an employee commits an offense that impacts their continued employment, cannot be tolerated regardless of previous work history. Discharge results in complete separation from further employment.

Demotion—at any point in the disciplinary process, a demotion may be imposed on the employee if their work history, attitude, skills, and/or actions warrant it and if appropriate coaching has been offered/provided to the employee. A demotion could include a temporary or permanent reduction in hours, level of duties assigned, pay, and/or category of employment.

Bis-Man Transit generally follows a progressive discipline policy. The Executive Director has the discretion to select the appropriate level of correction for unacceptable employee behavior, based on the issues under consideration for discipline. Progressive discipline may include coaching and seeking outside assistance. In instances where verbal discipline is not effective or appropriate, an employee may receive written notification of reprimand, suspension, demotion, and/or ultimately dismissal. Depending on the conduct, discipline may be imposed at any level.

Typical steps in Progressive Discipline may include one or more of the following:

- A) Coaching, including seeking outside assistance,
- B) Oral reprimand or warning,
- C) Written reprimand or warning,
- D) Disciplinary suspension—with or without pay,
- E) Final Action- Demotion or discharge.

A formal Employee Performance Improvement Plan may be suggested/or mandated depending on the issues/behaviors surrounding the (potential) disciplinary action. The Executive Director will work with the employee to implement a Performance Improvement Plan.

Documentation concerning written disciplinary actions shall be placed in the employee's personnel files. Employees shall also be required to acknowledge receipt of any written reprimand or warnings by signing the Disciplinary Action Form.

Signing the Disciplinary Action Form, however, is not considered an acceptance of or agreement with the action taken, only receipt of the discipline.

Employees shall have the option to respond to any disciplinary action in writing. This document will be placed in the employee's file, along with the written disciplinary action.

GENERAL RULES OF CONDUCT

The purpose of this policy is to provide a framework for the proper conduct of Bis-Man Transit employees while on the job. It is further intended that discipline, where justified, be met in an equitable manner. Finally, it is intended that, within broad and general guidelines, the Executive Director is responsible for implementing this policy in their specific jurisdictional work areas.

A) The Executive Director should be certain that new employees are aware of existing work rules. This should be done during the employee's initial orientation and should be repeated at the end of the evaluation period. In addition, the Executive Director will discuss company rules with new employees and, as needed, with all employees.

B) To ensure orderly operations and provide the best possible work environment, Bis-Man Transit expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization. All active employees are covered under this policy. It is not possible to list all forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment. The list is not intended to be exhaustive.

- Theft, loss, misappropriation, destruction/damage, or inappropriate removal or possession of Bis-Man Transit funds, equipment, or property
- Violation of the attendance policy or unauthorized absences, including repeated tardiness and leaving duty prior to fulfilling shift obligations
- Fighting or threatening violence while on duty or in the workplace
- Sexual or other unlawful or unwelcome harassment
- Failure to request leave in an authorized manner or abusing an approved leave
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Unauthorized use of telephones, mail system, internet or other employer-owned equipment
- Unauthorized disclosure of confidential information
- Failure to complete work duties as assigned, including proper bus operation, dispatch, and service procedures and protocols; including unauthorized exchange of work assignments
- Insubordination, including refusal or failure to follow the Executive Director's or Board of Directors' work orders
- Discourtesy or disrespect to a member of the public, a coworker, or the Bis-Man Transit Executive Director
- Falsifying or altering any Bis-Man Transit record or report
- Violation of the dress code policy
- Willful misrepresentation or concealment of any fact requested during the hiring or investigatory process
- Violation of Bis-Man Transit Smoking Policy
- Violation of any Safety procedure or policy, including Drug Free Workplace and Substance Abuse Policy
- Disruptive behavior which causes negativity in the workplace, interruption in operations, or affects workplace morale
- Gambling while on duty or on Bis-Man Transit property
- Conduct tending to bring disrepute on Bis-Man Transit, its Board, or personnel
- Improper use of equipment; including but not limited to, computers, cell phones and the internet
- Solicitation of passengers of the public for any purpose while on duty, in uniform or any other situation where it may be construed that the employee is representing Bis-Man Transit

- Upon conviction of a felony impairing employment; or suspension or revocation of your driver's license or receiving traffic violation while operating a Bis-Man Transit owned vehicle
- Holding other employment or engaging in activities that interfere with or adversely affect the performance of your job duties
- Sleeping while on duty
- Violation of any Bis-Man Transit policy or procedure not listed

C) While this listing is not comprehensive, it is sufficient to demonstrate the types of behavior that may indicate an improper attitude toward the job.

PERSONAL APPEARANCE

Dress Code: Business Attire

Staff is expected to present a professional, business-like appearance.

Casual attire/jeans may be worn on Friday of each week.

WORKPLACE VIOLENCE POLICY

Bis-Man Transit values its employees and the Board affirms its commitment to providing workplaces and facilities that minimize the potential for violence. It is the intent of this policy to ensure that everyone associated with Bis-Man Transit, including employees and the public, never feels threatened by any forms of violence. Bis-Man Transit has a zero tolerance policy for violence, whether by or toward employees.

“Violence” shall include physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking or engaging in those activities. It shall also include acts, threats, intentions of harm, destruction, towards self, others or property, and may be psychological as well as physical, and the perception thereof.

Bis-Man Transit strictly prohibits weapons of any type in its facility or on any Bis-Man Transit property and at any Bis-Man Transit sponsored event. This includes visible and concealed weapons, even those for which the owner has obtained the necessary permits. While this list is not all-inclusive, “weapons” include firearms, knives, any explosive materials and any other object that could be used to harass, intimidate or injure another individual.

A) Disciplinary Action:

The investigation regarding alleged/actual workplace violence will begin immediately following Bis-Man Transit's leadership knowledge. If it is determined that an employee is engaging in any form of violence in the workplace or threatening violence in the workplace, the employee shall be terminated immediately. No talk of or joking about violence will be tolerated. In cases of acts or threats of violence by employees, Bis-Man Transit endorses immediate and definitive use of the disciplinary process outlined in this document, resulting in termination of said employees. Criminal prosecution will be pursued as appropriate, as well.

B) Responsibility:

1. The Executive Director has overall responsibility for maintaining this policy, administering workplace violence prevention measures, and coordinating post-incident activities. The Executive Director will also identify resources that may be used in developing training plans and workplace violence measures.
2. The Executive Director shall make safety one of his or her highest concerns. Employees should tell the Executive Director or the President of the Board of Directors about the real/perceived workplace violence immediately.
3. Employees shall report all acts and/or threats of violence (real or perceived) to the Executive Director or President of the Board of Directors. Employees should learn to recognize and respond to behaviors by potential perpetrators that may indicate a risk of violence.

When made aware of a real or perceived threat of violence, management shall conduct a thorough investigation, provide support for employees, and take specific actions to help prevent all acts of violence. Management is also responsible for documenting and reporting such incidences to Human Resources.

Drug and Alcohol Testing

Drug Testing

- BIS-MAN TRANSIT will require testing for prohibited drugs in accordance with 49 CFR Part 655.21, which includes; Marijuana, Cocaine, Opiates, Amphetamines, and Phencyclidine. All urine specimens shall be split-sample and shall be taken promptly with as little delay as possible. The “primary” sample shall be at least 30ml of urine; the “split” sample shall be at least 15ml of urine. Immediately after the specimen is collected, and in the presence of the employee, the specimen shall be divided into two separate containers, labeled, and sealed. The employee is obligated to identify each specimen and initial the specimen containers. The container containing the “primary” sample shall be sent to a Department of Health and Human Services (DHSS) certified testing laboratory on that day or the next normal business day by courier or the fastest practical method available. The “split” sample shall be preserved.
- The employee shall be given an opportunity to have the “split” sample tested at a DHHS certified laboratory of their own choosing and at their own expense within 72 hours of being informed of a positive result by the Executive Director. An employee shall be reimbursed for the cost of the “split” sample test if the “split” sample test results in a negative finding.

Additionally, if the “split” sample test results in a negative finding, the employee will be reimbursed for compensation lost as a result of the “primary” sample positive test.

- The failure of an employee to provide specimens of sufficient quantity, even after a 3 hour second opportunity following drinking up to 40 ounces of water, distributed reasonably through a period, will cause the employee to be referred for a medical evaluation to develop pertinent information as to whether the employee’s inability to provide a specimen is genuine or constitutes a refusal to test.

This medical evaluation shall be sent to the Executive Director. While this process is being accomplished the employee shall not be allowed to perform a safety-sensitive function and the employee will be placed on leave without pay. If the Executive Director concludes that there is a medically valid reason for the employee’s inability to produce a specimen, the employee will be reimbursed for lost pay.

If the Executive Director concludes that there is not a medically valid reason for the employee’s inability to produce a specimen, the employee’s failure will be considered a refusal to test.

- An employee who has a verified positive drug test shall immediately be removed from performing a safety-sensitive function and will be subject to immediate termination of employment. The employee will then be referred to a Substance Abuse Professional (SAP) for evaluation.

Refusal to Take a DOT Drug Test

As an employee, you are considered to have refused to take a drug test if you:

- Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
- Fail to remain at the testing site until the testing is complete; Provided that an employee who leaves the testing site before the process commences for a pre-employment test is not deemed to have refused to test.
- Fail to provide a urine specimen for any drug test required by Part 40.191 or DOT agency regulations; Provided that an employee who does not provide a urine specimen because they have left the testing site before the testing process commences for a pre-employment test is not deemed to have refused.
- Fail to permit the observation or monitoring of your provision of a specimen, if so required.

- Fail to provide a sufficient amount of urine when directed, and it has been determined through a medical evaluation, that there was no adequate medical explanation for the failure.
- Fail or decline to take an additional drug test that the employer or collector has directed you to take.
- Fail to undergo a medical examination or evaluation as directed by the Executive Director as part of the verification process. In the case of a pre-employment drug test, the 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.
- Fail to cooperate with any part of the testing process. For example: refuse to empty pockets when directed by the collector, behaving in a confrontational way that disrupts the collection process, fail to wash hands after being instructed to do so by the collector.
- Fail to follow the observer's instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around in order to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process. (Direct Observation Tests Only)
- Possess or wear a prosthetic device that could be used to interfere with the collection process.
- Admit to the collector or the Executive Director that you adulterated or substituted the specimen.

Alcohol Testing

- BIS-MAN TRANSIT will require alcohol testing in accordance with Federal Transit Administration (FTA) requirements set forth in Part 40. Two breath tests are required to determine if a person has a prohibited alcohol concentration. A "screen" test shall be conducted first. Any result less than .02% alcohol concentration is considered a negative test. If the alcohol concentration is .02% or greater, a second "confirmation" test must be conducted. This test shall be by means of an Evidential Breath Testing (EBT) device that prints out the results, date, time, a sequential test number, and the name and serial number of the EBT. The alcohol test must be conducted by a Breath Alcohol Technician (BAT) who is trained to operate the EBT and is proficient in all breath alcohol testing procedures.
- Employees shall only be tested for alcohol while performing a safety-sensitive function, just before performing a safety-sensitive function, or just after performing a safety-sensitive function. Any test with a result of .02% or greater but less than .04% shall cause the employee to immediately be placed on leave without pay for at least 25 hours.

Employees with a test result of .02% or greater shall be subject to disciplinary action up to and including termination of employment. Employees with a test result of .04% or greater shall immediately be removed from their safety-sensitive function and will be referred to a SAP for evaluation.

- Failure of the employee to provide an adequate amount of breath during a breath alcohol test will cause the employee to be immediately referred for a medical evaluation to develop pertinent information concerning whether the employee's inability to provide the adequate amount of breath is genuine or constitutes a refusal to test. The physician shall submit a written medical evaluation to the Executive Director. While this process is being accomplished the employee will be placed on leave without pay. If the Executive Director concludes that there is a medically valid reason for the employee's inability to produce a specimen, the employee will be reimbursed for lost pay. If the Executive Director concludes that there is not a medically valid reason for the employee's failure to produce a specimen the employee's failure will be considered a refusal to test.

Refusal to Take a DOT Alcohol Test

As an employee, you are considered to have refused to take an alcohol test if you:

- Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
- Fail to remain at the testing site until the testing process is complete; Provided that an employee who leaves the testing site before the process commences for a pre-employment test is not deemed to have refused to test.
- Fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations; Provided that an employee who does not provide an adequate amount of breath or saliva because they have left the testing site before the testing process commences for a pre-employment test is not deemed to have refused a test.
- Fail 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.
- Fail to undergo a medical examination or evaluation as directed by the employer as part of the insufficient breath procedures outlined at 40.265(c).
- Fail to sign the certification at step 2 of the ATF (see 40.241(g) and 10.251(d)).
- Fail to cooperate with any part of the testing process.

As an employee, if you refuse to take an alcohol test, you incur the same consequences specified under DOT agency regulations for a violation of the DOT agency regulations.

As a BAT or STT, or as the physician evaluating a “shy lung” situation, when an employee refuses to test as provided in this section, you must terminate the portion of the testing process in which you are involved, document the refusal on the ATF or in a separate document which you cause to be attached to the form. You must immediately notify the DER by a means that ensures the refusal notification is immediately received. You must make this notification directly to the DER.

Compliance

For the purposes of implementing this policy and complying with FTA regulations, all safety-sensitive employees will be required to take and successfully pass urine drug testing and breath alcohol testing under the following circumstances. Refusal to submit to such screenings shall be considered a positive test. A positive test will result in disciplinary action up to and including termination of employment. The random drug testing will be continuous and reasonably spread throughout the year on all days and hours during which safety-sensitive functions are being performed.

- Pre-Employment Testing – Applicants for safety-sensitive positions will be required to take a drug test, administered in accordance with these policy requirements and resulting in a verified negative before they can be hired for a safety-sensitive position. Employees who wish to transfer from other positions to a safety-sensitive position will be required to take a drug test, administered in accordance with these policy requirements and resulting in a verified negative before they can be transferred to a safety-sensitive position.
- Reasonable Suspicion Testing – Employees employed in safety-sensitive positions will be subject to drug and alcohol testing the Executive Director, who has been trained in the detection of prohibited drug and alcohol abuse, has reasonable suspicion to believe that the covered employee has used prohibited drugs and/or alcohol. Reasonable suspicion will be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.
- Post-Accident Testing – Safety-sensitive employees will be required to submit to prohibited drug and alcohol testing subsequent to an accident involving BIS-MAN TRANSIT owned or leased vehicles in the following instances:
 - Fatal Accidents – As soon as practicable following an accident which involves the loss of human life, each surviving safety-sensitive employee that was operating a BIS-MAN TRANSIT vehicle involved in the accident will be tested.
 - Non-Fatal Accidents and Property Damage Accidents – As soon as practicable following an accident not involving the loss of human life, each operator of a BIS-MAN TRANSIT vehicle involved in the accident will be tested:
 - If an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident

- In any occurrence in which the BIS-MAN TRANSIT vehicle involved or one or more vehicles involved incurs disabling damage as a result of the occurrence and such vehicles are transported away from the scene by a tow truck or other vehicle
 - In any occurrence in which the mass transit vehicle involved is a rail car, trolley car, trolley bus, or vessel and the mass transit vehicle is removed from operation.
 - Following an accident which requires employee post-accident testing, employees to be tested must have an alcohol test administered within two (2) hours following the accident. If an alcohol test is not conducted within two (2) hours the employer shall prepare and maintain on file a record stating the reasons for which the alcohol test was not promptly administered. If an alcohol test is not administered within eight (8) hours following the accident, the employer shall cease attempt to administer an alcohol test and maintain the record. Records will be submitted to the FTA up request of the Administrator. Prohibited drug testing will occur within thirty-two (32) hours of the time of the accident.
Any employee subject to post-accident testing must refrain from alcohol use for eight (8) hours following the accident or until the employee has completed a post-accident test, whichever comes first.
 - An employee subject to post-accident testing may not leave the scene of an accident without receiving express permission from the Executive Director. In the event that the employee receives Executive Director permission to leave the scene, the employee subject to post-accident testing must remain readily available for post-accident testing and keep the Executive Director advised of their location. An employee who is subject to post-accident testing who leaves the scene of an accident without the express permission of the Executive Director or who fails to keep the Executive Director advised of their location prior to submitting to post-accident testing will be deemed to have refused to submit to testing. Nothing in this paragraph should be construed to prohibit the covered employee subject to post-accident testing from leaving the scene of an accident for the period of time necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
 - You must not collect, by catheterization or other means, urine from an unconscious employee to conduct a drug test under this part. Nor may you catheterize a conscious employee. However, you must inform an employee who normally voids through self-catheterization that the employee is required to provide a specimen in that manner. If, as an employee, you normally void through self-catheterization and decline to do so, this constitutes a refusal to test.
- Random Testing – On various occasions throughout the year covered employees may be randomly tested for prohibited drug and/or alcohol use any time while on duty. Random testing will be performed at all hours of the day and all days when safety-sensitive functions are performed. The number of covered employees selected for testing each calendar year will be, at a minimum, an amount equal to the number of employees

required to be tested pursuant to FTA regulations. The selection of safety-sensitive employees for random alcohol testing will be made up using a scientifically valid method that ensures each covered employee that they will have an equal chance of being selected each time random selections are made.

