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**GENERAL MANAGEMENT
Advisory Body Compensation Policy (ABCP)**

(GEN 62)

POLICY STATEMENT

Pursuant to the Board Approved Equity Platform (March 2018), Los Angeles County Metropolitan Transportation Authority (LACMTA) is committed to incorporating equity into all facets of LACMTA’s decision-making and genuinely engaging impacted communities in it’s processes, while continuously pursuing equitable outcomes in everything it does. This commitment includes investing resources to remove barriers and eliminate disparities in the participation of Black, Indigenous, People of Color (BIPOC) and other marginalized people in decision-making processes. This includes but is not limited to households with low-incomes, people with disabilities, immigrants, people with limited English proficiency, members of the lesbian, gay, bisexual, transgender and queer community, older adults, and youth. LACMTA acknowledges the systemic barriers and financial and emotional costs faced by BIPOC and other marginalized people in participating in LACMTA’s decision-making processes. The Advisory Body Compensation Policy (“Policy”) offers a compensation model designed to support and sustain participation by members of the public in advisory bodies across LACMTA’s portfolio.

PURPOSE

The Advisory Body Compensation Policy applies to LACMTA-established or sanctioned advisory bodies and is intended to determine when and how to compensate members of the public who serve on advisory committees.

APPLICATION

This policy applies to members of LACMTA-created or sanctioned advisory bodies.

Advisory body members are independent, and no language in the Policy will be construed to create the relationship of agent or employee, as between an advisory body member and LACMTA. Advisory body members will not be, or be construed to be, the employees or agents of LACMTA.

APPROVED: County Counsel or N/A

Department Head

ADOPTED: CEO

Effective Date: _____

Date of Last Review: _____



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1.0 GENERAL

The Office of Equity and Race will administer this policy by serving as a resource for departments through implementation, overseeing eligibility determinations, overseeing, and tracking compensation tier determinations in coordination with Community Relations, and leading policy review and updates, as necessary.

The department, office, or unit responsible for administering an advisory body will be responsible for ensuring a compensation tier determination is made, budgeting for, funding, and ensuring payment of compensation for that advisory body, submitting five-year reviews to the CEO, and otherwise implementing the policy, as necessary.

2.0 PROCEDURES

These procedures establish administrative guidelines for determining compensation of members of the public serving on advisory bodies.

2.1 Defining Advisory Bodies

Advisory bodies are LACMTA-created or sanctioned groups, regardless of name, that voluntarily provide input to LACMTA on program, project, and other issues, and develop recommendations, when requested, to enhance projects, programs, or other provisions. The primary purpose of advisory bodies is to provide LACMTA with input and/or expertise from the perspective of members of the public or experts in specific fields. Advisory bodies can also bring together members of the public with views that are not often heard by LACMTA. Below is a list of factors for determining whether a body is an eligible advisory body under the Policy. An eligible advisory body does not need to fulfill every qualifier listed below in order to be eligible for the Policy, nor is the list intended to be inclusive of all roles that advisory bodies may play at LACMTA.

Advisory bodies are groups that:

- Have defined roles, responsibilities, and membership
- Have members who offer specific or unique perspective, knowledge, skills, or experience which LACMTA may not have or otherwise adds value to LACMTA's work
- Provide input and recommendations to LACMTA on projects, scopes of work, programs, policies, budgets, and other provisions
- Review and evaluate the various transportation proposals and alternatives within Los Angeles County
- Provide technical input and assistance to LACMTA on issues affecting local transit systems or transportation programs in Los Angeles County



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- Assist LACMTA in improving and promoting bus and rail services to specific populations
- Assist LACMTA in improving and promoting transportation related projects and programs to specific populations
Provide independent oversight and enhanced level of accountability for expenditures of sales tax revenues made under the adopted expenditure plan(s)

Any new advisory body that is created or sanctioned by LACMTA will need to pose a unique or different value than existing advisory bodies and be reviewed for eligibility under the Policy.

