

Southwest Iowa Planning Council
Equal Employment Opportunity Policy



Approved by the Policy Council

December 2023

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1.0 Statement of Policy

Southwest Iowa Planning Council has a strong commitment to the community we serve and our employees. As an equal opportunity employer, we strive to have a workforce that reflects the community we serve. No person is unlawfully excluded from employment opportunities based on race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age, genetic information, disability, veteran status, or other protected class.

Southwest Iowa Planning Council's Equal Employment Opportunity (EEO) policy applies to all employment actions, including but not limited to, recruitment, hiring, selection for training, promotion, transfer, demotion, layoff, termination, rates of pay or other forms of compensation.

All applicants and employees have the right to file complaints alleging discrimination. Retaliation against an individual who files a charge or complaint of discrimination, participates in an employment discrimination proceeding (such as an investigation or lawsuit), or otherwise engages in protected activity is strictly prohibited and will not be tolerated.

Southwest Iowa Planning Council is committed to providing reasonable accommodations to applicants and employees who need them because of a disability or to practice or observe their religion, absent undue hardship.

As Southwest Iowa Planning Council's Executive Director, I maintain overall responsibility and accountability for Southwest Iowa Planning Council's compliance with its EEO Policy and Program. To ensure day-to-day management, including program preparation, monitoring, and complaint investigation, I have appointed Daurine Petersen, SWIPCO's human resources coordinator, as Southwest Iowa Planning Council's EEO Officer. The EEO Officer will report directly to me and acts with my authority with all levels of management, and employees.

EEO Officer Contact Information

Daurine Petersen, Human Resources Coordinator

Southwest Iowa Planning Council

1501 SW 7th St.

Atlantic, IA 50022

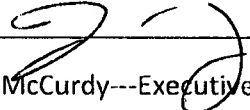
(712) 243-4196 x. 230

daurine.petersen@swipco.org or swipcoeeo@gmail.com

All Southwest Iowa Planning Council management share in the responsibility for implementing and monitoring Southwest Iowa Planning Council's EEO Policy and Program within their respective areas and will be assigned specific tasks to ensure compliance is achieved. Southwest Iowa Planning Council will evaluate its managers' and supervisors' performance on their successful implementation of Southwest Iowa Planning Council's policies and procedures, in the same way Southwest Iowa Planning Council assesses their performance regarding other agency goals.

Southwest Iowa Planning Council is committed to undertaking and developing a written nondiscrimination program that sets forth the policies, practices and procedures, with goals and timetables, to which the agency is committed and make the EEO Program available for inspection by any employee or applicant for employment upon request.

I am personally committed to a workplace that acts upon its daily responsibility to treat all applicants and employees with dignity and respect, as well as equitably under the guidelines of our EEO Policy and Program.



John McCurdy---Executive Director

11-27-23
Date

1.1 Scope

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between Southwest Iowa Planning Council and its employees, including:

- Recruitment
- Employment
- Promotion
- Transfer
- Training
- Working conditions
- Wages and salary administration
- Employee benefits and application of policies

The policies and principles of EEO also apply to the selection and treatment of independent contractors, personnel working on our premises who are employed by temporary agencies and any other persons or firms doing business for or with Southwest Iowa Planning Council.

1.2 Designation of Personnel Responsibility

The Equal Employment Opportunity Officer (EEO Officer) reports directly to the Executive Director. Among other work responsibilities, the EEO Officer periodically reviews employment practices policies (e.g. hiring, promotions, training) complaint policies, reasonable accommodation policies, and performance evaluations, and recommends changes in such policies and processes to the Executive Director, and implements any changes as necessary. Because we are a relatively small agency, identifying an executive level staff member who would have minimal conflicts of interest related to human resources is difficult. Upon review of the Circular 4704.1A, specifically part 2.2.3, it was determined that Human Resources Coordinator Daurine Petersen is best positioned to fill the role of EEO Officer. Ms. Petersen is actively involved with all departments, but does not have the authority to make hiring/firing decisions. She has the most training and exposure to human resources best practices. The Executive Director appointed Ms. Petersen to the EEO officer position upon her designation as the Human Resources