- Safety-sensitive employees selected for a random test must proceed immediately to the test facility following notification of the random test.
- Return to Duty Testing – A safety-sensitive employee that has not performed a safety-sensitive function for ninety (90) consecutive days or more, and has been removed from the random pool during this period, must take a Pre-Employment drug test with a verified negative result prior to returning to duty. If a covered employee’s employment has not been terminated by the employer as a result of a refusal to test or as a result of a verified positive prohibited drug and/or alcohol test, before returning to duty a covered employee shall be required:
 - To take a return to duty prohibited drug and/or alcohol test with a verified negative result.
 - To be evaluated by a SAP to determine whether the covered employee has properly followed the recommendations for corrective action of the prohibited drug and/or alcohol abuse problem including successful completion of a SAP recommended rehabilitation program.
 - To receive a determination from the MRO that the employee may return to work.
 - To submit to periodic, unannounced follow up prohibited drug and/or alcohol tests for a period of up to sixty (60) months after the employee returns to duty.

Drug Test Results

The prohibited drug test results of employees will be reviewed by the BIS-MAN TRANSIT testing provider’s MRO to determine whether there is any indication of a violation of the BIS-MAN TRANSIT prohibited drug policy. If an employee test results in a positive result, the MRO will give the person tested an opportunity to discuss the results and provide documentation of legally prescribed medication, which might account for the positive test result. The MRO will release test results to BIS-MAN TRANSIT, which will maintain them in a secure location with controlled access separate from the employee’s personnel records.

In the event that an employee’s prohibited drug test is positive, the MRO will refer the employee to a SAP. Based on information gleaned by the SAP, the SAP may make additional referrals and recommendations to the employee.

If the MRO informs the employer that a negative test result was diluted, the employer will take the following action:

- Schedule the employee for a retest and ensure that the employee is given the minimum possible advance notice that they must go to the collection site.
- Treat the result of the directed test as the test result of record.
- If the directed test result is negative-dilute, the employee will not be required to take an additional test because the result was dilute.

- If the employee declines to take the directed test, the employee has refused the test for the purpose of this part and DOT agency regulations.

Alcohol Test Results

Alcohol test results shall be provided on forms established by Subpart C40.59 Appendix A. Copy 1 (white) will be retained by the BAT, copy 2 (green) shall be provided to the employee, and copy 3 (blue) shall be transmitted to BIS-MAN TRANSIT. In the event that an employee's alcohol test is positive, a SAP will discuss the matter with the employee and, based on information gleaned by the SAP, the SAP may make additional referrals and recommendations to the employee.

General

- Test results from all drug and alcohol tests shall be retained by BIS-MAN TRANSIT in a secured location with controlled access as specified in 49 CFR Part 655.73.
- Test results will not be released to any party without the employee's written consent, except as otherwise required by law.

Education Program

The Executive Director will list and conspicuously post in a location accessible to all employees, a current listing of the names and locations of the following policy facilitators:

- Designated Prohibited Drug and Alcohol Specimen Collection Service
- Designated Prohibited Drug Testing Facility
- Designated Substance Abuse Professional Services
- Designated Breath Alcohol Technician Testing Services

The Executive Director will determine whether reasonable suspicion exists to require a driver to undergo testing under 49 CFR Part 655.14, and receive at least sixty (60) minutes of education on alcohol misuse recognition. In the event that an employee is sent for alcohol testing because of a reasonable cause judgment made by the Executive Director, the Executive Director will accompany the employee to the testing facility.

The Executive Director is required to use and apply all aspects of this policy in an unbiased and impartial manner. If the Executive Director knowingly disregards the requirements of this policy or deliberately misuses it regarding subordinates, they shall be subject to disciplinary action up to and including termination of employment.

The Executive Director will ensure that all employees receive at least sixty (60) minutes of education on prohibited drug use.

Laws and Regulations

- All records will be retained as listed in 49 CFR Part 655.71.

- BIS-MAN TRANSIT will comply with all Federal, State, and Local laws and regulations concerning prohibited drug and alcohol testing as well as violations of prohibited drug and alcohol use in the workplace.
- Any safety-sensitive employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of prohibited drugs or alcohol as well as test results. Access shall be contingent upon payment for the records requested.
- BIS-MAN TRANSIT shall release information regarding a covered employee's record to any identified person pursuant to a specific written authorization from the employee.

Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both management and employees have important roles to play.

- In addition to those responsibilities listed above, management shall also:
 - Observe employee performance.
 - Investigate reports of dangerous practices.
- In addition to being concerned about working in a safe environment, employees are instructed to:
 - Support fellow workers in seeking help for prohibited drug and/or alcohol problems.
 - Report dangerous behavior to the Executive Director or any other management employee.

USE OF BIS-MAN TRANSIT PROPERTY AND FACILITIES

Use of Bis-Man Transit Equipment, Supplies, or Tools:

- A) Equipment, supplies, or tools shall not be used for private or unauthorized purposes.
- B) Employees shall be responsible for the care and conservation of Bis-Man Transit equipment, supplies, or tools and shall promptly report accidents, breakdowns, or malfunctions of any unit in order that necessary repairs may be made.
- C) Pursuant to the City of Bismarck fire code and the NAFPA Code and because of the fire hazard to the public, employees, and Bis-Man Transit property, employees are prohibited from burning any open flame, including candles, in any Bis-Man Transit building or facility.

Other Property: Employees are required to return all Bis-Man Transit property or equipment in their possession upon separation from employment, promotion, and/or transfer, leave of absence, or suspension.

Use of Bis-Man Transit Telephone: Employees shall limit personal calls during work that interfere with their job or create a safety issue. In addition, payment for any charges accrued to Bis-Man Transit telephones will be the employee's responsibility.

Use of Transit-Owned Vehicles: Employees allowed use of Transit-owned vehicles are to do so for Bis-Man Transit business only. Any employees who are assigned Bis-Man Transit vehicles for long-term/take-home use must report all mileage accrued on the vehicle for personal use.

ACCEPTABLE USE POLICY FOR ELECTRONIC MAIL

The purpose of this policy shall be to set forth and encourage the proper use of the electronic communications facilities provided to the employees of Bis-Man Transit. This policy applies to all technology in use in the workplace or similar technology that may be introduced, including computers, radios, phones, smartphones, personal data devices, faxes, voicemails, and removable storage devices.

Definitions:

1. Bis-Man Transit Information Network -- The network of computers and other electronic devices provided for the electronic transaction of Bis-Man Transit business.
2. Electronic Mail -- A facility for the transmission of messages within or outside Bis-Man Transit that relies on the electronic transmission or receipt of digital information.
3. Encryption Software -- Proprietary Software that changes information from its native state to an unrecognizable coded state which can only be returned to its native state with special software.
4. Global Communications Facility -- Any facility that allows the interactive transmission of data to or from locations outside Bis-Man Transit. This definition includes the INTERNET and other technology resources that allow network access or remote communications.

Use:

1. The Board desires that use of Bis-Man Transit facilities shall be primarily for the transaction of Bis-Man Transit business. Use of these facilities for personal purposes, unless specifically authorized by the Executive Director for training purposes, shall be prohibited. Users have no expectation of privacy in connection with the use of Bis-Man Transit technology resources, including the creation, entry, receipt, storage, accessing, viewing or transmission of data.
2. All data created, entered, received, stored, accessed, viewed or transmitted via Bis-Man Transit technology resources are Bis-Man Transit property. Business-related data may neither be used for any purpose unrelated to Bis-Man Transit business nor sold, transmitted, conveyed or communicated in any way to anyone outside of Bis-Man Transit without express authorization.

3. Use of these facilities for purposes that are illegal under existing Federal or State law, shall be expressly prohibited. Use of these facilities in a manner inconsistent with Bis-Man Transit policies, including its policy against harassment, is also prohibited.
4. The Executive Director, may, from time to time, establish guidelines, consistent with this policy, to ensure the effective and efficient use of these facilities. These guidelines may include, but are not limited to, limitations on time available and the global facilities that can be accessed.
5. Bis-Man Transit employees who now have access to these facilities shall indicate their acceptance and agreement to comply with this policy in writing or their access may be terminated or suspended. Employees wishing to have access shall be required to indicate their agreement prior to being given access.
6. Use of encryption software must be specifically approved by the Executive Director prior to using such software for the storage, receipt or transmission of data.

Monitoring:

1. The Executive Director may monitor the use of the facilities and report the amount of time utilized on a monthly basis.
2. At the direction of the Executive Director, Bis-Man Transit may electronically monitor use of these facilities by viewing material created, entered, received, stored, accessed, viewed, or transmitted by Bis-Man Transit Information Network or on any computer or device in use in Bis-Man Transit facilities; or by directly viewing activity on the screen as it occurs.

Enforcement:

1. If an employee violates the policy, the Executive Director may suspend and/or terminate the employee's access to the electronic mail and global communications facility available on the Bis-Man Transit Information Network.
- ~~2. Violation of this policy may result in disciplinary action pursuant to the adopted Personnel Policy Manual.~~

ACCEPTABLE USE POLICY FOR CELLULAR PHONES

An employee who uses a Bis-Man Transit-owned or leased vehicle is prohibited from using a cell phone or other personal electronic device, hands-on or hands-off, while driving, whether the business conducted is personal or company-related. This prohibition includes receiving or placing calls, text messaging, browsing the Internet, receiving or responding to email, checking

for phone messages, or listening to other media while driving a Bis-Man Transit owned or leased vehicle.

Employees may not use or wear wired headphones, wireless headphones, lue tooth earpieces or headsets, wireless headsets, or use any other wireless speaker system, ~~that is Bis-Man to a~~ cell phone or other personal electronic device while they are driving or operating a Bis-Man Transit owned or leased vehicles.

~~Employees who are issued a company supplied device, such as the Galaxy Tablets, are required to come to a complete stop in order to unlock the device or remain at a stop location so that it may be used safely prior to departing.~~

Employees operating a *revenue* vehicle (bus) and wishing to use their cell phone or other similar personal electronic device may only do so after they have:

- Stopped in a safe location, such as at a Transfer Center,
- Placed the vehicle in park (if so equipped) or in neutral with the parking brake applied and,
- Exited the vehicle.

Employees operating a *non-revenue* vehicle (car, truck) and wishing to use their cell phone or other similar personal electronic device may only do so after they have:

- Stopped in a safe location, parked in a designated parking space, and placed the vehicle in park or;
- Stopped in a safe location with the vehicle in park, turned on the four-way flashers, and exited the vehicle.

In the event of an emergency situation on board a Bis-Man Transit owned or leased vehicle an employee may use their personal cell phone to contact the authorities only after they have attempted emergency radio contact with the dispatch office. The vehicle must still be stopped in the safest location available at the time of the emergency and the transmission must be in park (if so equipped) or in neutral with the parking brake applied.

Employees who violate this policy will be subject to the following disciplinary action:

- First Offense-Suspension without pay for a period of three (3) day.
- Second Offense-Termination of Employment.

SMOKING

The use of tobacco products by Bis-Man Transit employees, contractors, visitors, and customers while on board or in any vehicle owned/operated by Bis-Man Transit is prohibited.

The use of any tobacco products by Bis-Man Transit employees, contractors, visitors and customers while in any facility or within 20 feet of any entrance to any facility, owned/operated by Bis-Man Transit is prohibited.

Tobacco products may only be used in *designated areas* on Bis-Man Transit property.

In accordance with N.D.C.C. § 23-12-10: *In order to protect the public health and welfare and to recognize the need for individuals to breathe smoke-free air, smoking is prohibited in all enclosed areas of: a) Public places; and b) Places of employment. Smoking is prohibited within twenty feet [6.10 meters] of entrances, exits, operable windows, air intakes, and ventilation systems of enclosed areas in which smoking is prohibited.*

In addition to abiding by the policy stated above, Bis-Man Transit strongly encourages its employees, contractors, visitors, vendors and customers to refrain from the use of tobacco products and to remain tobacco free.

All Bis-Man Transit employees are encouraged to communicate the Tobacco-Free Areas and Vehicles Policy with courtesy and diplomacy to other employees, customers, visitors and vendors to those vehicles and facilities that are owned and/or operated by Bis-Man Transit.

HARRASSMENT

Bis-Man Transit is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Bis-Man Transit expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment.

It is the policy of Bis-Man Transit to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran. Bis-Man Transit prohibits any such discrimination or harassment.

Bis-Man Transit encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Bis-Man Transit to promptly and thoroughly investigate such reports.

Bis-Man Transit prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that

- a) has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- b) has the purpose or effect of unreasonably interfering with an individual's work performance;
- c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Bis-Man Transit (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Complaint Process

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with the Executive Director or any member of management.

When possible, Bis-Man Transit encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. Bis-Man Transit

recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Bis-Man Transit encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

HIRING OF RELATIVES RESTRICTED

It is the policy of Bis-Man Transit to hire the best qualified employees available for all jobs; however, in the interest of avoiding favoritism, the appearance of favoritism, or other conflicts in the workplace, immediate family members (to include employee's spouse, parents, children, grandchildren, father-in-law, mother in-law, brother-in-law, sister-in-law, and stepchildren) will not be eligible for employment within BIS-MAN TRANSIT.

EXPENSE REIMBURSEMENT

This policy is designed to assist employees in reporting expenses incurred while conducting Bis-Man Transit business activities.

Bis-Man Transit expects employees to act responsibly and professionally when incurring and submitting costs. The organization will reimburse employees for reasonable expenses on pre-approved business. This includes, for example, travel fares, accommodations, meals, tips, internet service, and purchases made on behalf of the organization.

Non travel related expenses must follow procurement policy guidelines.

Bis-Man Transit does not pay for local travel to and from the office. If employees use their vehicles for business travel, mileage, and appropriate parking fees will be reimbursed as per Internal Revenue Service Guidelines. Bis-Man Transit will not be responsible for fuel, maintenance, traffic or parking violations.

