



FHWA Title VI Complaint Form And Procedures

If you would like to submit a Title VI complaint to the Southwest Washington Regional Transportation Council that is not related to the Human Services Transportation Plan, please fill out the form below and send it to: Southwest Washington Regional Transportation Council, Attn: Title VI Coordinator, PO Box 1366, Vancouver, WA 98666-1366. For complaints related to the Human Services Transportation Plan or process please fill out the form under the FTA complaint procedure. For translation or other assistance, please contact the Title VI Coordinator at 564-397-6067 or TitleVI@rtc.wa.gov. For a copy of RTC's full Title VI Plan, see www.rtc.wa.gov/info/titleVI or contact TitleVI@rtc.wa.gov.

Name _____

Address _____ City _____ Zip _____

Phone: Home _____ Work _____ Mobile _____

Best time of day to contact you about this complaint: _____

Email: _____

Basis of Complaint (circle all that apply):

| | | |
|------|-------|--|
| Race | Color | National Origin (includes language access) |
|------|-------|--|

Date of alleged incident: _____

Who discriminated against you?

Name _____

Name of Organization _____

Address _____ City _____ Zip _____

Telephone _____

Explain what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. If you have any other information about what happened, please attach supporting documentation to the form. (Attach additional pages if more space is needed.)

FHWA Title VI Complaint Procedures

Federal law prohibits discrimination on the basis of race, color, or national origin in any RTC program, service, or activity. This prohibition applies to all branches of the RTC, its contractors, consultants, and anyone else who acts on behalf of the RTC.

Complaints related to any federal-aid programs that are not related to the Human Services Transportation Plan may be filed with RTC and will be forwarded to the Washington State Department of Transportation (WSDOT) Office of Equity and Civil Rights. For complaints related to the Human Services Transportation Plan, please use the FTA form and process outlined in the next section. If you need assistance to file your complaint or need interpretation services, please contact the RTC Title VI Coordinator at TitleVI@rtc.wa.gov or 564-397-6067.

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any RTC program, service, or activity because of their race, color, or national origin may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

These procedures cover any complaints filed under Title VI of the Civil Rights Act of 1964 as amended and the Civil Rights Restoration Act of 1987 relating to any program or activity administered by the RTC as well as sub-recipients, consultants, and contractors.

Federal Highway Administration (FHWA) Procedures

If a complaint is received by RTC that relates to FHWA programs and activities the following steps will be taken. These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact the RTC Title VI Coordinator at TitleVI@rtc.wa.gov or 564-397-6067.

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited by nondiscrimination requirements may file a written complaint with RTC's Title VI Coordinator. A formal complaint must be filed within 180 calendar days of the alleged occurrence and be signed by the complainant. Contact RTC's Title VI Coordinator if you believe your complaint may fall outside this deadline.
2. Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. If a complainant phones RTC with allegations, the allegations of the complaint will

be transcribed as provided by phone and then the written complaint will be sent to the complainant for correction and signature. Complaints can be submitted to:

Attn: Title VI Coordinator
Southwest Washington Regional Transportation Council
PO Box 1366
Vancouver, WA 98666
Email TitleVI@rtc.wa.gov

3. All Complaints must contain the following information:
 - The complainant's contact information, including: full name, mailing address, phone number (and best time to call), and email address (if available)
 - The basis of the complaint (e.g., race, color, national origin)
 - The names of person(s) and/or agency/organization alleged to have discriminated
 - A description of the alleged discriminatory actions
 - The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing
4. RTC logs all Title VI complaints that are received. The Complaint Log and documentation are destroyed four years after the end of the fiscal year in which the case is closed. All Title VI complaints are logged. The Complaint log contains the following information for each complaint filed:
 - The name and address of the person filing the complaint
 - The date of the complaint
 - The basis of the complaint
 - The disposition of the complaint
 - The status of the complaint
5. Upon receipt of a verbal complaint, an RTC representative will notify the party or parties of the RTC Title VI Plan, direct them to the RTC web page for the Plan and Complaint Form, and/or provide the complainant with a hard copy of either as requested. The representative shall notify the Title VI Coordinator and Executive Director as soon as possible of the verbal complaint and action(s) taken to ensure policy compliance. The verbal complaint will be logged as such pending a formal and required written complaint.
6. Upon receipt of a written complaint, RTC then forwards the complaint to WSDOT Office of Equity and Civil Rights for processing by FHWA. WSDOT investigates complaints only if delegated by FHWA after acceptance of a complaint. FHWA is responsible for all determinations regarding whether to accept, dismiss, or transfer the complaint and finding no violation or failure to comply.