2.2 Advisory Body Eligibility

Members serving on any formal advisory body, that has been or is created or sanctioned by LACMTA, are eligible for compensation under the Policy as of the effective date unless determined ineligible by the preceding legislation, charters or bylaws, or provisions in the Policy. Eligibility for the Policy may include informal advisory bodies that have been created by LACMTA and will be assessed on a case-by-case basis. Upon a determination that members of the public are asked to fulfill the same or similar roles as those described in compensation tiers below for informal advisory bodies, they will be eligible for compensation based on the tier that best fits their role. Groups that LACMTA participates in or facilitates but did not create or sanction will not be eligible for compensation under this Policy. Advisory bodies developed for project-based needs will be assessed on a case-by-case basis for eligibility under the Policy. Further information on the eligibility of project-based groups will be outlined in the forthcoming Implementation Guidelines.

2.3 Advisory Body Member Eligibility

All members of the public serving on LACMTA advisory bodies will be eligible for compensation regardless of immigration status, housing status, ability, or any other status that may be a barrier to participation. The Policy currently excludes LACMTA employees and any public agency, Councils of Governments, or elected office staff who serve on advisory bodies as part of their professional role. Members who 1) work for a contractor or organization holding an active contract with LACMTA and 2) participate or are listed in the contract activities, while serving on an advisory body are not eligible for advisory body compensation for the duration of the contract. This applies to all contractors, including non-profit organizations and community-based organizations. Once no longer under contract with LACMTA, an advisory body member may receive compensation. Further, the Policy only applies to members of the public who are formal members of LACMTA created and sanctioned advisory bodies. Application of the Policy to unofficial advisory bodies will be determined on a case-by-case basis.



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2.4 Advisory Body Member Tiers

The Policy has three tier categories for compensation: 1) Advise, 2) Advise and Prepare, and 3) Advise and Collaborate. The level of responsibility and roles of the advisory member increase with each tier, along with the compensation rate. Tiers focus on the advisory body member's potential time commitment, roles, and responsibilities while serving on the advisory body.

- The Advise tier applies to advisory body members that largely play the role of an advisor for LACMTA staff with minimal responsibilities outside of attending meetings.
- The Advise and Prepare tier applies to body members responsible for one to two hours of advance preparation for meetings on top of attending meetings.
- The Advise and Collaborate tier applies to members whose responsibilities include collaboration with other members, LACMTA staff, and/or other community members or external partners, to develop a shared vision and outcomes. The Advise and Collaborate tier should be applied when advisory members have a moderate to significant workload outside of advisory committee meetings.

Determination of an advisory body's categorization in a specific tier will be determined by the LACMTA department managing the respective advisory body, in consultation with the Office of Equity and Race and Community Relations.



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LACMTA Advisory Body Compensation Policy Tiers	
Tiers	Roles and Responsibilities
Advise	<ul style="list-style-type: none"> -Participate in advisory body meetings once a month or less -Provide feedback on topics discussed at the advisory body meeting -Includes light advance review of materials in preparation for meetings
Advise and Prepare	<ul style="list-style-type: none"> -Participate in advisory body meetings once a month or less -May participate in advisory subcommittees -Provide feedback on topics discussed at the advisory body meeting -Advise or provide feedback on pieces of LACMTA's scope of work, such as draft community engagement plans -May require 1-2 hours of advance review of materials or other preparation for meetings, including workgroup meetings, community engagement efforts, and other tasks per meetings
Advise and Collaborate	<ul style="list-style-type: none"> -Participate in advisory body meetings twice a month or more -Participate in advisory subcommittees -May require 2-4 hours of advance review of materials or other preparation for meetings, including readings, workgroup meetings, and other tasks per meeting -Provide input on how LACMTA will design, plan, and execute pieces of LACMTA's scope of work -Provide input on substantial scopes of work from LACMTA, provide expertise on topics that other technical consultants are typically compensated for -Support LACMTA with external outreach or engagement with the public, a particular community or population, an affiliated group, and/or community-based organizations (CBO) on topics addressed in the advisory body

2.5 Advisory Body Compensation Structure

The compensation structure has three tiers which align with the advisory body member tiers. Compensation will be provided on a per meeting basis, with a fiscal year maximum. Payments will be provided by a check or direct deposit, unless an alternate form of compensation is required, as described in section 2.5.6.