General guidelines

- Original receipts are required for reimbursement. These expenses include:
 - Boarding passes for airplane/train travel
 - Credit card receipts
 - Detailed merchant receipts

- Out-Of-Town Meals & Incidentals

Meal reimbursement rates depend upon the time of day the employee is in travel status. Meals are NOT reimbursed based on actual costs, so verification of receipts are not required for the reimbursements of meals on a per diem basis.

Meals and Incidentals will be reimbursed based on the Federal GSA guidance for the location and date of travel. www.gsa.gov/perdiem

If reimbursed with state funding, travel within the state of North Dakota will be reimbursed at the state-determined rate.

M&IE Total - the full daily amount received for a single calendar day of travel when that day is neither the first nor last day of travel.

Breakfast, lunch, dinner, incidentals - Separate amounts for meals and incidentals. M&IE Total = Breakfast + Lunch + Dinner + Incidentals. Sometimes meal amounts must be deducted from trip voucher. For example, lunch may be included as part of conference registration fees.

First & last day of travel - amount received on the first and last day of travel equals 75% of total M&IE.

- Receipts must be accompanied by a summary which outlines:
 - The nature of the expense
 - The name and titles of the individuals involved
 - The purpose for the expense
- Expense summaries must be submitted with receipts and approved by the Executive Director.
- All expenses and summaries must be submitted within 30 days to the Accountant for payment.

Travel guidelines

- Employees are encouraged to fly coach class with the lowest available airfare for non-stop travel.
- All employees are expected to utilize the most cost efficient ground transportation option available. Including bus, rail or taxi. If a car rental is required prior Executive Director authorization is necessary. Employees are requested to rent mid-sized or compact vehicles. Employees will be reimbursed for the fuel costs associated with renting a vehicle.
- Any employee who chooses to use their own vehicle for travel purposes must have proof of up to date insurance on file and agrees to follow all policies as described herein related to use of company vehicles.
- Employees will be reimbursed for reasonable hotel accommodations. Discounted room rates should be requested at the time of room booking.
- The following list includes examples of non-reimbursable expenses:
 - Personal travel insurance
 - First Class Tickets or upgrades
 - Personal reading materials
 - Childcare
 - Toiletries, cosmetics, or grooming products
 - Expenses occurred by spouses, children, or relatives
 - In-room movies or video games
 - Alcoholic beverages
 - Sporting activities, shows, etc.

Any questions related to the content of this policy or its interpretation should be directed to the Accountant.

PROFESSIONAL DEVELOPMENT

TRAINING, CONFERENCES AND SEMINARS: Registration fees or similar expenses for approved training courses, conferences, seminars and conventions are reimbursable if approved in advance by the Executive Director.

MEETINGS, LECTURES AND TRAINING PROGRAMS: Generally, attendance at meetings, lectures and training programs are presumed to be hours of work. Exceptions to this presumption may apply under the following conditions:

A) Involuntary and Voluntary attendance - Where attendance is required at such events, they are to be considered work hours. Where attendance is not required, meetings, lectures and training programs may not be considered hours worked.

B) Related Training - Only training directly related to the employee's job is to be considered as hours worked. Programs conducted for the personal edification and/or entertainment of employees may not be considered as time worked.

C) Independent Training - Training in which the employee participates on their own, even though it may be job related, is not to be considered as hours worked.

LICENSURE AND CERTIFICATION

Certain positions require an employee to hold current licenses and/or certifications. It is the responsibility of the employee to maintain these required basic documents for their job. Employees are responsible to provide documentation validating current licensure, or certification at each renewal. Employees who allow required licensure or certification to lapse or have such suspended or revoked, or who have actions taken against their license are responsible to report this immediately to the Executive Director. Individuals allowing required licensure or certification to lapse or who have had such revoked will be removed from their position.

Termination of employment may occur at management discretion in instances where the revocation or lapse of required licensure and/or certification has occurred.

DUES OF PROFESSIONAL OR TECHNICAL ORGANIZATIONS

Dues paid by employees for approved memberships in professional or technical organizations are reimbursable. Dues paid by all other employees are limited to two such approved memberships per employee per calendar year unless approved in advance by the Executive Director. Amounts claimed for reimbursement should be itemized on the expense report and substantiated by receipts.

SEPARATION

TERMINATION AND SEPARATION

Resignation - Voluntary: An employee may resign from Bis-Man Transit employment by presenting a resignation, in writing, to the Executive Director.

To resign in good standing, an employee must give at least fourteen (14) calendar days' notice. The Executive Director may choose to set the date for actual termination prior to the end of fourteen (14) calendar days. In order to establish a uniform policy regarding resignation, the following procedure will be used:

A) When an employee notifies the Executive Director of the intent to resign, an exit interview should be conducted with the Executive Director.

B) The Executive Director should make sure that all Bis-Man Transit property and equipment in the possession of the employee, including keys, tools, uniforms, insurance cards, etc., are returned prior to the employee's departure.

C) An employee leaving in good standing is eligible for re-employment at a later date provided that the last performance evaluation was satisfactory or better and notice was appropriately fulfilled.

Unless a release form is signed by employee allowing additional information to be given out, only their dates of hire and termination and last position held may be released to reference calls.

Resignation – Involuntary: An employee shall be regarded as having resigned a position if able to notify the Executive Director of the reason for an absence, but fails to do so for three (3) consecutive working days. Involuntary Resignation shall also apply to employees who have notified the Executive Director within the necessary time period, but have exhausted all available leave time. Compensation owed to the employee during the pay period including the resignation will be paid on the appropriate payday.

Dismissal: During an initial evaluation period, an employee may be dismissed at any time at the discretion of the Executive Director. This policy does not apply to an employee serving an evaluation period following a transfer or promotion.

An employee who has been dismissed shall not be deemed to have severed employment in good standing. The employee shall be furnished with a statement, in writing, from the Executive Director

A) The order of the terminations shall be established by the Executive Director on the basis of the needs of Bis-Man Transit, and are subject to the provisions of any applicable collective bargaining agreements.

B) Factors such as relative merit and seniority of the persons may be considered for termination.

C) Employees who have not completed the evaluation period shall be terminated before other persons in the class are terminated. Also, consideration shall be given to full-time employees before part-time and temporary employees.

D) The affected employees shall be notified as quickly as possible, and in no event less than seven (7) days before the action takes place.

E) Employees terminated under this section have the same rights and privileges to re-employment as employees on a granted leave of absence without pay.

F) Employees affected by action under this section are eligible for all compensation due in the same manner as an employee resigning under favorable conditions.

G) A copy of the circumstances shall be retained in the employee's personnel file.

REHIRE OF FORMER EMPLOYEES

Former employees of Bis-Man Transit may be considered for reemployment with Bis-Man Transit under the following conditions:

A) The employee gave satisfactory advance notice upon resignation and fulfilled that notice appropriately. Notice is defined as two weeks for non-exempt staff and four weeks for exempt staff.

B) The employee's last evaluation was satisfactory.

MISCELLANEOUS

Donations or contributions are not reimbursable expense items.

CREDIT CARDS

A) A Bis-Man Transit employee may request to use Bis-Man Transit credit card to make travel arrangements such as confirming a hotel room and commercial carrier transportation.

B) All requests for authority to use Bis-Man Transit credit card must be made to the Executive Director.

C) Charges shall not be made to Bis-Man Transit credit cards, which are not covered by a sufficient appropriation in the approved and adopted Bis-Man Transit budget.

RESTRICTION OF POLITICAL ACTIVITIES

No Bis-Man Transit employee shall engage in political activities during working hours or using Bis-Man Transit property. No Bis-Man Transit employee will be intimidated into supporting or contributing to partisan political activities.

Any violation of this rule is cause for suspension or dismissal. Outside of working hours, there shall be no restriction on political activities, except employees under Federal grants covered by the Hatch Act.

GIFT BAN

No employee shall solicit or accept any gift from any prohibited source or in violation of any federal or State statute, rule, regulation or any policy or resolution. This ban applies to and includes spouses of, and immediate family living with, the employee.

Definition of "Disallowed Gifts":

A) Cash and cash equivalents including gift cards and certificates.

B) Non-sympathy gifts.

- C) Company-purchased birthday, shower, holiday or any other personal gifts.
- D) BIS-MAN TRANSIT property.
- E) Alcohol and/or tobacco products.
- F) Illegal items.

Employee Acknowledgement Form

I have received a copy of the Bis-Man Transit Employee Handbook. I understand that I am to become familiar with its contents as it outlines my responsibilities, benefits and Bis-Man Transit guidelines. This Handbook supersedes and replaces all prior statements and practices whether presented verbally or in writing. The Employee Handbook describes important information about Bis-Man Transit, and I understand that I should consult the Executive Director regarding any questions not answered in the handbook.

Since the information, policies and benefits described herein are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employees Name (printed):

Employees Signature:

Date:



H

Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

April 23, 2026

TO: Bis-Man Transit Board of Directors

FROM: Deidre Hughes, Executive Director

SUBJECT: Civil Rights Plan

BACKGROUND: The current Civil Rights plan was put in place in February 2024.

DISCUSSION: The proposed plan includes the ADA Policy Statement, ADA Complaint Procedures, and Reasonable Modification Request Procedures. Updates to the plan include the following:

- Addition of translation services
- Added page numbers
- Demographic updates (text and maps)

RECOMMENDATION: Bis-Man Transit staff recommends acceptance of the proposed plan update.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com



CIVIL RIGHTS PROGRAM

Title VI, ADA Policy, Reasonable Modification

April 23, 2026

BIS-MAN TRANSIT
TITLE VI AND NON-DISCRIMINATION/ADA POLICY STATEMENT

The Bis-Man Transit Board, hereinafter referred to as the “Bis-Man Transit” is committed to compliance with Title VI of the Civil Rights Act of 1964, the Federal-Aid Highway Act of 1973, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973/ADA of 1990, and all related regulations and statutes. Taken together, these requirements define an encompassing Title VI/ADA Program. Title VI and the additional Nondiscrimination requirements are applicable to programs receiving federal financial assistance due to the Civil Rights Restoration Act of 1987.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Specifically, 42 USC 2000d state that “No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” In addition to Title VI, there are other Nondiscrimination statutes which include: Section 162(a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (sex), Age Discrimination Act of 1975 (age), and Section 504 of the Rehabilitation Act of 1973/ADA of 1990(disability).

There are two Presidential Executive Orders that place further emphasis upon the Title VI protections. Executive Order 12898 ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse environmental or human health effects on minority and low-income populations. Executive Order 13166 directs recipients of Federal financial assistance that to ensure compliance with Title VI, they must take reasonable steps to ensure that limited English proficiency persons have meaningful access to their programs.

Bis-Man Transit is committed to and supports taking all steps to ensure that no person or groups(s) of persons shall, on the grounds of race, color, national origin, sex, age, disability, limited English proficiency, or income status*, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the Recipient, regardless of whether those programs and activities are federally funded or not.

Bis-Man Transit also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, Bis-Man Transit will provide meaningful access to services for persons with Limited English Proficiency for language assistance free of charge to the person upon request.

In the event the Bis-Man Transit distributes federal-aid funds to a subrecipient, the Bis-Man Transit will include Title VI language in all written agreements and will monitor for compliance.

Bis-Man Transit’s Title VI/ADA Program Coordinator, Deidre Hughes, Executive Director, 701.258.6817, 3750 East Rosser Avenue, Bismarck, ND 58501, dhughes@bismantransit.com is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.

Signature

Title

Date

Public Notification of Title VI Protection

The Title VI Notice to the Public (Appendix B) informs Bis-Man Transit riders of their rights in regards to transit and its services, specifically protection against discriminatory acts on the basis of race, color or national origin. Notices are posted at Transit offices, as well as on all fixed route and paratransit vehicles. The notice indicates procedures for the public to 1) request additional information on the recipient's Title VI obligations and 2) file a complaint with Bis-Man Transit. In addition to this notice, Bis-Man Transit's fixed route bus maps include a "statement of non-discrimination" followed by a "suggestions, compliments or complaints" section (Appendix B). Any complainant should inform Bis-Man Transit of any complaint regarding Title VI (race, color or national origin) protection through Bis-Man Transit's Complaint Process as directed through the Notice to the Public.

Notice to the Public

Bis-Man Transit Board Title VI Policy

Bis-Man Transit Board is responsible for providing a safe, dependable, and affordable transportation service. We encourage any rider or concerned citizen to notify the administrative office if this standard of service is unmet. Any citizen who observes a Transit vehicle operator driving in an unsafe manner may contact the administrative office to report the time and date of the incident. As ensured by the Bis-Man Transit Title VI Policy, Bis-Man Transit will not discriminate against an individual based on race, color, or national origin.* Any person who believes they have experienced discrimination under Title VI protections may file a complaint with the Bis-Man Transit Board. Contact the Bis-Man Transit Administrative Office at 701-258-6817 or go online at www.bismantransit.com for additional information on our Title VI policies or fill out a complaint.

*Title VI of the Civil Rights Act of 1964 governs race, color and national origin. Related Nondiscrimination authority, 29 U.S.C 790, governs disability.

Signed: _____ Date: _____

Name: _____ Title: _____

Inclusive Public Participation Plan

Bis-Man Transit follows the Bismarck-Mandan Metropolitan Planning Organization's Public Participation Plan (see Appendix D) for any public hearings, public meetings or reviews. The latest Transit Development Plan (TDP) was approved in November 2023. The MPO and Bis-Man Transit utilized various activities to increase the public's participation and interest in the TDP including:

1. A very "user friendly and reactive web page" was used to answer questions and comments from the public during the process.
2. Bis-Man Transit provided virtual links of recorded public meetings.
3. We have a variety of methods for the public to use to discuss transit issues. These methods include phone, e-mail, fax, social media sites (Facebook and Twitter), and in-person visits to the MPO or Bis-Man Transit office.
4. Public outreach through "meet and greets" at various educational and employment centers throughout the area.

In regard to engaging minority, disabled, and low income community members, Bis-Man Transit has public meetings in accessible meeting locations, during evening hours, and provides a variety of methods to communicate concerns, questions or comments.

Since the last Bis-Man Transit Title VI Program submission, Bis-Man Transit has developed and maintained social media accounts on Facebook and X for the fixed route Capital Area Transit (CAT) service. Sites are updated at least weekly, and often multiple times a week, with pertinent updates and to encourage public comment and participation. Television, newspaper and radio marketing has also increased to inform the public about transit services and events.

The Bismarck-Mandan MPO, with Bis-Man Transit as an important member, employs numerous methods to reach "all people" with plans and studies. Accommodations are also made available to facilitate public attendance and participation at all meetings.

**Limited English Proficiency Plan
For Bis-Man Transit
April 2026**

**Deidre Hughes
Executive Director
3750 E. Rosser Avenue, Bismarck, ND 58501
701-258-6817**

INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address the Bis-Man Transit responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled ***Improving Access to Services for Persons with Limited English Proficiency***, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all Bis-Man Transit departments receiving federal grant funds.

Plan Summary

Bis-Man Transit has developed this ***Limited English Proficiency Plan*** to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, the Bis-Man Transit used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by the Bis-Man Transit.
2. The frequency with which LEP persons come in contact with Bis-Man Transit services.
3. The nature and importance of services provided by Bis-Man Transit to the LEP population.
4. The interpretation services available to Bis-Man Transit and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

1. The number or proportion of LEP persons in the service area who may be served or are likely to require Bis-Man Transit services.