Coordinator. The Executive Director directed the EEO Officer to review and complete the following tasks and report her findings annually:

- Conduct a compliance review of the EEO Program using FTA C.4704.1A
- Conduct an internal review of the New Hire Process for EEO Compliance
- Conduct EEO training for all managers and supervisors
- Conduct a compliance review of all subcontractor EEO Programs (Attachment 3.0)

Thereafter, the EEO Officer's duties and responsibilities will include:

- Reporting at least annually to the Executive Director on the agency's progress in relation to agency goals and on contractor and vendor EEO compliance.
- Developing the EEO policy statement and a written EEO Program
- Assisting management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables, and developing programs to achieve goals.
- Reviewing SWIPCO's nondiscrimination plan (Title VI Plan) with all managers and supervisors to ensure the policy is understood.
- Concurring in the hiring and promotion process.
- Serving as the liaison between SWIPCO, Federal, state, county, and local governments, regulatory agencies, minority, women, disability organizations, and other community groups.
- Maintaining awareness of current EEO laws, and ensuring the laws affecting nondiscrimination are disseminated to responsible officials.
- Investigating EEO complaints.
- Providing training for employees and managers.
- Auditing postings of the EEO policy statement to ensure compliance information is posted and up to date.

While the EEO Officer is primarily responsible for implementing SWIPCO's EEO Program, all officials, managers, and supervisors are responsible for ensuring EEO and must not discriminate based on a protected class.

Should an EEO complaint involve the EEO officer, the complainant should first contact the executive director. Should the EEO complaint involve both the EEO officer and the executive director, the complainant should contact the chairperson of the SWIPCO policy council, currently:

Todd Valline
Shelby County Develop Source
1901 Hawkeye Ave, Suite 101
Harlan, IA 51537
712.755.2114
director@exploreshelbycounty.com

EEO responsibilities for agency officials, supervisors, and managers include:

- Participating actively in periodic audits of all aspects of employment to identify and remove barriers obstructing the achievement of specified goals and objectives.
- Holding regular discussions with other managers, supervisors, employees, and affinity groups to ensure agency policies and procedures are being followed.
- In conjunction with the EEO Officer, maintaining and updating the personnel database for generating reports required for the nondiscrimination program.
- Cooperating with the EEO Officer in review of information and investigation of complaints.
- Encouraging employee participation to support the advancement of the EEO Program (e.g. professional development and career growth opportunities, posting promotional opportunities, shadowing, and mentoring).

1.3 Dissemination and Implementation of Policy

The officers of Southwest Iowa Planning Council will be responsible for the dissemination of this policy. The Executive Director and department Directors are responsible for implementing equal employment practices within each department. The EEO Officer/Human Resources Coordinator is responsible for overall compliance and will maintain personnel records in compliance with applicable laws and regulations.

Other forms of dissemination of this policy include the following internal and external processes:

Internally:

- The EEO policy shall be included in all policy manuals and or handbooks.
- Periodically the Executive Director shall provide additional information related to the EEO policy, this shall be done via written communication to all staff.

- All office employees will be required to attend EEO training to familiarize themselves with the EEO policy.
- All new hires are required to complete EEO training upon hire. This training will include a review of the entire EEO policy
- Copies of the EEO policy and complaint form will be posted in the entryways of Southwest Iowa Planning Council as well as in the Human Resources office.
- The management team, comprising the Executive Director, Transit Director, Administrative Services Director, and Finance Manager, Community Development Director, and Human Resources Coordinator/EEO Officer shall meet at least semi-annually to discuss the EEO program and its implementation.
- All new supervisors or managers shall receive additional EEO training within 90 days of their hire/appointment. The EEO Officer conducts EEO training for all staff personnel at least annually.
- At least annually meetings will be held with all employees and affinity groups to seek input on the program implementation. These meetings shall be held at times and locations to allow for the greatest possible participation.