2.5.1 Compensation Structure

The Advise tier compensation rate is set on a per meeting attended basis, with each subsequent tier increasing per meeting, up to the CEO-approved maximum. Alternates encouraged to attend and/or that participate in their body meetings will be paid at lower rates than the assigned compensation tier for their advisory body. (See Attachment 1: Advisory Body Compensation Charts, Table 1 for



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current rates).

The Policy includes an annual cap on compensation totals for advisory body member participation for each fiscal year. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing higher compensation with justification. All advisory members will be compensated only for meetings attended, regardless of the advisory body meeting schedule. Advisory body members are responsible for determining accuracy of their meeting attendance, as discussed in section 2.5.6 below. Compensation will only apply to roles and responsibilities identified by advisory body administrators. Advisory body members will not be compensated for time spent on activities conducted outside of defined roles and responsibilities.

2.5.2 Subcommittee Meeting Rates

Advisory committee members may participate in both regular and subcommittee meetings. Some committees may include alternate and/or non-voting members who may only actively participate in subcommittee meetings. Participation in any subcommittee meetings will be compensated at a designated rate per meeting, regardless of whether the participant is a regular advisory committee member or an alternate/non-voting member, up to the cap rate for their compensation tier or member status. (See Attachment 1: Advisory Body Compensation Charts, Table 1 for current rates). Members of the public who participate in subcommittee meetings but are not regular or alternative members of the general advisory body will not be eligible for compensation under this Policy.

If an advisory body does not have existing subcommittees as of the effective date of the Policy, the body will need to have a process to define subcommittees and require approval from LACMTA staff who facilitate the body for subcommittee participation to be eligible for compensation. Advisory body members will be required to provide a justification for the creation of the subcommittee as well as identify scope. An acceptable justification may include a reason, such as regular body meetings not providing sufficient time to discuss critical topics relevant to the advisory body.

2.5.3 Maximum Compensation

Each compensation tier includes a maximum amount a participant may receive as a committee member in a single fiscal year. After a member's fiscal year maximum is reached, additional participation will be uncompensated until the start of the next fiscal year. Maximum compensation thresholds apply to eligible advisory bodies for each individual member. For example, if a member of the public serves on more than one LACMTA advisory body, that individual is subject to separate capped maximum compensation amounts for each separate advisory



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body.

Each department will be responsible for funding and tracking the compensation for advisory bodies they manage. A cap, or maximum, serves to manage budget and workload for each advisory body, but does not preclude a department from providing higher compensation with justification. It will be up to the individual discretion of the lead department, office, or unit to budget for, justify during the tier determination process, and provide compensation beyond the annual maximum compensation amount identified in the Policy. For projects that include advisory bodies in their scope of work, sufficient budget should be allocated for advisory member compensation at the determined tier.

2.5.4 Compensation Tier Determination

Each department, office, or unit responsible for administering an advisory body will submit their proposed compensation tier, maximum budget for the advisory body including any justification if higher than prescribed under the Policy, and documentation of Policy funding in the annual budget to the Office of Equity and Race and Community Relations for review of consistency with the Policy. Once the Office of Equity and Race and Community Relations approve the proposed compensation tier, LACMTA staff will commence payment of the advisory body. If the proposed compensation tier is determined to be inconsistent with the Policy, the lead department, office, or unit will be requested to resubmit for another round of review. If the lead department, office, or unit determines that the body is not eligible for compensation, a justification must be submitted for review and confirmation by the Office of Equity and Race. If the roles and responsibilities of an advisory body change or expand, the lead will be required to submit for another review of the compensation tier for that body. Further guidance on compensation tier determination will be provided in the Implementation Guidelines.