The Bismarck-Mandan MPO staff reviewed the 2019-2023 American Community Survey 5-Year Estimates* for North Dakota and determined that **4,484** individuals in **Bismarck, Lincoln, and Mandan, ND**** (**4.65%** of the population aged 5 years and older) speak a language other than English. Of those, **1,472** individuals have limited English proficiency; that is, they speak English less than "very well" or "not at all." This is only **1.53%** of the overall population aged 5 years and older in the service area. In **Bismarck, Lincoln, and Mandan, ND,**** of those persons with limited English proficiency, **.59%** speaks **Spanish**, **.16%** speaks **French, Haitian, or Cajun**, **.15%** speaks **Arabic**, **.14%** speaks German or Other West Germanic Languages, **.13%** speaks Tagalog (including Filipino), **.12%** speaks Other and Unspecified Languages, **.08%** speaks Other Asian and Pacific Island Languages, **.06%** speaks Chinese (including Mandarin and Cantonese), **.04%** speaks Russian, Polish, or Other Slavic Languages, **.03%** speaks Other Indo-European Languages, and **.01%** speaks Vietnamese.

Following is a table identifying the number of individuals with the ability to speak English less than “very well” and the associated language spoken at home:

Ability to Speak English Less than "Very Well" and Associated Language Spoken at Home - Bismarck, Lincoln, and Mandan, ND**

Language Spoken at Home	Percent of Total Population	Total Number of Individuals
Spanish	0.59%	568
French, Haitian, or Cajun	0.16	154
Arabic	0.15%	141
German or Other West Germanic Languages	0.14%	134
Tagalog (including Filipino)	0.13%	130
Other and Unspecified Languages	0.12%	122
Other Asian and Pacific Island Languages	0.08%	80
Chinese (including Mandarin and Cantonese)	0.06%	60
Russian, Polich, and Other Slavic Languages	0.04%	43
Other Indo-European Languages	0.03%	30
Vietnamese	0.001%	10

Based on Table C16001 of the 2019-2023 US Census Bureau American Community Survey

**The US Census Bureau has changed collection methodology from the “Long Form” to the American Community Survey. One of the significant differences between the methodologies is that the “Long Form” was a point in time survey collected once every ten years compared to the American Community Survey which is a period survey covering a five-year time frame. Given the relatively small number of individuals who speak languages other than English at home and speak English less than “very well” there may be significantly high Margins of Error associated with some or all of the subject languages.*

2. The frequency with which LEP persons come in contact with Bis-Man Transit services.

The Bis-Man Transit staff reviewed the frequency with which the Bis-Man Transit board and advisory committee members and Bis-Man Transit staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the Bis-Man Transit has had zero requests for interpreters and four requests for translated program documents. The Bis-Man Transit board and advisory committee members and Bis-Man Transit staff have had very little contact with LEP persons related to Bis-Man Transit services.

3. The nature and importance of services provided by Bis-Man Transit to the LEP population.

There is no large geographic concentration of any type of LEP individuals in the service area for the Bis-Man Transit. The overwhelming majority of the population, 95.35%, speaks only English. As a result, there are few social, service, professional and leadership organizations within the Bis-Man Transit service area that focus on outreach to LEP individuals. The Bis-Man Transit Board members and Bis-Man Transit staff are most likely to encounter LEP individuals through the transportation of clients.

4. The resource available to Bis-Man Transit and overall costs to provide LEP assistance.

Bis-Man Transit reviewed its available resources that could be used for providing LEP assistance and which of its documents would be most valuable to be translated if the need should arise. Bis-Man Transit, through the City of Bismarck, utilizes a telephone-based interpreter service to provide immediate interpreter services at no cost to LEP individuals. Bis-Man Transit provides notice to the public of the availability to request accommodations for language assistance. All requests for translation are considered based on the possible impacts and known LEP population.

LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to Bis-Man Transit services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How the Bis-Man Transit staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- All Bis-Man Transit staff will be provided with **Propio and LanguageLine Solutions material** to assist in identifying the language interpretation needed if the occasion arises.
- All Bis-Man Transit staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When the Bis-Man Transit sponsors an informational meeting or event, an advanced public notice of the event should be published, including special needs related to offering a translator (LEP) or interpreter (sign language for hearing-impaired individuals). Additionally, a staff person may greet participants as they arrive. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event it will help identify the need for future events.

Language Assistance Measures

Although the Bismarck-Mandan MSA has a very low percentage in of LEP individuals, that is, persons who speak English "not well" or "not at all," Bis-Man Transit will strive to offer the following measures:

1. The Bis-Man Transit staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
 - Language interpretation will be accessed for non-English languages through a telephone interpretation service.

STAFF TRAINING

The following training will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the **Propio and LanguageLine Solutions** translation service material.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for Bis-Man Transit will be required to follow the Title VI/LEP guidelines.

TRANSLATION OF DOCUMENTS

Bis-Man Transit weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have any documents translated.

Due to the very small local LEP population, Bis-Man Transit does not have a formal outreach procedure in place, as of 2026. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, Bis-Man Transit will consider the following options:

- When staff prepares a document or schedules a meeting for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.
- Bis-Man Transit will assess requests for translations of documents based on the possible impacts and known LEP population using the Four Factor Analysis.
- Bis-Man Transit will make every effort to provide services in a timely manner.
- Bis-Man Transit will pay for interpreter services and translation of vital documents as necessary.

Bis-Man Transit has identified vital documents as those documents that are critical for obtaining or utilizing services. These may include:

- Paratransit/Demand Response Applications
- Complaint Procedures and Forms
- Notices advising LEP persons of the availability of free language assistance
- Letters or Notices that require a response
- Rider guides

A “safe harbor” provision regarding the translation of documents is provided by the Department of Justice. The DOJ suggests providing written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000 persons, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. The safe harbor provision applies to the translation of written documents only.

MONITORING

Monitoring and Updating the LEP Plan – Bis-Man Transit will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the 2030 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the Bis-Man Transit service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the Bis-Man Transit financial resources are sufficient to fund language assistance resources needed.
- Determine whether Bis-Man Transit fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency’s failure to meet the needs of LEP individuals.

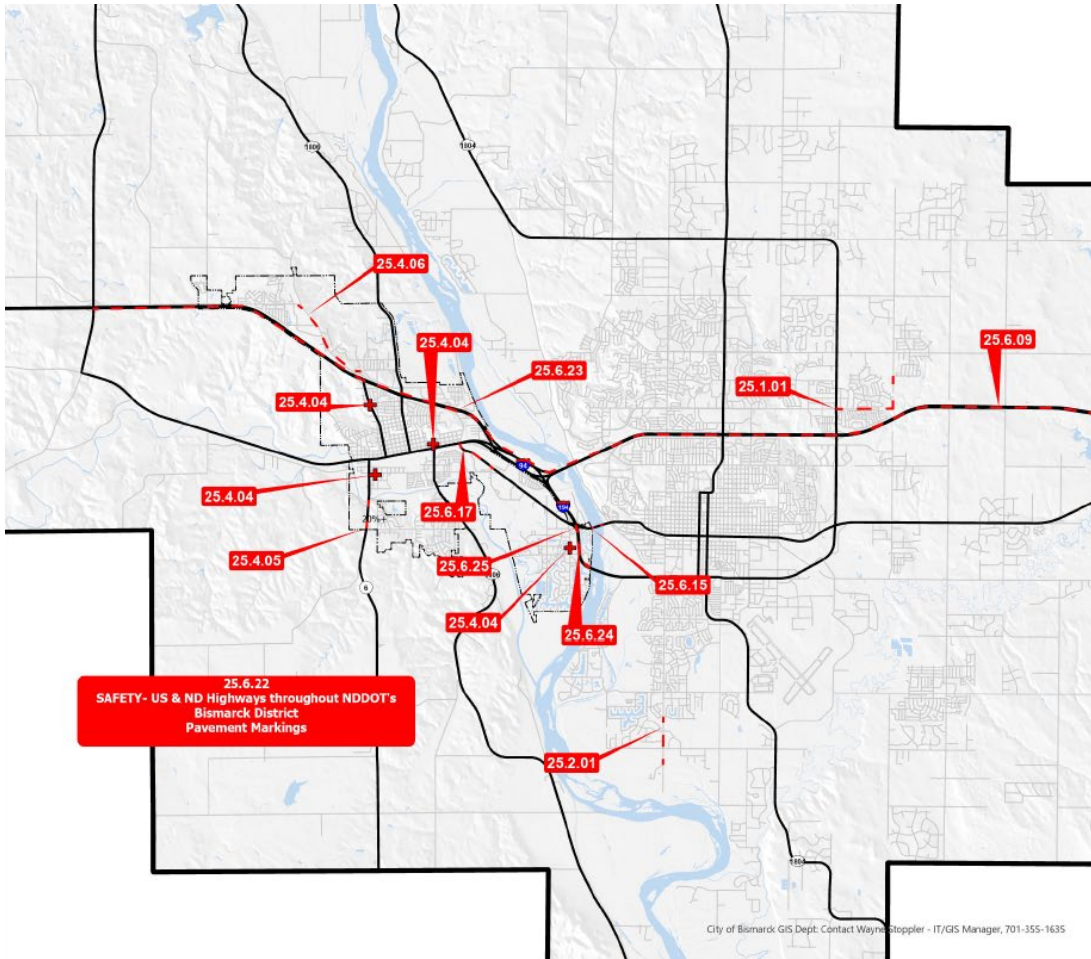
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.

DISSEMINATION OF THE BIS-MAN TRANSIT LEP PLAN

- Post signs at conspicuous and accessible locations notifying LEP persons of the LEP Plan and how to access language services.
- State on public notices that a Request for Reasonable Accommodations form is available to LEP individuals to request documents in various languages.
- Post on the Bis-Man Transit website the Title VI/LEP Plan and how to access language services.

Socio Economic Information

Bismarck-Mandan
 METROPOLITAN PLANNING ORGANIZATION
**2025-2028 Transportation
 Improvement Program
 (Year 2025)**



- - 2025 TIP Lines
- + 2025 TIP Points
- TIP_Points_Master
- - TIP_Lines_Master
- MPO Boundary
- Corporate Limits



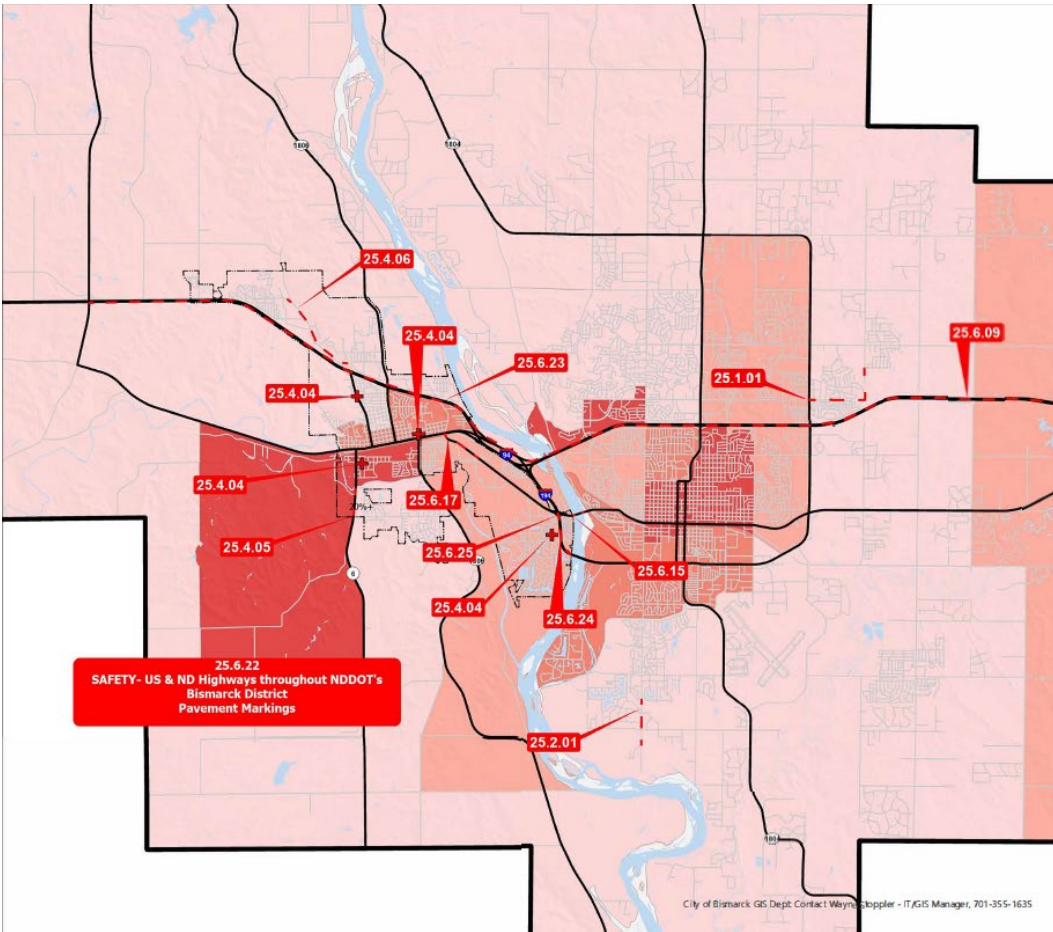
2.5 Miles

This data is for representation only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

Map created by Stephen June 2025 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
 X:\ArcProjects\MPO\TitleVI\TitleVI.aprx

City of Bismarck GIS Dept. Contact Wayne Stoppler - IT/GIS Manager, 701-355-1635

**2025-2028 Transportation
 Improvement Program
 (Year 2025)**



- - 2025 TIP Lines
 - + 2025 TIP Points
 - TIP_Points_Master
 - - TIP_Lines_Master
 - ⬛ MPO Boundary
 - Corporate Limits
- Percent Population
 In Poverty
- 0% - 5%
 - 5% - 10%
 - 10% - 15%
 - 15%+



2.5 Miles

This data is for representation only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

