

# **LIVINGSTON ESSENTIAL TRANSPORTATION SERVICE**

## **TITLE VI COMPLAINT PROCEDURES**

This section outlines the Title VI complaint procedures related to providing programs, services, and benefits. However, it does not deny the complainant the right to file formal complaints with L.E.T.S. Equal Employment Opportunity Commission, Federal Transit Administration, or seek private counsel for complaints alleging discrimination, intimidation, or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs receiving federal financial assistance.

### **GENERAL**

Any person who believes that he or she individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, or national origin as noted below may file a written complaint with the L.E.T.S. Operations Manager. Complainants have the right to complain directly to the appropriate Federal Agency. Every effort will be made to obtain early resolution of complaints. The option of informal meeting(s) between the affected parties and the Title VI Operations Manager may be utilized for resolutions. The L.E.T.S. Operations Manager will notify the L.E.T.S. Director of all Title VI complaints as well as all resolutions.

### **PROCEDURE**

1. The complaint must meet the following requirements:
  - a. Complaint shall be writing and signed by the complainant(s). In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The L.E.T.S. Operations Manager will interview the Complainant and assist the person in converting verbal complaints to writing. All complaints must, however, be signed by the complainant or his/her representative.
  - b. Include the date of the alleged act of discrimination date when the Complainants became aware of the alleged act of discrimination; or the date on which that conduct was discontinued or the latest instance of conduct.
  - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.
  - d. Federal and state law requires complaints be filed within 180 calendar days of the alleged incident.
2. Upon receipt of the complaint, the L.E.T.S. Operations Manager will determine its jurisdiction, acceptability, need for additional information, as well investigate the merit of the complaint.
3. The complainant will be provided with a written acknowledgement that L.E.T.S. has either accepted or rejected the complaint.

4. A complaint must meet the following criteria for acceptance:
  - a. The Complaint must be filed within 180 days of the alleged occurrence
  - b. The allegations must involve a covered basis such as race, color, or national origin.
  - c. The allegation must involve a LETS service as a Federal-aid recipient.
  
5. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
  - c. The complainant can not be located after reasonable attempts.
  
6. Once LETS Operations Manager decides to accept the complaint for investigation, the complainant will be notified in writing of such determination. The complaint will be logged into the LETS database identifying; Complainant's name, basis, alleged harm, race, color, and national origin of the complainant.
  
7. In cases where LETS Operations Manager assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, LETS Operations Manager will prepare an investigative report for review by the Department Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
  
8. The investigative report and its findings will be reviewed by the Department Director and in some cases the investigative report and findings will be reviewed by Livingston County Human Resources/Employee Relations Director and if deemed necessary it will be reviewed by LETS legal counsel. The report will be modified as needed.
  
9. The Livingston County Human Resources/Employee Relations Director (and if necessary the LETS legal counsel) will make a determination on the disposition of the complaint.
  
10. Notice of disposition will be mailed to the complainant. Notice shall include information regarding appeal rights of complainant and instructions for initiating such an appeal. Notice of appeals are as follows;
  - a. LETS will reconsider this determination, if new facts come to light.
  - b. If Complainant is dissatisfied with the determination and/or resolution set forth by LETS, the same complaint may be submitted to the FTA for investigation. Complainant will be advised to contact the Federal Transit Administration, Office of Civil Rights, Region V, 200 West Adams Street, Suite 320, Chicago, IL 60606, telephone 312-353-2789
  
11. A copy of the complaint and LETS investigation report/letter of finding and Final Remedial Action Plan, if appropriate will be issued to FTA within 120 days of the receipt of the complaint.
  
12. A summary of the complaint and its resolution will be included as part of the Title VI updates to the FTA.

## RECORDKEEPING REQUIREMENT

The Livingston County Human Resources/Employee Relations Director will ensure that all records to LETS Title VI Complaint Process are maintained with department records.

Records will be available for compliance review audits.