2.5.5 Memorandum of Understanding and Compensation Agreement

Advisory members who serve on a body without existing bylaws and charters must sign a Memorandum of Understanding (MOU) that summarizes the roles and responsibilities for participation on their advisory body and the determined compensation tier. The MOU provided with the Policy is meant to serve as a template for advisory bodies and should be amended to fit application to eligible bodies as necessary. Bodies with existing bylaws and charters will be required to amend their bylaws and charters with the compensation tier determination and updated roles and responsibilities, and payment details as applicable by the Policy.

Receiving compensation from LACMTA is entirely voluntary and is not required.



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Members of the public can choose to opt in or out of receiving compensation from LACMTA via the Compensation Agreement which all advisory body members will be required to sign. Compensation Agreements will be valid for the length of the advisory body's established term or one fiscal year for advisory bodies without established terms. Compensation Agreements will require annual review and updates only if needed to reflect any changes in membership or anything that would affect a member's eligibility, the advisory body's tier status determination, or the payment agreement among advisory body members.

If an advisory body member wishes to change their opt-out decision during the fiscal year after a Compensation Agreement was finalized, they will need to request a change with a staff representative of the LACMTA department managing their advisory body to determine budget and administrative feasibility for a mid-year change. Retroactive payment will not apply for the period the member opted out of payment.

All advisory members who receive compensation will also be required to submit a W4 and/or other required documentation if a compensation alternative is needed.

2.5.6 Payment Processing

Advisory body members will be paid within one (1) month of their last meeting, pending confirmed attendance of each meeting. It is the responsibility of advisory body members to clarify or correct inaccurate record of their meeting attendance with the managing LACMTA staff of the advisory body. Compensation alternatives will be available for advisory body members who may require compensation in a form other than check or direct deposit.

Payment will be issued via check or direct deposit unless a member requires a compensation alternative. Members who request a check will have it mailed to the address provided or will be able to pick up checks at LACMTA Headquarters or a Division nearest to them. Office, department, or unit leads must notify advisory body members of the option to pick up checks at nearby LACMTA Divisions if an alternative is requested.

2.6 Compensation Alternatives

2.6.1 Compensation Alternatives Criterion

This Policy seeks to reduce barriers to advisory body participation for all members of the public. Compensation alternatives are available to accommodate advisory body members who may not be able to accept compensation in the form of a check or direct deposit. Reasons for requesting compensation alternatives must be kept private and not impact the participation of an advisory body



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member. Compensation alternatives will only be available for advisory members who qualify for any of the following criterion:

- The advisory body member is unbanked and/or unable to open a financial institution account;
- The advisory body member is a minor under the age of 18 years old;
- The advisory body member concurrently receives social or public benefits during their tenure **and** additional forms of income would make them ineligible for these existing benefits; and/or
- The advisory body member does not have a United States Social Security card or number.

If an advisory body member qualifies under one or more of the criterion above, LACMTA may provide potential payment alternatives such as pre-paid cards, gift cards, or an LACMTA-provided TAP Card at an amount equal to the member's determined compensation rate. Some compensation alternatives may still be considered income and may not be a suitable alternative for those who receive social benefits and for whom additional forms of income would make them ineligible for these existing benefits. Additional compensation alternatives are being explored and will be finalized in the forthcoming Implementation Guidelines.

2.6.2 Compensation Alternative Eligibility Review

Eligibility for alternative compensation will be reviewed by an inter-departmental team comprised of representatives from the Office of Equity and Race and Community Relations on an as-needed basis. Eligibility for alternative compensation accommodations would be set for the tenure of an advisory member's service on all LACMTA advisory bodies unless the member requests a re-evaluation due to a change in eligibility. Acceptable changes in eligibility are loss, or a reasonable anticipation of loss, of social or public benefits, an advisory member becoming eligible to receive compensation via check or digital transfer or change in possession of a Social Security number.

