



Rock Region  
**METRO**

## **Title VI Program Complaint Procedures**

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**

A member of the public, a group of people, or their representatives who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination can file an administrative complaint against a recipient of financial assistance from the Federal Transit Administration (FTA), a transportation provider, a transportation-related entity, or the FTA itself alleging discrimination and/or adverse environmental effects. This includes social and economic effects against a specific minority, low income community, or population group due to a project or activity funded or carried out by the Federal Transit Administration.

The Title VI Civic Rights Complaint Procedures implemented by Central Arkansas Transit Authority (CATA) outlines specific steps and procedures CATA will maintain in receiving, recording, investigating, determining, and resolving Title VI complaints. The following procedures do NOT deny the complainant the right to file formal complaints with the Arkansas Council on Human Relations, the Equal Employment Opportunity Commission, the Federal Transit Administration, and/or seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law. Complainants have the right to submit complaints directly to the appropriate federal agency.

The option of informal meeting(s) between the affected parties and the CATA Program Director may be utilized for resolution of the Title VI complaint. The CATA Program Director will notify CATA's General Manager of all Title VI related complaints and each step in the complaint procedure process.

### **PROCEDURE**

#### **1. The complaint must meet the following requirements:**

- a. Complaint shall be in writing and signed by the complainant(s). In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The CATA Program Director 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 CATA Program Director will determine its jurisdiction, acceptability, need for additional information, as well as begin the investigation into the merit of the complaint.**

**3. The Complainant will be provided with a written acknowledgement that CATA 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 allegation must involve a covered basis such as race, color or national origin.

c. The allegation must involve a CATA service of a federal-aid recipient, sub-recipient or contactor.

**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 cannot be located after reasonable attempts.

**6. Once CATA decides to accept the complaint for investigation, the Complainant will be notified in writing of such determination. The complaint will receive a case number and will then be logged in a database identifying: Complainant's name, basis, alleged harm, race, color and national origin of the Complainant.**

**7. In cases where CATA assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, CATA will prepare an investigative report. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for determination of the complaint.**

**8. The investigative report and its findings will be reviewed by the CATA Program Director, and in some cases the investigative report and findings will be reviewed by CATA's Legal Counsel. The report will be modified as needed.**

**9. The Director and/or Legal Counsel will make a determination on the investigative report of the complaint. Determinations will be stated as follows:**

- a. Compliant – Not in Violation of Title VI  
Letter will explain reasons for CATA's compliance
- b. Noncompliant – Violation of Title VI  
Letter will document the specific violation and instructions on planned actions to remedy the violation in order to be in compliance with – not in violation of - Title VI.

**10. Notice of CATA's Program Director's determination will be mailed to the Complainant. Notice shall include information on the investigative report and determination as well as the appeal rights of Complainant and instructions for initiating such an appeal. Notices of appeals are as follows:**

- a. CATA will reconsider this determination if new significant facts are presented.
- b. If Complainant is dissatisfied with the determination and/or resolution set forth by CATA, 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, East Building, 5<sup>th</sup> Floor – TCR, 1200 New Jersey Ave., SE, Washington DC, 20590.

**11. A copy of the complaint, CATA's investigative report including determination, and, if appropriate, the planning actions CATA will implement to remedy the violation, will be issued to the 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 CATA Program Director will ensure that all records relating to CATA's Title VI Complaint Process are maintained with department records.

Records will be available for compliance review audits.