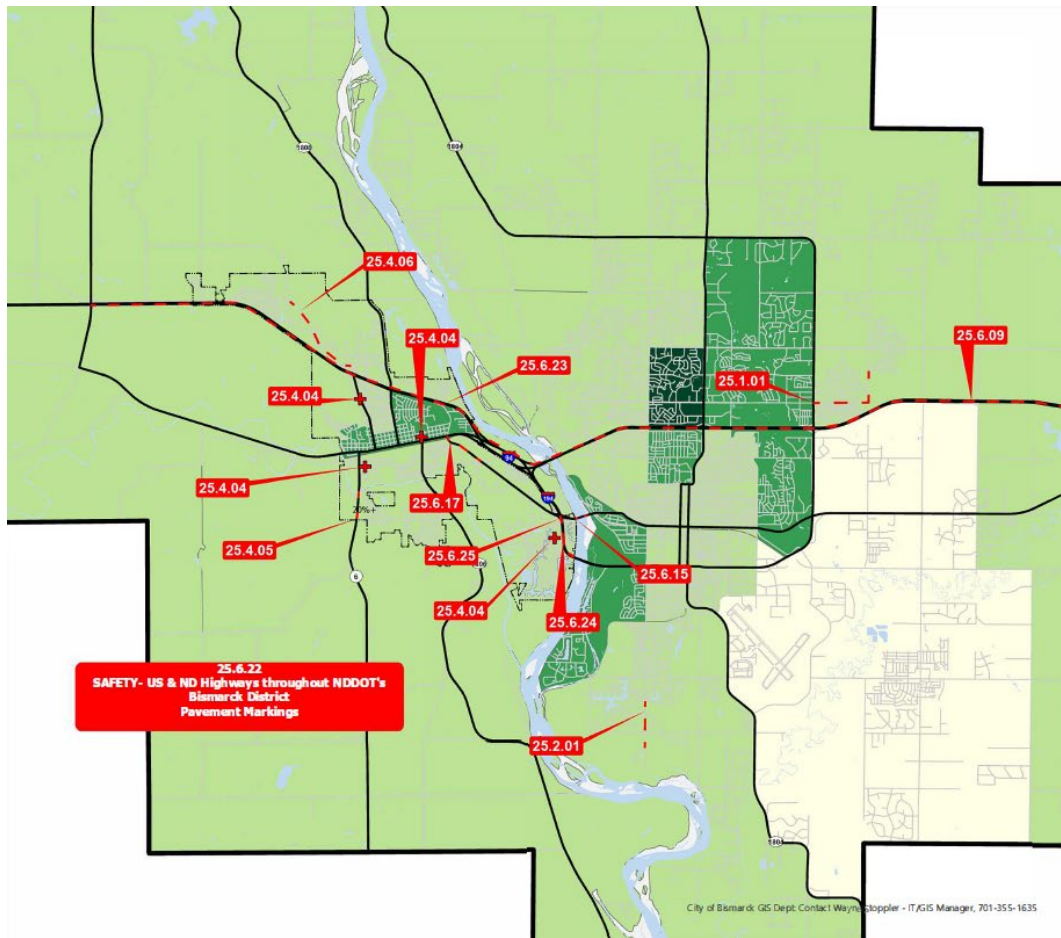
Map created by Stephen June 2025 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
 X:\ArcProProjects\MPO\Title\TitleV1.aprx

City of Bismarck GIS Dept. Contact: Wayne Stoppier - IT/GIS Manager, 701-355-1635

Racial Composition Map

Elderly Composition Map

**2025-2028 Transportation
 Improvement Program
 (Year 2025)**



- - 2025 TIP Lines
- + 2025 TIP Points
- TIP_Points_Master
- - TIP_Lines_Master
- ☒ MPO Boundary
- ☐ Corporate Limits
- Elderly Population
- Percent of Population that is 65+
- 0% - 10%
- 10% - 20%
- 20% - 30%
- 30%+



2.5 Miles

This data is for representation only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

Map created by Stephen June 2025 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
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City of Bismarck GIS Dept. Contact: Wayne Stoppier - IT/GIS Manager, 701-355-1635

Percent Poverty Map

Bismarck-Mandan
 METROPOLITAN PLANNING ORGANIZATION
**Percent Spanish Spoken
 At Home Population**
**2025-2028 Transportation
 Improvement Program**
(Year 2025)

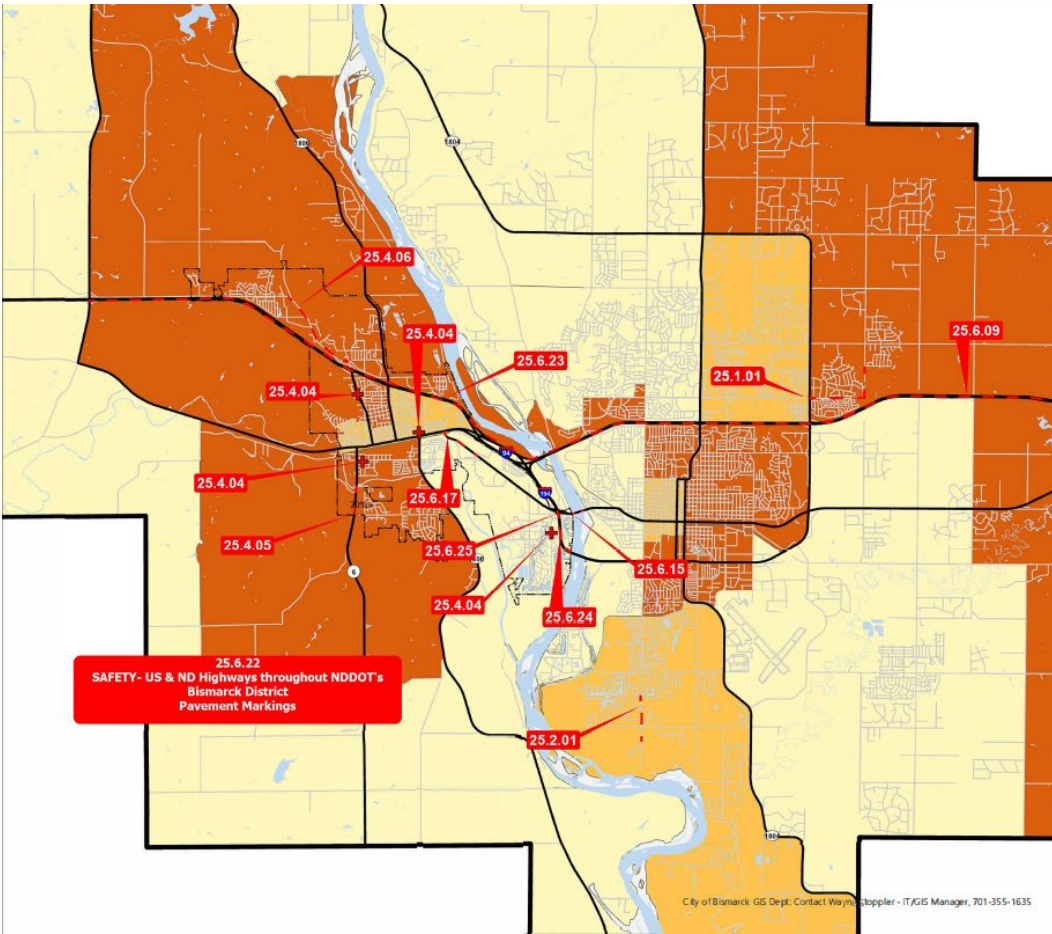
- - 2025 TIP Lines
 - + 2025 TIP Points
 - TIP_Points_Master
 - - TIP_Lines_Master
 - ⬛ MPO Boundary
 - Corporate Limits
- Percent Spanish Spoken at Home
- 0% - 0.5%
 - 0.5% - 1%
 - 1+%

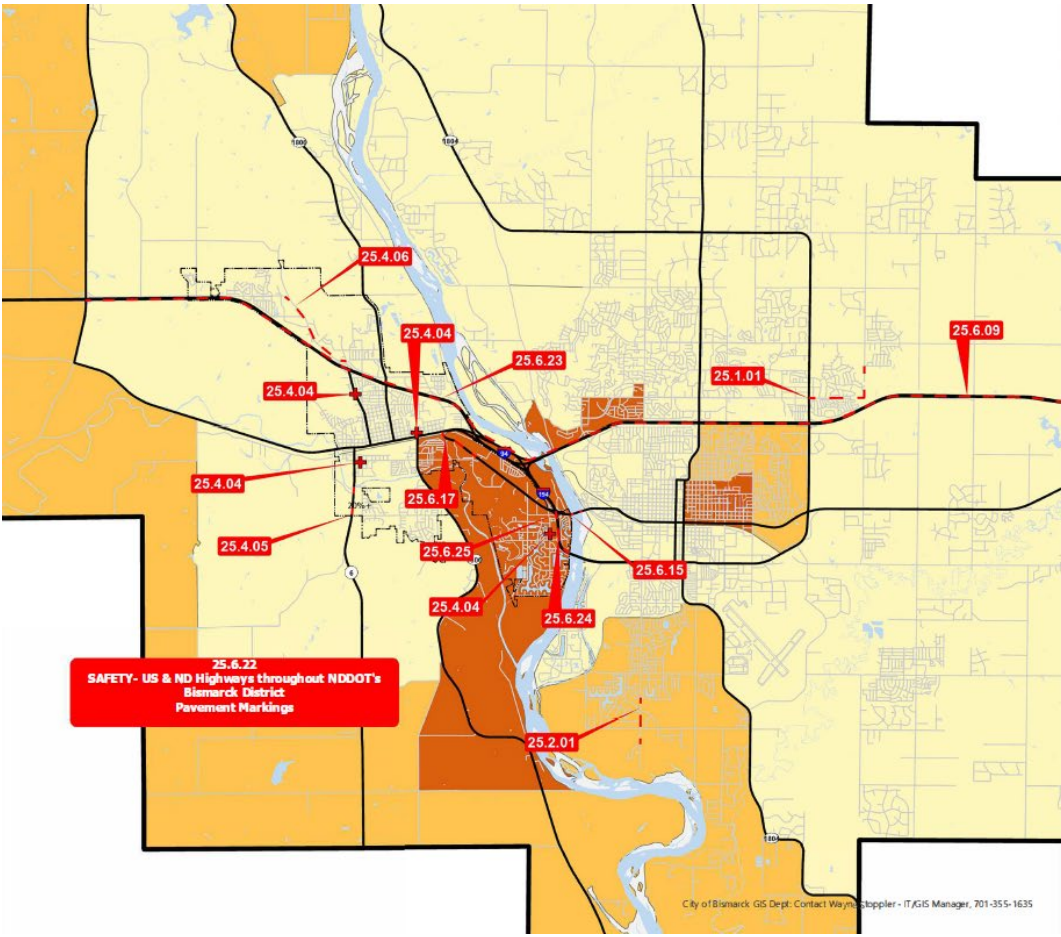


2.5 Miles

This data is for representation only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

Map created by Stephen June 2025 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
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Bismarck-Mandan
 METROPOLITAN PLANNING ORGANIZATION
**Percent Other Spoken
 At Home Population
 2025-2028 Transportation
 Improvement Program
 (Year 2025)**

- - 2025 TIP Lines
 - + 2025 TIP Points
 - TIP_Points_Master
 - - TIP_Lines_Master
 - ☒ MPO Boundary
 - ☐ Corporate Limits
- Population Speaking Other Language
- Percent Other Spoken at Home
- 0% - .5%
 - .5% - 1%
 - 1%+



2.5 Miles

This data is for representation only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated herein.

Map created by Stephen June 2025 based on data maintained by the City of Bismarck and Bismarck-Mandan MPO.
 X:\ArcPro\Projects\MPO\Title\Title1.aprx

City of Bismarck GIS Dept. Contact: Wayne Stoppier - IT/GIS Manager, 701-355-1635

Transit Related Title VI Investigations, Complaints and Lawsuits

There have not been any lawsuits, complaints or investigations relating to Bis-Man Transit since the last Title VI report in March 2021.

Membership of Non-Elected Committees and Councils

The Bis-Man Transit Board elects its own members. Therefore, Bis-Man Transit has decided to document the membership of persons who represent minority classes. Although Transit's Board of Directors is not ethnically diverse, other minority and protected classes—including disabled persons and women—are highly represented. Overall, this assembly reflects the local population, whose composition is not dominated by ethnic minorities.

Minority Populations Represented on Bis-Man Transit Board of Directors

Class		Number of Individuals	Percentage of Board (9 Members)	Percentage of Bismarck MSA*
RACE				
	Caucasian	9	100%	84.7%
	Other Races	0	0.0%	15.3%
	2 or More Races	0	0.0%	4.5%
SEX				
	Male	5	55.6%	51.4%
	Female	4	44.4%	48.6%
DISABILITY				
	Disabled	2	22%	--
	Non-Disabled	7	78%	--

*Percentages based on 2020 U.S. Census Bureau, covering the Bismarck Metropolitan Statistical Area.
-- Estimate not available in 2014-2020 U.S. Census Bureau American Community Survey.

Monitoring of Subrecipients Title VI Compliance

All contractors or subcontractors performing work for Bis-Man Transit will be required to follow Title VI / LEP guidelines. Such assurance is made at the time the contract is established.

Title VI Equity Analysis of Newly Constructed Facilities

There have been no newly constructed facilities since the last Title VI plan was completed in 2023.

Bis-Man Transit System-Wide Service Standards and Policies

Scope of Service Standards and Policies:

Title 49 CFR states that “[n]o person or group of persons shall be discriminated against with regard to the to routing, scheduling, or quality of service of transportation service furnished as a part of the project on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and locations of routes may not be determined on the basis of race, color, or national origin.” Service Standards and Policies are designed as qualitative controls, set by Bis-Man Transit to assess their operational practices and ensure that service design does not discriminate against Title IV protected classes.

Service Standards:

- **Vehicle Load Standard**

Fixed route buses should not exceed capacity during peak times, which will include a maximum number of 38 passengers on 30’ buses and 50 passengers on 35’ buses. To ensure safe and proper load standards, Bis-Man Transit will deploy only large buses on its heaviest routes during peak periods.

- **Vehicle Headway Standard**

Bis-Man Transit deploys only one bus per fixed route at all times and days of operation. Further, there are no plans to develop routes with multiple vehicles. Therefore, headway standards do not apply to the Capital Area Transit (CAT) services.

- **On Time Performance Standard**

Between 90 and 95 % of CAT buses will complete their routes no more than 5 minutes early or late in comparison to the published schedules.

- **Service Availability Standard**

Fixed route buses will continue to employ a flag system that allows passengers to begin or terminate a ride at the nearest safe corner to their current/desired location. Transit services will be distributed in a way to encompass the majority of the Bismarck-Mandan community.

Bis-Man Transit Service Policies:

- **Transit Amenities Policies**

Transit will provide benches at all shelters along bus routes. Shelters will be constructed based upon the number and frequency of passengers and in accordance with city ordinances. Passengers will have the right to request benches at timing and transfer points. Transit will provide benches, provided there is no objection from surrounding businesses to said fixtures.

- **Vehicle Assignment Policies**

All 30’ CAT buses are comparable, if not the same, in seating and comfort standards. These buses will be deployed on random rotational basis to all routes throughout the Bis-Man community. The larger 35’ buses will be utilized during peak travel times on routes with the highest average ridership, as these vehicles have the capacity to carry the largest influx of riders.



External Complaints Of Discrimination

PART I: COMPLAINANT INFORMATION (Print all items legibly.)		
Name	Telephone	
Street Address/P.O. Box	Email Address	
City	State	Zip Code
PART II: CAUSE OF DISCRIMINATION OR COMPLAINT BASED ON [Check all appropriate box(s).]		
Title VI of the Civil Rights Act of 1964		
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin
Other Nondiscrimination Statutes/Executive Orders		
<input type="checkbox"/> Sex	<input type="checkbox"/> Disability	<input type="checkbox"/> Limited English Proficiency
<input type="checkbox"/> Income Status	<input type="checkbox"/> Age	
General		
<input type="checkbox"/> Driver Conduct/Attitude	<input type="checkbox"/> Late/Tardy	<input type="checkbox"/> Early
<input type="checkbox"/> Did Not Show	<input type="checkbox"/> Air Conditioning/Heating	<input type="checkbox"/> Telephone/Dispatch
<input type="checkbox"/> Vehicle Maintenance	<input type="checkbox"/> Careless Driving/Comfort	<input type="checkbox"/> Disturbance on Bus
<input type="checkbox"/> Other _____		
PART III: THE PARTICULARS ARE: (Include names, dates, places, and incidents involved in the complaint.) [If additional space is needed, attach extra sheet(s).]		
PART IV: REMEDY SOUGHT [State the specific remedy sought to resolve the issue(s).]		
Part V: VERIFICATION		
Complainant's Signature _____		Date _____

Instructions

GENERAL

1. Instructions provided within this form are not meant to be all-inclusive. Any person or group(s) of persons filing external complaints of discrimination are responsible for all procedural requirements contained in the External Complaints of Discrimination process.
2. Under Title VI of the Civil Rights Act of 1964 or the related statutes and regulations, no person or groups(s) of persons shall, on the grounds of race, color, national origin; or sex, age, disability, limited English proficiency, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by **Bis-Man Transit**. Any person or groups(s) of persons who feel they have been discriminated against may file a complaint.
3. Complainants **must** include all required information and **must** meet all timeframes as defined in the **Bis-Man Transit** Complaint Procedure.
4. Legible copies of all available pertinent documentation should be attached to this form.
5. All inquiries should be directed to **Executive Director, Bis-Man Transit, 3750 East Rosser Avenue, Bismarck, ND 58501, 701.258.6817.**

PART I

Complete all information in this section.