2.7 Compliance Oversight

The Policy and all activities will be monitored on an annual basis through an independent review and/or audit performed by LACMTA Management Audit Services to ensure compliance by all LACMTA-created or sanctioned advisory bodies.

2.8 Participation Support

Participation support is a tool for promoting more equitable outcomes for members of the public who may experience barriers to participating in advisory bodies. It includes



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resources provided to facilitate public participation in advisory body meetings, such as food, childcare, transportation, translation/live interpretation, and other incentives that facilitate public participation towards equitable outcomes. Participation support is different from compensation and should not be considered a replacement for compensation as established by this Policy.

2.9 ABCP Best Practices

The following best practices are to be implemented with every advisory body that is eligible under the Policy. ABCP best practices are meant to support staff in implementation of the Policy and ensure that implementation is consistent. They are as follows:

- Build advisory body compensation costs into department budgets annually.
- Advise members that compensation received as part of the advisory body constitutes income and could impact any public benefits.
- Determine and clearly communicate compensation tiers and payment methods before any participation begins.
- Issue payment to advisory body members within one (1) month of their last meeting, pending confirmed attendance of each meeting.

The Office of Equity and Race will regularly review the ABCP best practices, incorporating internal and/or external agency practices, as appropriate.

3.0 Sunset Dates

Existing advisory bodies, with the exception of those governed by legislation, will have sunset dates established every five years from the date of their tier determination for a review of the body's scope, role, compensation tier, and accomplishments, to be evaluated by the CEO. Sunset dates will be up to five years after the Policy tier determination date for existing and future advisory bodies.

4.0 DEFINITION OF TERMS

Compensation Alternatives – Payment accommodations, such as general gift cards or pre-paid cards, available to advisory body members who may be unbanked, who concurrently receive social or public benefits during their tenure and where additional forms of income would make them ineligible for these existing benefits, and/or who do not have a United States Social Security card or number.

Compensation Agreement – A signed payment agreement between the advisory body members and LACMTA that outlines requirements to receive payment and allows the advisory body member to opt in or out of receiving payment.



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Memorandum of Understanding (MOU) – An agreement made between LACMTA and the advisory member that outlines roles and responsibilities, expectations, compensation tier, payment process and timeline, and schedule.

Social or Public Benefits – Payments received by an individual for membership or eligibility in various government programs including, but not limited to, Social Security, Disability (short-term, Social Security, veterans, workers' compensation, long-term, retirement, etc.), Family and Medical Leave Act (FMLA) or Pregnancy Disability Leave, CalFresh, Women, Infants, & Children (WIC), Medi-Cal or Health Care/Coverage, and/or Unemployment.

Unbanked Populations – Members of the public who may not have a bank account or may be unable to open a financial institution account that can receive direct payment from LACMTA.

5.0 RESPONSIBILITIES

Community Relations reviews compensation tiers for each advisory body and requests for compensation alternatives.

Management Audit Services (MAS) will conduct annual audits of advisory body compliance and compensation.

Office of Equity and Race oversees implementation of the Policy; oversee advisory body eligibility determinations; advises departments, offices, or units on Policy implementation; reviews compensation tier for each advisory body; reviews requests for compensation alternatives

Office, Department or Unit Leading Advisory Body determines and submit compensation tier review for each advisory body it leads; submits requests for compensation alternatives; executes MOUs and Compensation Agreements with advisory body members; budgets appropriate funding for payment of advisory body members from the office, department, or unit's budget; and submits attendance forms to Payroll for payment of advisory body members.

Payroll issues payment to advisory body members for bodies with completed attendance form

6.0 FLOWCHART

Not applicable.

7.0 REFERENCES



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- Metro Equity Platform (2018)

8.0 ATTACHMENTS

1. Advisory Body Compensation Charts
2. Memorandum of Understanding
3. Compensation Agreement

9.0 PROCEDURE HISTORY

XX/XX/21 New policy