Externally:

- SWIPCO provides in all notices of job opportunities, that Southwest Iowa Planning Council is an Equal Opportunity Employer and does not discriminate in hiring practices.
- The EEO policy and complaint form shall be available on Southwest Iowa Planning Council's website: www.swipco.org.

1.4 Assessment of Employment Practices

Recruitment and Selection Practices:

Southwest Iowa Planning Council seeks to recruit and hire the best possible candidates for all positions regardless of race, color, religion, national origin, sex (including gender identity, sexual orientation, and pregnancy), age, genetic information, disability, veteran status, or other protected class. To that end, it is the agency's policy to advertise all positions not only locally, but through the State of Iowa's employment services website, which is available to any potential applicant.

All positions have job descriptions that are updated periodically. These job descriptions outline the necessary duties for the position, and if a physical requirement must be met for employment without accommodation or restriction.

Application forms and/or resumes as appropriate are used to assess candidates' abilities to meet basic requirements. Physical ability to perform a job task is evaluated post offer through a Physical Capacity Profile test, administered by a third party medical facility. Should an employee or potential employee not attain the physical clearance to perform a job function, a plan to accommodate this restriction is developed with the supervisor, if such accommodation is possible, and approved by the Executive Director.

Employees' performance is evaluated at least annually, based on the duties listed in their job description and the policies outlined in the Administrative Policies and the Employment Policies. Wage changes, promotions, demotions, or changes in duties or position are based on the evaluation of the employee's performance and compliance with policies and procedures.

The Agency conducts recruitment efforts as needed, which is typically ongoing for driving positions, and as vacancies arise in all other positions. Recruitments include job descriptions and the application forms, which are placed on the SWIPCO web page, on a jobs board at the SWIPCO office, on the state's employment website, and in newspapers with general circulation in the region. Notification of recruitments is also provided at job fairs. Notices of positions available are also posted on SWIPCO and SWITA's social media accounts.

The Executive Director or the Transit Director inform the Human Resources Coordinator when a vacancy exists. The parameters of the position are determined (whether it requires a new position description or is a currently defined position) and the HR department initiates advertisement of the position. If the position is in a specialized field, such as urban and regional planning, additional recruitment efforts specific to that field, such as on trade websites or journals, will be evaluated and used as appropriate.

The Human Resources Coordinator reviews applications currently on file for potential candidates and on all applications handles initial processing of applications and reviews them for completeness and basic qualifications. Driver applicants are interviewed by the Transit Director

and the Human Resources Coordinator. Ten (10) standard questions have been developed to be asked to all applicants, in the same order, to ensure fairness and consistency in the interview process.

Human Resources also conducts Department of Homeland Security, criminal, Motor Vehicle Record, and national sex offender registry checks on safety sensitive positions. Office staff interviews are drawn from the total applicant pool for that position and interviews are conducted by the department head, the Executive Director, and human resources.

To become employed all driver staff must obtain at least a Class C CDL with passenger endorsement.

SWIPCO does not discriminate on the basis of disability or veteran status, nor does assign preference points in hiring or retention based on veteran status.

All safety sensitive employees, which includes those with driving duties or dispatch duties, must pass an FTA pre-employment drug test and participate in the drug testing pool.

Testing

New hires take a Physical Capacity Profile (PCP) test administered by one of the designated healthcare providers. This test establishes a baseline of physical ability that corresponds with the job description. If an individual is not physically able to meet the baseline requirement for the position, then in consultation with the employee an accommodation plan is developed, if such accommodation is deemed possible and reasonable. This testing is also conducted following an injury or prolonged illness in accordance with SWIPCO's return to work policy, and is also conducted at 5-year intervals. Drivers must attain a level 2.5 on PCP testing in order to be employed without restriction. A common restriction/accommodation would be to restrict a driver with a lower PCP score from transporting clients in wheelchairs, as this often involves additional bending, reaching, and lifting to safely secure the client. Office staff must achieve a level 2 on PCP testing in order to be employed without restriction.