PART II

Check all boxes that apply, indicating the basis for the complaint. The discrimination **must** be based on at least one of the listed categories under Title VI or Other Nondiscrimination Statutes/Executive Orders. If the complaint pertains to service and the type is not listed, select "Other" and describe.

PART III

State the specific complaint in a manner that clearly identifies the issues upon which the complaint is based.

PART IV

State the minimum remedy acceptable for resolution of this complaint.

PART V

Sign and date this section to verify the information contained in Parts I through IV.

External Complaints of Discrimination

A. Introduction

Bis-Man Transit's External Complaints of Discrimination process is consistent with the Federal Transit Administration's (FTA) Title VI complaint procedures filed under Title VI of the Civil Rights Act of 1964 (and related nondiscrimination statutes), Title II of the Americans with Disabilities Act of 1990, and/or Section 504 of the Rehabilitation Act of 1973. The related nondiscrimination statutes, regulations, Executive Orders (E.O.), directives, and other references are available upon request.

B. Agencies Authorized to Receive Complaints

Complaints may be submitted to one of the following: Sub Recipient of NDDOT, NDDOT, FTA, the United States Department of Transportation (USDOT), or the United States Department of Justice (USDOJ). See Appendix A.

C. Persons Eligible to File

Members of the public, or any specific class of persons, by themselves or by a representative, that believe they have been subjected to discrimination or retaliation prohibited by Title VI of the Civil Rights Act of 1964 (Title VI) and related statutes, Section 504 of the Rehabilitation Act of 1973 (Section 504) or Title II of the Americans with Disabilities Act of 1990 (ADA) may file a complaint.

D. Filing a Complaint

1. A complaint is a written or electronic statement concerning an allegation of discrimination that contains a request for the receiving office to take action. Complaints should be complete and sign Bis-Man Transit's External Complaints of Discrimination form and file by mail, fax, in person, or e-mail. A complaint should contain at least the following information:
 - a. A written explanation of what has happened;
 - b. A way to contact the complainant;
 - c. The basis of the complaint, i.e., race, color, national origin; or sex, age, disability, income status, or limited English proficiency;
 - d. The identification of the respondent, i.e., agency/organization alleged to have discriminated;
 - e. Sufficient information to understand the facts that led the complainant to believe that discrimination occurred; and
 - f. The date(s) of the alleged discriminatory act(s).
2. While the above indicates a complaint should be in writing and signed, Bis-Man Transit will accept complaints in alternate formats from persons with disabilities upon request.
3. The complainant may contact Bis-Man Transit for assistance in filing a complaint. Bis-Man Transit will consider every request for reasonable accommodation to provide:
 - a. Accommodation for people with disabilities;
 - b. Language interpretation for people with limited English proficiency (LEP);

- c. Translation of written materials necessary to access Bis-Man Transit programs and information.

To request accommodations, complainants may contact: Bis-Man Transit, 3750 East Rosser Avenue, Bismarck, ND 58501, 701.258.6817, info@bismantransit.com

TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

E. Timeframes for Filing a Complaint

1. Complaints must be filed within 180 calendar days of the last date of the alleged discrimination unless the time for filing is extended. The filing date of the complaint is the earlier of:
 - a. The postmark of the complaint, or
 - b. The date the complaint is received by any agency that has jurisdiction for the complaint. See Appendix A.

F. Complaints Received by Bis-Man Transit Under FTA Jurisdiction

1. Complaints filed under Title VI, related statutes, and Section 504/ADA in which Bis-Man Transit is named as respondent will be forwarded by Bis-Man Transit to NDDOT Civil Rights Division.
2. Title VI, related statutes, and Section 504/ADA complaints filed directly with Bis-Man Transit against its sub-recipients or contractors will be processed by Bis-Man Transit in accordance with the FTA approved complaint procedures under FTA C 4710.1, FTA C 4702.1B, 49 CFR 27.13(b).
3. All written complaints will be investigated by the Administrative Office (**Executive Director, 701.258.6817, 3750 East Rosser Avenue, Bismarck, ND, 58501**), and a formal report will be issued to the complainant within 5 (five) business days.
4. Bis-Man Transit may investigate complaints against its sub-recipients or contractors as follows:
 - a. The complaint will be reviewed within 10 business days to determine whether it contains all of the necessary information required for acceptance.
 - b. If the complaint is complete and no additional information is needed, the complainant will be sent a letter of acceptance along with the Complainant Consent/Release form and the Notice About Investigatory Uses of Personal Information fact sheet.
 - c. If the complaint is incomplete, the complainant will be contacted in writing or by telephone to obtain the additional information. The complainant will be given 10 business days to respond to the request for additional information.
 - d. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, or if the complainant no longer wishes to pursue their case, the Bis-Man Transit can issue a letter and administratively close the case.

G. Complainant is Represented by an Attorney

Complainants represented by an attorney should provide a letter of representation.

H. Timeframes for Investigations by Bis-Man Transit

1. For Title VI or related statutes complaints, Bis-Man Transit is required to follow the FTA C 4702.1B to comply with reporting requirements of 49 CFR 21.9(b). The investigation information is recorded on the Transit Title VI – List of Investigations, Lawsuits, and Complaints (SFN 60805) and submitted to NDDOT every year. Although, FTA regulations do not specify a timeframe for the investigation of Title VI complaints, the Bis-Man Transit attempts to complete investigations within 90 calendar days of receipt of the complaint from NDDOT.
2. For Section 504/ADA complaints, Bis-Man Transit is required to follow the FTA C 4710.1 to comply with reporting requirements of 49 CFR 27.121(b). Bis-Man Transit shall forward a copy of the complaint, together with a copy of the report of investigation within 90 calendar days of receipt of the complaint to NDDOT and FTA.

I. Letters of Finding (LOFs)

1. The FTA has delegated authority for issuing LOFs for Title I, related statutes, and Section 504/ADA complaints processed by FTA.
2. Bis-Man Transit has delegated authority for issuing LOFs for Title VI, related statutes, and Section 504/ADA complaints processed by Bis-Man Transit against FTA funded sub recipients or contractors.

J. Appeals

1. LOFs issued by the FTA are administratively final.
2. Closure letters or LOFs issued by Bis-Man Transit under FTA jurisdiction on Title VI, related statutes, and Section 504/ADA are administratively final. Individuals or a specific class of individuals, personally or through a representative, may submit a complaint to the North Dakota Department of Transportation (NDDOT) or Federal Transit Administration (FTA) within 180 days from the date of the alleged discrimination.

APPENDIX A

Agencies Authorized to Receive and Process Complaints of Discrimination

North Dakota Department of Transportation

Civil Rights Division
608 E. Boulevard Avenue
Bismarck, ND 58507-0700
Phone: (701) 328-2576
Fax: (701) 328-0343
TTY: 711 or (800) 366-6888
E-Mail: civilrights@nd.gov

Federal Transit Administration (FTA)

Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, S.E.
Washington, DC 20590
Phone (888) 446-4511

United States Department of Transportation (USDOT)

Departmental Office of Civil Rights
1200 New Jersey Avenue, S.E.
Washington, DC 20590
Phone: (202) 366-4649
Fax: (201) 202) 366-5575
TTY/Assistive Device: (202) 366-9696

USDOJ – Race, Color, National Origin Complaints

Federal Coordination & Compliance Section – NWB
Civil Rights Division
U.S. Department of Justice (USDOJ)
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
Phone: (888) 848-5306 (English & Spanish)

(202) 307-2222 (voice)

(202) 307-2678 (TDD)

USDOJ – ADA Complaints

US Department of Justice (USDOJ)
950 Pennsylvania Avenue, N.W.
Civil Rights Division
Disability Rights Section 1425 NYAV
Washington, DC 20530
Fax: (202) 307-1197

ADA Information Line: (800) 514-0301 (voice) or

(800) 514-0383 (TTY)

Main Section Telephone Number:

(202) 307-0663 (voice and TTY)

ADA COMPLAINT POLICY & PROCEDURE

The following procedures apply to Bis-Man Transit.

Right to File a Complaint Under Americans with Disabilities Act of 1990 (ADA)

Any person who has a complaint about the accessibility of our transit system or believes discrimination has occurred on the basis of disability by Bis-Man Transit may file a written complaint detailing the accessibility issue or incident. All alleged discrimination complaints must be received within 180 days of the incident in question. Beyond that time period, complaints will be classified as comments.

Please provide all facts and circumstances surrounding the issue or accessibility complaint so the issue may be fully investigated.

All ADA complaints and related summaries will be retained for a minimum of five years. All other complaints will be retained for a minimum of one year.

How to File a Complaint

Any person who believes himself/herself or any specific class of individuals to be harmed by failure to comply with ADA regulations may, personally or through a representative, file a written complaint with the Executive Director.

It is best to file the complaint as soon as possible after the alleged discrimination, and keep a copy of it. Include as many details as possible (who, what, when, where, and so on).

Bis-Man Transit has the following options for filing the complaint:

Email: Send an email to the Executive Director, info@bismantransit.com.

Call: Phone the Executive Director at 701.258.6817.

Mail: Print the ADA Comment Form, complete and mail to: Bis-Man Transit, Attention Executive Director, 3750 East Rosser Ave, Bismarck, ND 58501.

In Person: An ADA Comment Form is available at 3750 East Rosser Ave, Bismarck, ND 58501.

Alternatively, you may download a copy of the form at www.bismantransit.com.

Complainant does not have to file with Bis-Man Transit first in order to file with the Federal Transit Administration.

For written complaints, please include the following:

- Your name, address and contact information (telephone number, email address)

- For accessibility complaints: time, date, and location of the occurrence and reason you believe the agency, location, or service is not accessible to persons with disabilities
- For complaints related to alleged discrimination based on disability: time, date, location, and a description of the incident, names and/or descriptions of individuals involved, and why you believe the act was discriminatory.
- In both situations, please include the vehicle number and/or route if applicable.
- Please also provide any other documentation that is relevant to the complaint.

For complaints alleging discrimination based on disability, an investigation will be initiated within 10 days of receiving the complaint. Bis-Man Transit will make every effort to respond to ADA complaints within 30 working days of receipt.

If complainants disagree with the determination, they can appeal the decision in writing within thirty (30) days from the date of the determination. The appeal letter should state the reason(s) the complainant believes the decision was in error. The appeal letter should be mailed to Board of Directors, 3750 East Rosser Ave, Bismarck, ND 58501.

File an ADA complaint in Washington D.C.

You can file a complaint with the Federal Transit Administration (FTA) Office of Civil Rights in Washington D.C., by:

Going to the FTA ADA website to file a complaint with the FTA.

Sending a complaint letter to:

FTA Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Complaint Assistance

If you are unable to complete a written complaint, please contact Bis-Man Transit at 701.258.6817 during regular business hours for assistance.

Feedback and ADA Complaint Form

SECTION I: TYPE OF COMMENT (Choose One)				
Compliment__	Suggestion__	Complaint__	Other: _____	ADA Related? Y / N
SECTION II: CONTACT INFORMATION				
Salutation [Mr./Mrs./Ms., etc.]:				
Name:				
Rider ID (if applicable):				
Street Address:				
City, State, Zip code:				
Phone:		Email:		
Accessible Format Requirements:	Large Print__	TDD/Relay__	Audio Recording__	Other _____
SECTION III: COMMENT DETAILS				
Transit Service (Choose One) [as applicable] [Bus/Subway/Paratransit]				
Date of Occurrence:		Time of Occurrence:		
Name/ID of Employee(s) or Others Involved:				
Vehicle ID/Route Name or Number:				
Direction of Travel:				
Location of Incident:				
Mobility Aid Used (if any):				
If above information is unknown, please provide other descriptive information to help identify the employee:				
Description of Incident or Message:				
SECTION IV: FOLLOW-UP				
May we contact you if we need more details or information?		Yes	No	
What is the best way to reach you? (Choose One)	Phone	Email	Mail	
If a phone call is preferred, what is the best day and time to reach you?				
SECTION V: DESIRED RESPONSE (Choose One)				
<ul style="list-style-type: none"> - Email response - Telephone response - Response by U.S. Postal Mail 				

Reasonable Modification

REASONABLE MODIFICATION POLICY

In accordance with ADA regulations, it is the policy of Bis-Man Transit to provide individuals with disabilities with a reasonable modification to its policies, practices, and procedures so that they can access Bis-Man Transit's programs, facilities and services.

What is a reasonable modification?

A reasonable modification is a change or exception to a policy, practice, or procedure which allows people with disabilities to have equal access to programs, services and activities. **Reasonable modifications must always be related to the individual's disability.**

What is the process for requests?

Whenever possible, requests for reasonable modifications shall be made and determined in advance. An advance request for reasonable modification can be sent to:

Bis-Man Transit 3750 East Rosser Ave
Bismarck, ND 58501

Telephone: 701.258.6817 Email: info@bismantransit.com

The request shall include:

- Your contact information;
- A description of what you need in order to use a Bis-Man Transit service; and
- What changes or modifications you believe would be necessary to provide you full access to Bis-Man Transit's services.

Bis-Man Transit will use its best efforts to make a response as soon as practical. In some instances, additional information will be necessary to process the request. Please ensure your contact information is included with your request.

What is the process for making on the spot requests?

Bis-Man Transit understands it may not be possible for a reasonable modification request to be made and determined in advance. In these instances, please request a reasonable modification with a Bis-Man Transit operator at the time of issue. A response to an *on the spot request* will be made at the time of the request. Responses to *on the spot requests* can include: granting the request, denying the request, or referring the passenger to Bis-Man Transit management for further processing. Operators will generally seek assistance from Bis-Man Transit management during these instances via the two-way radio.

For what reasons may Bis-Man Transit deny a reasonable modification request?

Bis-Man Transit may deny a reasonable modification request, whether made in advance or on the spot, for the following reasons:

1. Granting the request would fundamentally alter the nature of Bis-Man Transit's services, programs or activities;
2. Granting the request would create a direct threat to the health or safety of others;
3. The individual with a disability is able to fully use the entity's services, programs, or activities for their intended purpose without the need of a modification; and/or
4. Granting the request would cause Bis-Man Transit undue financial or administrative burden.

If a request is denied, Bis-Man Transit will act to the maximum extent possible to ensure the individual receives Bis-Man Transit's services or benefits.

What are examples of reasonable modifications Bis-Man Transit generally will grant?

Bis-Man Transit will generally grant the following reasonable modification requests for individuals with disabilities:

- A request from a passenger whom has diabetes (or another medical condition) to eat or drink aboard a vehicle in order to avoid adverse health consequences so long as the drink is in a spill proof container and the food is a small snack that cannot cause any spills;
- A request for transit personnel to handle fare media when the passenger with a disability cannot pay the fare by the generally established means; for instance, when the passenger cannot reach or insert a fare into the fare box themselves;
- A request from a wheelchair user to board a vehicle separately from his or her device (if the individual is capable of doing so) when the occupied weight of the device exceeds the design load of the vehicle lift.

