

## Appendix C: Complaint Procedures and Form in English



### TITLE VI COMPLAINT PROCEDURE

Title VI of the Civil Rights act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs and activities receiving federal assistance. As a sub-recipient of the Utah Department of Transportation (UDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), the Wasatch Front Regional Council (WFRC) has adopted a Title VI Complaint Procedure as part of its Title VI Program.

The purpose of Title VI is to prevent the denial, reduction or delay of benefits to minority populations, to ensure full and fair participation by affected populations in transportation decisions, and to ensure that policies and programs of the WFRC avoid producing disproportionately negative effects on minority populations.

#### Filing of Complaints

Complainants, or their representative, may file a written complaint with WFRC's Compliance Administrator at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act. Contact information: Andrea Pearson, 41 N. Rio Grande St, Suite 103, Salt Lake City, UT 84101, by email at [apearson@wfrc.org](mailto:apearson@wfrc.org), or by phone at 801-363-4250.

Complainants, or their representative, may also file a complaint directly with UDOT's Title VI Specialist, Vickie Pollock, at 4501 South 2700 West, P.O. Box 148380, Salt Lake City, UT 84114-1265, by email at [vpollock@utah.gov](mailto:vpollock@utah.gov), or by phone at 801-965-4384.

All complaints will include the following information:

- Name, address, phone number, and email (if available) of the Complainant
- Name address, phone number and relationship of representative to Complainant, (if applicable)
- Basis of complaint (i.e. race, color, national origin)
- Date of alleged discriminatory act(s)
- Date complaint was submitted to WFRC and/or UDOT
- A statement of the complaint, including specific details, relevant facts and documentation.

#### Tracking System

WFRC's Title VI Administrator will maintain a *Complaint Intake Log* for WFRC of all complaints received establishing the race, color, or national origin or protected class of the complainant; the identity of the recipient; the nature of the complaint; the date of the investigation, lawsuit, or complaint; a summary of the allegations; the status of the investigation, lawsuit or complaint; and actions taken in response to the investigation, lawsuit or complaint. These logs will be maintained electronically (five years) and in hardcopy format (three years) at the WFRC offices.

## **Procedure of Investigation of Complaints**

Within 15 calendar days after receipt of the complaint, WFRC shall confirm receipt and inform the Complainant of the investigation process in writing. WFRC cannot investigate Title VI complaints against itself, so the complaint will be forwarded to UDOT's Title VI Coordinator, and this action will be recorded in WFRC's Complaint Intake Log. UDOT's Title VI Coordinator will determine if the complaint has investigative merit.

If the complaint is incomplete, additional information will be requested by UDOT's Title VI Coordinator and the Complainant will have 15 calendar days to submit the requested information. Failure to provide the information may be considered good cause for a determination of no investigative merit.

Within 60 calendar days, if the complaint is determined to have merit, UDOT shall commence an investigation of the allegation(s). If the complaint does not warrant investigation, notification to the Complainant shall specifically state the reason for the decision. The purpose of an investigation is to determine whether there is a reason to believe that a failure to comply with Title VI of the Civil Rights Act of 1964 has occurred. In addition, UDOT will render a recommendation for action in a report of findings or resolution.

Within 90 calendar days, UDOT will notify the Complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will also advise the Complainant of his/her right to file a formal appeal with the UDOT's Title VI Coordinator, if they are dissatisfied with the final decision rendered.

## **Resolution of Complaints**

If a probable cause of discriminatory practice based on race, color, or national origin is found to exist, WFRC shall endeavor to eliminate said practice by means of a Remedial Action Plan. The Remedial Action Plan shall include: a list of corrective actions accepted by the agency; a description of how the corrective action will be implemented; and a written assurance that the agency will implement the accepted corrective action in the manner discussed in the plan.

Where attempts to resolve the complaint fail, the complainant shall be notified in writing of his or her right to submit the complaint to the Federal Highway Administration or the Federal Transit Administration as cited in FTA Circular 4702.1B.