SWIPCO does not conduct across the board written aptitude testing. However, drivers must be able to pass the testing requirements established and administered by the Iowa Department of Transportation in order to secure their commercial driver's license. Certain positions, such as those that require specific technical skills such as word processing or specific computer software, such as GIS mapping programs, may be asked to either provide samples of relevant work that relates to the position or as part of the interview process may be asked to complete scenarios to demonstrate competency in these programs. Before any such testing is conducted, it is evaluated by the management team to ensure relevancy to the skill required to complete the position and that it conforms to the written job description. Should special accommodation be requested to complete the exercise, that would be considered by the management team and arrangements made.

Seniority

Seniority is measured from the date of hire for benefit purposes, such as calculating vacation time because this increases on a set scale over time for office staff. Should an individual change positions, their seniority in that position commences from the date of change, though they retain their total years of service for computation of benefits, etc. Seniority is considered as a basis of promotion or retention in cases where employees may otherwise be similarly qualified. For example, should there be an instance where SWIPCO had two equal positions but for financial reasons needed to eliminate one of these positions, the individual with the most seniority would be given preference in the employment decision making process over the more junior employee.

Training

Training is conducted at initial hiring and then is ongoing. At hire drivers receive in-the-office training over the course of at least two days. During this training, all policies and procedures are covered. Also, safety, defensive driving, wheelchair handling, bus familiarization and upkeep, use of tracking software, and administrative paperwork training is carried out. The human resources coordinator, transit director, transit coordinator, transit assistants, and fleet mechanic all conduct components of this training. Drivers then conduct a period of ride alongs with experienced drivers who are conducting routes similar to those that the driver is anticipated to undertake. Twice a year all drivers must attend a driver meeting with other transit staff. At this meeting, new policies and procedures are discussed, and additional hands on training (such as fire extinguisher refresher training) is conducted. CPR/First Aid training is also conducted following the driver meetings, and at two other times throughout the year. Each driver is also assigned online safety training on topics provided by SWIPCO's worker's compensation insurance provider. These trainings are tracked, and if not completed in the allotted time, drivers must complete the training with the human resources coordinator. Similarly, office staff receive initial and ongoing training relative to their duties. All new hires have an initial training with the human resources coordinator to go over office policies and procedures. They then conduct on the job training with their peers and supervisor. All office staff are assigned online safety training on topics provided by SWIPCO's worker's compensation insurance provider. These trainings are tracked, and if not completed in the allotted time, staff must complete the training with the human resources coordinator. Monthly staff meetings are held, at which time new policies and procedures are discussed as necessary, and periodically office wide safety training is a component on this, such as winter driving techniques prior to the snow season.

Disciplinary Procedures and Termination Practices

Supervisors manage employees with disciplinary problems through progressive discipline. This typically involves first a verbal warning. If the behavior/performance does not improve, then a written warning will be issued and included in the employee's personnel file. If the behavior/performance does not improve then an additional written warning may be issued, or the employee may be terminated. All terminations are approved by the executive director.

SWIPCO reserves the right to accelerate the disciplinary process in instances where egregious violations of the employment policies exist. Employees may appeal their termination to the executive committee of the policy council, whose decision is final.

1.5 Monitoring and Reporting Systems

An important part of any successful EEO Program is the establishment of an effective and implementable internal monitoring and reporting process.

The methods to monitor the EEO components identified in the plan include:

The EEO Officer shall-

- Document all reported complaints. This documentation shall include initial complaint, investigation results and action taken.
- Review job descriptions and job announcements to ensure compliance with EEO requirements.
- Develop methods for gathering statistical data on applicants in order to track the effectiveness of EEO policies and practices and make that information available to policy makers. This data shall be kept separately from other employee forms and information and shall only be used by the agency for policy evaluation, tracking, and reporting.
- The EEO Officer will meet at least annually with the Executive Director to review the state of SWIPCO's EEO program.

Monitory Complaints

Complaints will be documented in both a physical EEO folder maintained in a secured cabinet to which the EEO officer has access, and to a limited access electronic folder on SWIPCO's internal server. The current status of each complaint shall be noted, as well as how long the complaint has been open, as well as any action required and the status of that action. Any EEO complaint that results in a disciplinary action against an employee shall be documented in that employee's personnel file in the same way as any other disciplinary action.