Complainants have the right to file a complaint directly with the federal funding agency. The following address is where Title VI complaints may be filed directly with FHWA:

Federal Highway Administration
U.S. Department of Transportation Office of Civil Rights
8th Floor E81-105
1200 New Jersey Avenue, SE
Washington, DC 20590
CivilRights.FHWA@dot.gov

7. When a complaint is forwarded to FHWA, the Complainant will be provided the name and contact information of the employee handling the complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

8. FHWA will render final decisions in all cases including those investigated by WSDOT. There are no administrative appeal forums in Title VI complaints. Once FHWA issues its final agency decision, a complaint is closed.
9. The RTC Title VI Coordinator will update the Title VI Complaint Log actions relating to the Title VI complaint throughout any complaint process and, as required, include the information in the Title VI Annual Accomplishments and Goals Report.

There is no prohibition against a complainant filing a Title VI complaint simultaneously with a local agency, WSDOT, and FHWA.



FTA Title VI Complaint Form And Procedures

If you would like to submit a Title VI complaint to the Southwest Washington Regional Transportation Council related to the Human Services Transportation Plan or process, please fill out the form below and send it to: Southwest Washington Regional Transportation Council, Attn: Title VI Coordinator, PO Box 1366, Vancouver, WA 98666-1366. For translation or other assistance, please contact the Title VI Coordinator at 564- 397-6067 or TitleVI@rtc.wa.gov. For a copy of RTC’s full Title VI Plan, see www.rtc.wa.gov/info/titleVI or contact TitleVI@rtc.wa.gov.

Name _____

Address _____ City _____ Zip _____

Phone: Home _____ Work _____ Mobile _____

Best time of day to contact you about this complaint: _____

Email: _____

Basis of Complaint (circle all that apply):

| | | |
|------|-------|--|
| Race | Color | National Origin (includes language access) |
|------|-------|--|

Date of alleged incident: _____

Who discriminated against you?

Name _____

Name of Organization _____

Address _____ City _____ Zip _____

Telephone _____

Explain what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. If you have any other information about what happened, please attach supporting documentation to the form. (Attach additional pages if more space is needed.)

FTA Title VI Complaint Procedures

Federal law prohibits discrimination on the basis of race, color, or national origin in any RTC program, service, or activity. This prohibition applies to all branches of RTC, its contractors, consultants, and anyone else who acts on behalf of RTC.

Complaints related to the Human Services Transportation Plan or process may be filed with RTC and will be forwarded to Washington State Department of Transportation (WSDOT) Office of Equity and Civil Rights. If you need assistance to file your complaint or need interpretation services, please contact the RTC Title VI Coordinator at TitleVI@rtc.wa.gov or 564-397-6067.

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any RTC program, service, or activity because of their race, color, or national origin may file a complaint.

These procedures cover any complaints filed under Title VI of the Civil Rights Act of 1964 as amended and the Civil Rights Restoration Act of 1987 relating to any program or activity administered by the RTC as well as sub-recipients, consultants, and contractors.

Federal Transit Administration (FTA) and Other Federal Agency Procedures

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints informally at the RTC and sub-recipient level. The option of informal mediation meetings(s) between the affected parties and the RTC Title VI Coordinator or a designated mediator may be utilized for resolution.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, please contact the RTC Title VI Coordinator at TitleVI@rtc.wa.gov or 564-397-6067.

1. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited by nondiscrimination requirements may file a written complaint with RTC's Title VI Coordinator. A formal complaint must be filed within 180 calendar days of the alleged occurrence and be signed by the complainant. RTC will not officially act upon or respond to complaints received verbally. Written complaints will be received by mail or email.

Attn: Title VI Coordinator
Southwest Washington Regional Transportation Council
PO Box 1366
Vancouver, WA 98666-1366
Email TitleVI@RTC.org

All Complaints must contain the following information:

- The complainant's contact information, including: full name, mailing address, phone number (and best time to call), and email address (if available)
 - The basis of the complaint (e.g., race, color, national origin)
 - The names of person(s) and/or agency/organization alleged to have discriminated
 - A description of the alleged discriminatory actions
 - The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing
2. Upon receipt of a verbal complaint, an RTC representative will notify the party or parties of the RTC Title VI Plan, direct them to the RTC web page for the Plan and Complaint Form, and/or provide the complainant with a hard copy of either as requested. The representative shall notify the Title VI Coordinator and Executive Director as soon as possible of the verbal complaint and action(s) taken to ensure policy compliance. The verbal complaint will be logged as such pending a formal and required written complaint.
 3. Upon receipt of the written complaint, RTC will determine its jurisdiction, acceptability, the need for additional information, and the investigative merit of the complaint. In some situations, such as a conflict-of-interest determination, RTC may request their cognizant agency, WSDOT Office of Equity and Civil Rights or the appropriate state/federal agency to conduct the investigation. In the event an outside agency handles the investigation, they will follow their adopted procedures for investigating discrimination complaints, per their current Title VI Plan.

Only qualified, well-trained investigators should conduct these investigations. No agency is allowed to investigate a complaint against itself.

4. If the complaint is against a sub-recipient, consultant, or contractor under contract with RTC, the appropriate division and/or agency shall be notified of the complaint within 15 days.
5. Once RTC decides the course of action, the complainant and the respondent will be notified in writing of such determination within five (5) calendar days. The complaint will be logged into RTC's Title VI records by the Title VI Coordinator along with the basis for the allegation.
6. In cases where RTC assumes the investigation of the complaint, RTC will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days upon receipt to furnish RTC with her/his response to the allegations.
7. Within 60 days of receipt of the complaint, the Coordinator or outside agency investigator will prepare a written investigative report for RTC's Executive Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.

8. The recommendation shall be reviewed by RTC's legal counsel who may discuss the report and recommendations with the Coordinator and other appropriate staff. The report may be reviewed further and modified as needed, then approved by RTC's Executive Director, and made final for its release to the parties. In some cases, an outside party will approve the final report.
9. Once the investigative report becomes final, briefings will be scheduled with each party within 15 calendar days. Both the complainant and the respondent shall receive a copy of the investigative report during the briefings and will be notified of their respective appeal rights.
10. A copy of the complaint and RTC's investigative report will be forwarded to WSDOT Office of Equity and Civil Rights or the appropriate oversight agency within 60 calendar days of the receipt of the complaint.
11. The Coordinator will update the Complaint Log actions relating to the Title VI complaint throughout any complaint process and, as required, include the information in the Title VI Annual Accomplishments and Goals Report.

If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminatory practice(s), she/he shall be advised of their rights to appeal RTC's determination to the cognizant agency, Washington State Department of Transportation, U.S. Department of Transportation, other federal agency providing the program funding or the U.S. Department of Justice. The complainant has 180 calendar days after the appropriate agency's final resolution to appeal to the appropriate agency. Unless new facts not previously considered come to light, reconsideration of the final determination by the investigating agency will not be available.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

- Washington State Department of Transportation Office of Equity and Civil Rights P.O. Box 47314 310 Maple Park Olympia, WA 98504-7314
- Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor – TCR 1200 New Jersey Ave., SE Washington, DC 20590
- United States Department of Justice Civil Rights Division Coordination and Review Section – NWB 950 Pennsylvania Avenue NW Washington, DC 20530

There is no prohibition against a complainant filing a Title VI complaint simultaneously with a Local Public Agency (LPA), WSDOT, and FTA.