This list of examples is neither exhaustive nor exclusive. Passengers with disabilities are encouraged to contact Bis-Man Transit with specific reasonable modification requests.

It is Bis-Man Transit's goal to operate a safe, efficient, and effective transportation system that provides mobility and accessibility to persons with disabilities.

The request should be as specific as possible and include information on why the requested modification is needed in order to allow the individual to use Bis-Man Transit services. Bis-Man Transit will make every effort to communicate determinations on requests for modifications in advance of when the service will be needed verbally or in writing.

There are several ways to request a modification/accommodation form pursuant to the Americans with Disabilities Act.

Access the form online: Complete and submit the Reasonable Modification Request Form

Mail: Complete the Reasonable Modification Request Form, print it and mail to: Bis-Man Transit, Attention Deidre Hughes, 3750 East Rosser Ave, Bismarck, ND 58501

Fax: Complete the Reasonable Modification Request Form, print it and fax to 701.258.6752.

Pick up a form: Bis-Man Transit, 3750 East Rosser Ave, Bismarck, ND 58501

Email: Email Deidre Hughes; Executive Director at info@bismantransit.com.

To obtain information about procedures and/or how to file a complaint, contact Deidre Hughes; Executive Director, by one of the methods listed below:

Email: info@bismantransit.com

Phone: 701.258.6817

Fax: 701.258.6752

Reasonable Modifications requests will be processed in the following manner:

All requests will be logged into a Reasonable Modification/Accommodation spreadsheet noting the requester's name, date, contact information, specific modification request, outcome, and requester date of notification.

Individuals requesting modifications will be asked to supply sufficient detail within the request so that agency staff may effectively evaluate the request. Individuals are not required to use the term “reasonable modification” when requesting modifications or accommodations.

All requests for modifications (reasonable or otherwise) will be reviewed and evaluated by the Bis-Man Transit administrative staff.

All reasonable modification requests will be acknowledged within three (3) business days of receipt. The resolution and response to the requestor will be made timely, within fifteen (15) business days and the response must explain the reasons for the resolution. The response must be documented in the Reasonable Modification/Accommodation log.

Any requests requiring more than fifteen (15) business days to resolve must be reviewed at the Board of Directors level and documented as to why the resolution requires additional time to be completed.

Bis-Man Transit is committed to providing you with safe and reliable transportation services and we want your feedback. Please use this form for suggestions, compliments, and complaints. You may also call us at 701.258.6817, visit the Bis-Man Transit facility at 3750 East Rosser Avenue, Bismarck, ND 58501, or contact us by email or U.S. postal mail at the addresses below. Please make sure to provide us with your contact information in order to receive a response.

**Bis-Man Transit, 3750 East Rosser Avenue, Bismarck, ND 58501, 701.258.6817,
info@bismantransit.com.**

REASONABLE MODIFICATIONS REQUEST FORM

Please complete this form to request a reasonable modification of Bis-Man Transit bus services. Submit the completed form to Bis-Man Transit via FAX at 701.258.6752, via mail at 3750 East Rosser Ave, Bismarck, ND 58501 or via email at info@bismantransit.com.

Date: _____ Name: _____

Phone Number: _____ Email: _____

Address: _____

Description of Request:

Location & Routes Used:

Are you able to ride without this modification?

Comments or assistance with a reasonable modification request can be sent to

info@bismantransit.com or call 701.258.6817.



April 23, 2026

Executive Director Report

1) Upcoming Projects

- a. Staff is working on procurements to upgrade the on-bus cameras to enable live view and exterior facility painting

2) Transit Development Plan Update

- a. The Transit Development Plan selection committee met on April 13th. Three consultants presented. Bolton & Menk will be awarded the bid (pending TAC and Policy Board approval).

3) Grant Update

- a. Bis-Man Transit was awarded \$2,237,666.00 in FY2026 5307 funding.



3750 E Rosser Avenue,
Bismarck, ND 58501



701.258.6817



info@bismantransit.com



www.bismantransit.com



April 2026

Operations Report Update: Extended Service Hours and Staffing

The introduction of extended service hours has been successful, with operations on the first day proceeding smoothly and indicating a positive start.

In support of the launch, two members of Corporate were in town for the first day. To show appreciation for the team's commitment during this transition, drivers were treated to lunch that day.

Regarding staffing, we currently have one open position for a Vehicle Cleaner.



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Bis-Man Transit delivers valued public transportation, linking people, jobs and communities.

Bis-Man Transit Board Annual Meeting

April 24, 2025, 12:14 PM

Via Zoom & In-person at

3750 E. Rosser Ave. Bismarck, ND 58501

Attending:	Lynn Wolf, President	Lacey Long, Vice President
	DeNae Kautzmann, Secretary/Treasurer	
	Helen Baumgartner	Glenn Lauinger
	Royce Schultze	Andrew Stromme
Not Attending:	Steve Heydt	Karel Sovak
Staff:	Deidre Hughes	Taylor Kitzan
	Mike Mundahl	Craig Thomas
	Amanda O'Brien	Tom Reisenauer
Guests:	Susan Dingle	Trevor Vannett
	Joseph Camisa	Lane Hoffer
	Julie Horntvedt	

Annual Meeting was called to order at 12:14 P.M.

Helen moved to approve the Annual Board Meeting Agenda. Lacey seconded the motion. Motion carried unanimously.

1. 2024 Transit Board Annual Meeting Minutes: Andrew moved to approve the 2024 Transit Board Annual Meeting Minutes. Lacey seconded the motion. Motion carried unanimously.
2. Explanation of Voting Process: Deidre explained that she will hand out voting ballots. Deidre and Taylor will count the ballots outside of the Board room. Deidre will then announce the voting results.
3. Introduction of Applicants for Board Positions: Deidre discussed that there are three current Board members that are up for re-election: Glenn Lauinger, Helen Baumgartner, and Andrew Stromme. Andrew is choosing not to run for re-election as he is moving out of the country. Five new applicants include Joseph Camisa, Susan Dingle, Julie Horntvedt, Trevor Vannett, and Lane Hoffer. All the applicants spoke to the Board explaining their qualifications and interest in serving on the Board. Glenn commented that it was good to see so much interest in serving on the Board.
4. Board Election: Deidre announced that all votes were counted and that Glenn, Helen, and Julie won the election. Deidre encouraged board members and the public to participate in CTIC.
5. Officer Election: Glenn nominated Lynn Wolf as Board President. Helen moved to cease nominations and cast a unanimous ballot for Lynn Wolf as Board President. Lacey seconded the motion. Motion carried unanimously.

Glenn nominated Lacey Long as Board Vice President. DeNae moved to cease nominations and cast a unanimous ballot for Lacey Long as Board Vice President. Royce seconded the motion. Motion carried unanimously.

Glenn nominated DeNae Kautzmann as Board Secretary/Treasurer. Helen moved to cease nominations and cast a unanimous ballot for DeNae Kautzmann as Board Secretary/Treasurer. Lacey seconded the motion. Motion carried unanimously.

Helen moved to adjourn the meeting. The meeting adjourned at 12:47 P.M.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bisantransit.com



701.258.6817



www.bisantransit.com

BY-LAWS OF BIS-MAN TRANSIT BOARD

ARTICLE I. NAME

The name of this corporation shall be Bis-Man Transit Board.

ARTICLE II. PURPOSE

The primary purpose of the Bis-Man Transit Board is to identify, promote, coordinate, establish transportation services in the cities of Bismarck and Mandan, and other areas as determined by the Board (Service Area) for the general public, individuals with a disability as defined by the Americans with Disabilities Act (ADA), and senior adults, defined as age 70 or over, utilizing federal, state, county, and local funding sources from the areas served.

ARTICLE III. MEETINGS OF THE CORPORATION

Section 1. Annual Meeting. An Annual Meeting of the Board of Directors shall be held during the month of April in conjunction with the regularly scheduled meeting each year, with exact date, time and place of meeting to be established by the Board of Directors for the purpose of electing Directors, and the transaction of other regular Board business. If the election of Directors shall not be held on the day designated herein for any Annual Meeting, or any adjournment thereof, the Board of Directors shall cause the election to be held at the special meeting of the Board of Directors as soon as convenient. New board members begin serving at the next regularly scheduled Board meeting.

Section 2. Place of Meeting. The Board of Directors may designate any place within the service area as the place of meeting for any Annual Meeting or for any special meeting.

Section 3. Notice of Meeting. Written or printed notice stating the place, day and hour of any meeting of Board Members shall be delivered, either personally, electronically or by mail, to each member not fewer than five (5) nor more than thirty (30) days before the date of such meeting, by or at the direction of the President, or the Secretary, or the officers or person calling the meeting. The purpose or purposes for which the meeting is called shall be stated in the notice.

Section 4. Annual Meeting Quorum. A simple majority of the Board of Directors shall constitute a quorum.

ARTICLE IV. BOARD OF DIRECTORS

Section 1. General Powers. Except as otherwise provided in the by-laws, the Board of Directors shall have full power to operate and manage this corporation.

Section 2. Eligibility. Any individual who resides or works in the service area is eligible to serve on the Board of Directors of Bis-Man Transit. If a board member ceases employment

and/or no longer lives in the service area, they are no longer eligible to serve on the Board. The vacancy will be handled consistent with Section 4. Vacancies.

Section 3. Number and Term Length Directors shall be elected at the Annual Meeting for staggered three-year terms, divided equally among the total number of Directors. Each Director shall hold office until the end of the term or until a successor shall be elected and qualified.

The number of Directors shall be determined by the Board of Directors provided the number shall not be less than seven (7), and not more than eleven (11).

Section 4. Vacancies. Any vacancy occurring on the Board of Directors and any position to be filled by reason of any increase in the number of Directors, shall be filled by the Board of Directors. Directors elected to fill a vacancy shall be elected for the unexpired term of their predecessor in office.

Section 5. Removal of Directors. Any Director may be removed from office for cause by a two-thirds (2/3) majority vote of the total Directors. Cause includes but is not limited to: fraud, conflict of interest, personal conduct deemed prejudicial to the Board of Directors interest, and failure to perform. The Executive Committee shall adopt rules of procedure regarding the removal of a director.

Section 6. Regular Meetings. The Board of Directors may provide by resolution the time and place for the holding of regular meetings of the Board without other notice than such resolution. Within the year, there shall be no fewer than six (6) regularly scheduled Board meetings.

Section 7. Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the President or any three (3) Directors. The person or persons authorized to call special meetings of the Board may designate any place within the Bis-Man Transit Board service area as the place for holding any special meeting of the Board called by them.

Section 8. Notice. Notice of any special meeting of the Board, of Directors shall be given at least two (2) days previously thereto by written notice delivered personally, electronically or sent by mail to each Director at his/her address as shown by the records of the corporation. The attendance of the Director at any meeting shall constitute a waiver or notice of such meeting. The purpose of any special meeting of the Board shall be specified in the notice or waiver of notice of such meeting.

Section 9. Quorum. The majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board, but if fewer than the majority of the Directors is present at said meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice. Once a quorum is established, it shall remain for the duration of the meeting.

Section 10. Manner of Acting. The act of the majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless otherwise provided by law, these by-laws, or the standing rules.

Section 11. Informal Action. Any action required to be taken at a meeting of the Board of Directors shall be conducted in a manner consistent with North Dakota Open Meeting Law.

Section 12. Conflict of Interest- The standard of behavior is for the Board of Directors to scrupulously avoid conflicts of interests of Bis-Man Transit on one hand, and personal, professional, and business interests on the other. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest.

The purpose of this section is to protect the integrity of the Bis-Man Transit Board decision-making process, to enable our constituencies to have confidence in our integrity, and to protect the integrity and reputations of board members. Upon or before election, hiring, or appointment, Board Members will make a full, written disclosure of interests, relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated as appropriate.

In the course of meetings or activities, Board Members will disclose any interests in a transaction or decision where Board Members (including their business or other nonprofit affiliations), their family, and/or significant other, employer, or close associates will receive a benefit or gain.

In the event a possible conflict of interest arises, the Board Member shall abstain from any further involvement or action with respect to such matter, unless the remainder of the Board of Directors, after due consideration of the matter, determines no such conflict in fact exists.

Any Director having such a duality or possible conflict of interest shall not be counted in determining a quorum for the meeting. The minutes of the meeting shall reflect such disclosure, abstention from voting and the quorum situation.

The foregoing shall not be construed to prevent a Director from briefly stating his/her position in the matter, nor from answering pertinent questions of other Directors.

Section 13. Confidentiality. It is the intent of the corporation to conduct its business in open sessions and in a manner consistent with North Dakota Open Meeting Law.

Section 14. Compensations. The Officers and Directors shall serve without compensation, but reasonable expenses incurred may be reimbursed when expended for and in the interest of the corporation and approved by the Board of Directors.

ARTICLE V. OFFICERS

Section 1. Number and Title. The officers of the corporation shall be a President, Vice President, Secretary and Treasurer, and such other officers as may be elected in accordance with the provisions of this Article.

Section 2. Election and Term of Office. The officers of the corporation shall be elected annually by the Board of Directors at the Annual Meeting of the Board of Directors. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. Each officer shall hold office until their successor shall be duly elected and qualified.

Section 3. Vacancies. Vacancies may be filled, or new offices created and filled, at any meeting of the Board.

Section 4. Removal. Any officer elected or appointed by the Board of Directors may be removed by an affirmative vote of two-thirds (2/3) of the total Board whenever, in its judgement, the best interest of the corporation would be served thereby.

Section 5. The President. The President shall preside at all meetings of the Board of Directors. He or she shall sign with the Secretary, or any other proper officer of the corporation authorized by the Board of Directors, any deed, mortgage, bond, contract or other instrument which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated to some other officer or agent of the corporation; in general, he or she shall perform all duties which shall be prescribed by the Board of Directors from time to time.

Section 6. The Vice President. In the absence of the President or in the event of the President's inability or refusal to act, the Vice President or designee shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions upon the President. Any Vice President shall perform other duties as from time to time may be assigned by the President or by the Board of Directors.

Section 7. The Secretary. The Secretary shall keep the minutes of the Board of Directors meetings; see that all notices are duly given in accordance with the provisions of these by-laws or as required by law; be custodian of the corporate records; keep a register of the name and post office address of each corporate Board member; and, in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President or the Board of Directors.

Section 8. The Treasurer. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the corporation; the Treasurer shall assure the bookkeeper receives and gives receipts for money due and payable to the corporation from any source whatsoever and

deposit all monies in the name of the corporation in such bank or other financial institution as shall be elected in accordance with Article VII of the by-laws, and in general, perform all duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the Board of Directors. The Treasurer shall, with the appropriate standing committee, prepare an Annual Operating Budget showing income and expenses to be presented to the Board for approval.

ARTICLE VI. COMMITTEES

Section 1. Executive Committee. The Executive Committee shall consist of the officers of the corporation and, by Board decision, the chairpersons of the standing committees. The powers of this committee shall be determined by the Board.

Section 2. Other Standing Committees. The Board of Directors may establish such additional committees as are necessary and appropriate to carry out the business of the corporation. Committees designated by the Board of Directors may be composed entirely of officers, entirely of members of the Board of Directors, or may include riders of the system. Each committee shall have the duties and responsibilities delegated to it by the Board of Directors.