Similarly, each sub-recipient or contract will be monitored annually by the EEO officer. This monitoring will include an initial review of the sub-recipient/contractor's EEO policy. Statistical information on employment actions and any complaints and their status will also be gathered and reviewed.

Monitoring Subrecipients

The EEO officer will conduct annual visit with all subrecipients of FTA funding to review the quality of the subrecipient's EEO program. Corrective action plans will be developed for any program deficiencies. Serious deficiencies or failure to implement corrective action plans shall be grounds for termination of the subrecipient's services.

Of the eight (8) subrecipients identified in Attachment 3, only three (3) have employees necessitating an EEO Program (Trivium Life Services, Nishna Productions, and Concerned Incorporated). The other subrecipients either are independent sole contractors or have independent contractors and/or volunteers performing the work.

Staci Hess oversees subrecipient Concerned Incorporated's EEO Program. Their Employee Guide contains an EEO Policy Statement, as well as an EEO Complaint form. All employees receive the Guide and are trained in EEO policies and procedures at the time of hire. As the Human Resources Director, Hess ensures copies of the EEO Policy are placed in high visibility areas. Concerned Incorporated's Employee Guide, new applicant promotional handout, and the Customer guide, all reference the organization's EEO policy. Hess confirmed that there have been no changes in the policies and procedures. The EEO statements and policy are posted in her office, on the production floor, and by the copier on the main floor of the building. There are copies located in the ADS program and HCBS areas as well.

Marsha Gerlach is the Director of Human Resources at subrecipient Trivium Life Services. Brad Schroeder is their VP of Human Resources. The organization has an EEO policy that is posted in areas that are readily visible to employees. Schroeder provided SWIPCO with a copy of their Equal Employment Opportunity Policy. All new employees are required to read an electronic copy of the EEO policy and acknowledge their understanding of the policy and the grievance/complaint procedures. The EEO Policy was updated in October 2022.

Monica Bartlett with subrecipient Nishna Productions confirmed details about their EEO policy. The company's EEO practices and complaint procedures can be found in the Employee Handbook, and training is provided during the orientation process. Each employee must sign an acknowledgment that they have received training, read, and understand the policies. Bartlett confirmed that neither the policies nor process changed in 2023.

1.6 Contacts

Southwest Iowa Planning Council

1501 SW 7th St., Atlantic, IA, 50022

TF 1-866-279-4720

Fax 712-243-3458

Daurine Petersen--EEO Officer/Human Resources Coordinator Daurine.Petersen@swipco.org

John McCurdy—Executive Director John.McCurdy@swipco.org

Mark Lander---Transit Director Mark.Lander@swipco.org

Karen Mauer---Administrative Services Director Karen.Mauer@swipco.org

Annual Data Update

For year ending September 30, 2023

Hires

Position	Total	Male Applicants	Female Applicants	Minority	Number of Hires	Male/Female
<i>Driver</i>	69	51	18	1	25	20/5
<i>Building Inspector</i>	1	1	0	0	0	NA
<i>Transit Scheduler I</i>	8	2	6	0	0	NA
<i>Comm Dev Spec II</i>	10	3	7	2	0	NA
<i>GrantSpec 10/22</i>	2	0	2	0	1	0/1
<i>Community Dev. Director 2/23</i>	14	11	3	0	1	0/1
<i>Safety Coordinator 8/23</i>	1	1	0	0	1	1/0
<i>Grant Spec 8/23</i>	1	0	1	0	1	0/1
<i>Communications Coordinator 8/23</i>	1	1	0	0	1	1/0
<i>Scheduler I 9/23</i>	15	2	13	1	1	0/1

Veteran or disability status was not tracked.

Terminations

Position	Total	Male	Female	Minority
<i>Driver</i>	32	24	8	1
<i>Office FT Staff</i>	4	0	4	0

**ATTACHMENT 1
EEO Complaint form**

Complainant: _____

Please complete this form in its entirety. This will assist the EEO officer in better understanding and handling your complaint. You will be referred to as the complainant, the one who is filing the complaint, throughout the process. Please submit this form to the EEO officer, Daurine Petersen, either to her attention at 1501 SW. 7th St., Atlantic, IA 50022 or via email at daurine.petersen@swipco.org or swipcoeeo@gmail.com.

COMPLAINANT INFORMATION

Name: _____

Street Address: _____ **City:** _____ **State:** _____ **Zip:** _____

Home#: _____ **Work#:** _____ **Cell#** _____

E-Mail Address: _____

Job Title: _____ **Department:** _____

Immediate Supervisor: _____

ALLEGED DISCRIMINATION

Check all that apply

- Age Color Disability Gender/Sexual Harassment
- National Origin Race Religion Retaliation
- Veteran Other

Check if additional pages are attached

1. Who is your complaint against?

2. Date(s) alleged discrimination occurred.

3. Explain the circumstances surrounding your complaint.

4. Do you have direct evidence to support your complaint, i.e. E-Mails, memos, recorded conversations, performance evaluations, etc.? If so, please explain.

5. In your work environment, has there been a pattern or practice that has occurred similar to the complaint you are filing? If so, please explain.

6. Was there a reason given for the alleged action taken against you? Example: Organizational restructuring, budget cuts, etc. If so, please explain.

7. Have you discussed your concerns with management? If so, please explain.

What resolution would you like to occur?

- Mediation Additional training Formal Grievance
- No Further Action Meeting with Management Other

Your signature certifies that the information collected on this form is true and accurate.

Signature: _____ **Date:** _____

ATTACHMENT 2

EEO Demographic Self Identification Form

Required Information

Name: _____ **Date of Application:** _____

Position(s) for which you are applying: _____

Voluntary Information

SWIPCO is a government contractor and to comply with the regulations for equal employment opportunity and affirmative action (EEO/AA), we must track our applicants by gender and race/ethnicity and the position they applied for to the government. We are an organization that values diversity and encourages women and minorities to apply. For this reason, we invite you to indicate your gender and race/ethnicity below. This information is kept separate from your application.

Submission of this information is voluntary and refusal to provide it will not subject you to any adverse treatment. Responses will remain confidential within the Human Resources Department; and will be used only for the necessary information to include in our Affirmative Action, Equal Employment Opportunity Program and reporting requirements to the government. When reported, data will not identify any specific individuals.

Gender: Male Female

Definitions of race/ethnicity are on the next page (as defined by the Equal Employment Opportunity Commission).

Race/Ethnic Identification (check one):

Are you Hispanic or Latino? Yes No

If you answered “Yes” you have completed this form. If you answered “No” please select a race from the options below.

- | | |
|---|--|
| <input type="checkbox"/> White (Not Hispanic or Latino) | <input type="checkbox"/> American Indian or Alaska Native (Not Hispanic or Latino) |
| <input type="checkbox"/> Black or African American (Not Hispanic or Latino) | <input type="checkbox"/> Two or More Races (Not Hispanic or Latino) |
| <input type="checkbox"/> Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) | <input type="checkbox"/> I do not wish to disclose. |
| <input type="checkbox"/> Asian (Not Hispanic or Latino) | |

Definitions of race/ethnic categories

Hispanic of Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above five races.

ATTACHMENT 3

List of Subrecipients

<u>Entity</u>	<u>Service</u>
Faith In Action 1003 Indiana St. Sidney, IA 51652 (712) 374-2093	Transportation
Trivium Life Services 4201 River's Edge Parkway #200 Council Bluffs, IA 51501 (712) 256-7888	Transportation
Nishna Productions 207 S. 3 rd St. Red Oak, IA 51566 (712) 623-4362	Transportation
Bluffs Taxi 645 9th Ave. Council Bluffs, IA 51503 (712) 322-5505	Transportation
Clarinda Area Volunteers Pat Bogdanski 614 N 15th Clarinda, IA 51632 npboe@mchsi.com kdinnebier@mchsi.com	Transportation
Concerned Incorporated 1812 Industrial Pkwy Harlan, IA 51537 (712) 755-5834	Transportation

(Updated 9-7-2023)