Section 3. Appointment. The chairperson of each standing committee shall be appointed by the President of the Board of Directors and with the advice and consent of the Board of Directors. Such committee chairpersons shall be selected from among the Board membership.

Committee members shall be appointed by the chairperson of each committee in consultation with the President of the Board of Directors. Committee members may or may not be members of the Board of Directors.

Section 4. Commissions. The duties, responsibilities, authority and composition of all standing committees and ad hoc committees shall be stated in writing and adopted by resolution of the Board of Directors.

Section 5. Term of Office. All committee members shall serve until the first Annual Meeting following their appointment or until their successors have been appointed.

Section 6. Reports. Each committee shall submit activity reports to the Board of Directors as prescribed in its commission.

ARTICLE VII. EMPLOYED STAFF

Section 1. Employees. The Board of Directors may authorize the employment of such full- or part-time employees as are appropriate to carry out the programs and business of the corporation. The compensation and other terms of employment shall be set by the Board of Directors, who may enter into contracts of employment with such employees on behalf of the corporation. The Board of Directors may delegate the duties and responsibilities of employment to an Executive Director, to the President, or to such other officers or employees as the Board of Directors may determine.

ARTICLE VIII. MISCELLANEOUS PROVISIONS

Section 1. Indemnification. The corporations shall indemnify any Director, officer or former Director or officer of the corporation against expenses actually and reasonably incurred by him/her in connection with the defense of any action, suit, or proceeding, civil or criminal, in which he/she is made a party by reason of being or having been a Director or officer, except in relation to matters as to which he/she is adjudged in such action, suit or proceeding to be liable for gross negligence or willful and intentional misconduct in the performance of duty to the corporation.

Section 2. Principal Office. The principal office of the corporation shall be at such location within the Bis-Man Transit Board service area as shall be determined by the Board of Directors.

Section 3. Depositories. All funds of the corporation, not otherwise employed, shall be deposited from time to time to the credit of the corporation in such banks, savings and loan associations, trust companies, or other depositories whose accounts are insured against loss by the F.D.I.C. or similar governmental insurance programs as the Board of Directors may elect.

Section 4. Contracts. The Board of Directors may authorize any officer(s) or agent(s) of the corporation, in addition to the officers authorized by these by-laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

Section 5. Checks, Drafts, Etc. All checks, drafts, or orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the corporation shall be signed according to organization policies in a timely manner.

Section 6. Fiscal Year. The fiscal year of the corporation shall end on the last day of December in each year.

Section 7. Investment. Any funds of the corporation which are not needed currently for the activities of the corporation may, at the discretion of the Board of Directors, be invested in such investments as are permitted by law.

Section 8. Annual Audit. The financial books and records of the corporation shall be audited annually by an approved accounting firm.

Section 9. Books and Records. The Board shall direct employed staff to maintain adequate records for the purpose of complying all federal, state and local regulations and audit requests. All books and records of the corporation may be inspected by any Board member, or his agent or attorney or the general public, for any proper purpose at any reasonable time.

Section 10. Dissolution. Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Section 11. Non-Discrimination. This Board provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability or genetics. In addition to federal law requirements, the Board complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has facilities.

1. Political Activity. The corporation, or any Director, shall not, in any way, use corporation funds in the furtherance of, or engaging in, any political activity for or against any candidate for public office. No portion of Board funds or official corporation resources shall be used for Directors to lobby, in any way attempt to influence, or imply the board has a position on legislation. This does not limit the right of any Director to appear on their own behalf before any legislative committee.
2. Gifts. The Board of Directors may accept on behalf of the corporation, any contribution, gift, bequest or devise for the general purposes or for any special purposes of the corporation.
3. Parliamentary Procedure. All Board of Directors meetings shall be governed by Roberts' Rules of Order (Current Edition).
4. Bonding. The Board of Directors may require the Treasurer and any other officer of the Board of Directors, or employee of the corporation to give a bond for the faithful discharge of his/her duties in such sum and with such surety or sureties as the Board of Directors shall determine. The corporation shall pay the premiums required for such bonds.

ARTICLE IX. AMENDMENTS

These by-laws may be altered, amended or repealed and a new set of by-laws adopted by a two-thirds (2/3) majority vote of the Board of Directors. At least ten (10) days prior, written notice setting forth a proposed action and times and place of meeting shall be given to all Directors.

SECRETARY'S CERTIFICATION

This is to certify that the foregoing By-Laws of Bis-Man Transit Board have been duly adopted by the Board of Directors at a meeting held on

June 29, 2017.

Dated June 29, 2017
Secretary *Alinae Kingman*



Amendment to Bis-Man Transit Board By-Laws

Approved by the Bis-Man Transit Board

8-26-2021

CURRENT LANGUAGE

ARTICLE VI. COMMITTEES

Section 1. Executive Committee. The Executive Committee shall consist of the officers of the corporation and, by Board decision, the chairpersons of the standing committees. The powers of this committee shall be determined by the Board.

PROPOSED EDIT

ARTICLE VI. COMMITTEES

Section 1. Executive Committee. The Executive Committee shall consist of the officers of the corporation. ~~and, by Board decision, the chairpersons of the standing committees.~~ The powers of this committee shall be determined by the Board.

FINAL LANGUAGE

ARTICLE VI. COMMITTEES

Section 1. Executive Committee. The Executive Committee shall consist of the officers of the corporation. The powers of this committee shall be determined by the Board.



3750 E Rosser Avenue,
Bismarck, ND 58501



info@bismantransit.com



701.258.6817



www.bismantransit.com



Outlook

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New submission from Application Form

From admin@townsquareinteractive.com <admin@townsquareinteractive.com>

Date Thu 3/26/2026 10:42 AM

To Info <info@bismantransit.com>; Deidre Hughes <dhughes@bismantransit.com>

Name

Steve Heydt

Email

[REDACTED]

Phone

[REDACTED]

Address

[REDACTED]

Employer

Starion Bank

Please explain your interest for serving on the Transit Board:

I am deeply committed to strengthening the Bismarck-Mandan community and ensuring that essential services are accessible to all residents. Public transportation plays a critical role in connecting people to employment, education, healthcare, and community life. Bis-Man Transit's mission — delivering valued public transportation that links people, jobs, and communities — aligns strongly with my personal and professional values of service, accessibility, and community development.

As a current board member, I have seen firsthand how reliable transit enhances quality of life, particularly for seniors, individuals with disabilities, and those without other transportation options. I am motivated to continue serving to help guide strategic planning, support sustainable operations, and ensure that the system remains safe, efficient, and responsive to the evolving needs of our growing region.

My goal is to contribute thoughtful leadership that supports long-term viability while expanding opportunities for residents to fully participate in community life.

How did you learn about the opening on the Transit Board?

I am currently serving as a member of the Transit Board and am seeking to continue my service. My involvement began through community engagement and professional connections within the Bismarck-Mandan area.

As a long-time community leader and banking professional, I regularly collaborate with civic organizations, local government entities, and nonprofit groups. This involvement highlighted the important role transit plays in economic development and community well-being.

Continuing on the board allows me to build on institutional knowledge, maintain continuity in governance, and further strengthen partnerships between the transit system and the broader community.

Times you are and are not available for meetings, or to be contacted about Transit matters:

I maintain a flexible schedule that allows me to attend regular board meetings and special sessions as required. I am available during business hours on weekdays, weekends and can accommodate early morning or late afternoon meetings.

I also remain accessible by phone or email for urgent transit matters. I am committed to being responsive and dependable in fulfilling board responsibilities.

Please explain any previous experience with transportation services:

While my professional background is primarily in banking and financial services, I have gained valuable transportation-related experience through my service on the Transit Board and through community leadership roles.

This experience includes reviewing operational reports, budgets, funding considerations, and strategic initiatives related to fixed-route and paratransit services. I have developed a strong understanding of the challenges facing public transportation systems, including funding constraints, ridership trends, safety considerations, and the importance of ADA-compliant services for vulnerable populations.

Through this work, I have contributed to discussions on improving service reliability, efficiency, and community outreach.

Please list other advisory or volunteer boards you've served on:

I have served on various community, civic, and professional boards and committees throughout the Bismarck-Mandan area, reflecting my commitment to community development and service. These roles have involved strategic planning, governance, financial oversight, and collaboration across diverse stakeholders.

My board experience has strengthened my ability to evaluate complex issues, build consensus, and ensure accountability while maintaining focus on organizational mission and outcomes.

(North Dakota Bankers Association, Salvation Army, AID Inc., and Junior Achievement)

Please list the skills you feel you bring to the Transit Board:

I bring a combination of leadership, financial expertise, and community insight, including:

1. Strategic planning and governance experience
2. Financial oversight and budget analysis
3. Risk management and regulatory awareness
4. Strong community connections and stakeholder engagement
5. Data-driven decision making
6. Collaborative leadership and consensus building
7. Commitment to ethical service and accountability
8. Transportation (including Para)

These skills support the Board's responsibility to set direction, establish policies, and ensure the organization delivers meaningful results to the community.

Please list two references and those individuals' contact information:

Dave Rogstad, President of Starion Bank

Craig Larson, CEO & Owner Starion Bank

New submission from Application Form

From admin@townsquareinteractive.com <admin@townsquareinteractive.com>

Date Sun 3/15/2026 6:52 PM

To Info <info@bisantransit.com>; Deidre Hughes <dhughes@bisantransit.com>

Name

DeNae Kautzmann

Email

[REDACTED]

Phone

[REDACTED]

Address

[REDACTED]

[Map It](#)

Employer

Retired

Please explain your interest for serving on the Transit Board:

To continue the work of expanding and improving Transit in our community. With the sales tax initiative passing in both Bismarck and Mandan, we have the opportunity to do more. I wish to continue being part of the discussion.

How did you learn about the opening on the Transit Board?

Newspaper

Times you are and are not available for meetings, or to be contacted about Transit matters:

Not available the Second Thursday at 3-5 pm.

Please explain any previous experience with transportation services:

Use of public transportation when living in Washington, DC and use of metros in large cities when visiting.
Previous years experience serving on Transit Board.

Please list other advisory or volunteer boards you've served on:

Senior Center Building Committee
Administrative Hearings Committee
St. Joseph Parish Council and Daycare Committee

Please list the skills you feel you bring to the Transit Board:

Legally trained and can provide assistance in reviewing federal regs, contracts.

Have served as chair of various organizations and understand Robert's Rules of Order.

Please list two references and those individuals' contact information:

Deb Lafferty, Morton County Council on Aging, [REDACTED]

Val Vogel, former Principal St Joseph School, [REDACTED]

New submission from Application Form

From admin@townsquareinteractive.com <admin@townsquareinteractive.com>

Date Thu 2/26/2026 12:09 PM

To Info <info@bisantransit.com>; Deidre Hughes <dhughes@bisantransit.com>

Name

Lacey Long

Email

[REDACTED]

Phone

[REDACTED]

Address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Employer

North Dakota Center for Persons with Disabilities

Please explain your interest for serving on the Transit Board:

Current board member and Vice President; interested in public transportation as a Certified Orientation and Mobility Specialist (COMS)

How did you learn about the opening on the Transit Board?

Current board member and Vice President; train individuals who are blind/have low vision to ride CAT and/or Para Transit

Times you are and are not available for meetings, or to be contacted about Transit matters:

Available for monthly board meetings

Please explain any previous experience with transportation services:

Current board member and Vice President; train individuals who are blind/have low vision to ride CAT and/or Para Transit

Please list other advisory or volunteer boards you've served on:

North Dakota Association of Dance and Drill (NDADD), President
Dreams in Motion Adaptive Sports, Wheelchair Dance Team Coach
ND Vision Services/School for the Blind Advisory Board Member

ND School for the Deaf/Resource Center Advisory Board Member
Early Hearing Detection and Intervention Program Advisory Board Member

Please list the skills you feel you bring to the Transit Board:

Professional, organized, and passionate individual serving students with disabilities

Please list two references and those individuals' contact information:

Julie Ketterling, [REDACTED]

Paul Olson, [REDACTED]

New submission from Application Form

From admin@townsquareinteractive.com <admin@townsquareinteractive.com>

Date Wed 3/4/2026 4:57 PM

To Info <info@bismantransit.com>; Deidre Hughes <dhughes@bismantransit.com>

Name

Nate Mickelson

Email

[REDACTED]

Phone

[REDACTED]

Address

[REDACTED]

[Map It](#)

Employer

Ministry on the Margins

Please explain your interest for serving on the Transit Board:

Having served on the CTIC committee since October of 2025, I became further interested in the financial potential and public awareness capabilities of Bis - Man Transit. Transit continues to pose a difficult barrier to not only our own clientele, but for the Bismarck - Mandan community in general. My interests surround recognition, acknowledgment and proposed action plans at the city and legislative level, both of which I have experience. As an everyday, boots-on-the-ground advocate for our community, providing a voice for those truly impacted everyday by these barriers will bring a realistic approach to decision making and input at the board level.

How did you learn about the opening on the Transit Board?

I received an email from Mike Mundahl, the Bismarck - Mandan Marketing & Mobility Specialist.

Times you are and are not available for meetings, or to be contacted about Transit matters:

Available for the published board meeting times the 4th Thursday of every month. Can be contacted M-F 8:30a-4:30p regarding Transit matters.

Please explain any previous experience with transportation services:

1. Bis - Man CTIC
2. Bis - Man Transit scheduling, bus pass purchases, management and distribution.

3. City Commission testimony and support with Ministry on the Margins
4. Real life, everyday work with clientele utilizing Bis - Man Transit services

Please list other advisory or volunteer boards you've served on:

Ministry on the Margins Housing Task Force Committee
Bis - Man Prison Reentry Coalition
North Dakota Department of Corrections and Rehabilitation Employer and Reentry Connections Group
Bismarck State College RaDaR Prison Education Program - BILT (Business Industry Leadership Team)

Please list the skills you feel you bring to the Transit Board:

As indicated by my recent, in-depth Clifton Strengths assessment: Strategic, ideation, relator, achiever and developer.
Additional skills include business development, public awareness and client advocacy, grant review/application/drafting, Microsoft Excel/finances, and upper-level management.

Please list two references and those individuals' contact information:

Mike Connelly - Bismarck City Commissioner - [REDACTED]

Fr. Joe Hubbard - Executive Director Ministry on the Margins - [REDACTED]

From: admin@townsquareinteractive.com
To: [Info](#); [Deidre Hughes](#)
Subject: New submission from Application Form
Date: Tuesday, February 27, 2024 7:34:49 PM

Name

Trevorn Vannett

Email

[REDACTED]

Phone

[REDACTED]

Address

[REDACTED]

Employer

None

Please explain your interest for serving on the Transit Board:

To make Transportation better for the Bismarck-Mandan area.

How did you learn about the opening on the Transit Board?

By attending Bis-Man Transit Board Meetings.

Times you are and are not available for meetings, or to be contacted about Transit matters:

Any time will work for me.

Please explain any previous experience with transportation services:

I'm a transit user. Been using Transit since I was old enough to ride the by myself.
I advocate to Transir riders, that can't advocate for themselves.
I also am sitting on the Community Transportation Input Committee

Please list other advisory or volunteer boards you've served on:

I sit on the board with the State Council on Developmental Disabilities.
I also sit on Dakota Center for Independent Living Board.

Please list the skills you feel you bring to the Transit Board:

I advocate for other riders and advocate for other Service Providers.

Please list two references and those individuals' contact information:

Julie Hornvet

[REDACTED]

Lori Gams

