

# Appendix A

## City of Spartanburg Transit Management of Spartanburg Inc Title VI Complaint Procedures

### **Introduction**

These procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program and/or activity administered by the City of Spartanburg's Transit Management of Spartanburg Inc or consultants and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

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. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest possible level. The option of informal mediation meeting(s) between the affected parties and the investigator may be utilized for resolution, at any stage of the process. The City of Spartanburg's Transit Management of Spartanburg Inc will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will include requests for information regarding specific relief and settlement options.

### **Filing**

Any person who believes that he or she or any specific class of persons has been subjected to discrimination or retaliation prohibited by Civil Rights authorities, based upon race, color, sex, age, national origin, or disability may file a written complaint to the City of Spartanburg's Transit Management of Spartanburg Inc Title VI Program Coordinator. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:

- Complaints must be in writing and signed by the complainant(s).
- Complaints must include the date of the alleged act(s) of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which the conduct was discontinued or the latest instance of the conduct.
- Complaint must present a detailed description of the issues, including names, job titles, and addresses of those individuals perceived as parties in the action complained against.

### **Receipt and Acceptance**

Upon receipt of the complaint, the Title VI Program Coordinator will determine its jurisdiction and need for additional information. The complaint will be forwarded to the SCDOT (South Carolina Department of Transportation) Title VI Coordinator for a determination of acceptability. The Title VI Coordinator will notify the complainant, in writing, within ten (10) days of receipt of the complaint.

In order to be accepted, a complaint must meet the following criteria:

- a. The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
- b. The allegation(s) must involve a covered basis such as race, color, or national origin.
- c. The allegation(s) must involve a program or activity that receives Federal financial assistance.

SCDOT will assume responsibility for investigating complaints against any of its sub-recipients.

### **Investigation of Complaints**

In cases where SCDOT assumes responsibility for investigation, SCDOT will provide the respondent with the opportunity to respond to the allegations in writing. SCDOT will designate an investigative team responsible for evaluating the complaint, developing an investigative plan, conducting interviews, collecting and analyzing evidence, and preparing an investigative report.

SCDOT's final investigative report will be submitted to the appropriate Federal Agency within 60 days of receipt of the complaint. The appropriate agency will issue a final agency decision (FAD) and provide written notification of the decision to the complainant and respondent.

### **Appeals**

If the appropriate Federal Agency concludes that the respondent is in compliance with laws/regulations and the complainant disagrees, the complainant may, if dissatisfied, file an action in the appropriate U.S. District Court.

City of Spartanburg – Transit Management of Spartanburg Inc

TITLE VI COMPLAINT FORM

|  |                 |                |
|--|-----------------|----------------|
| Last Name  | First Name      | Male<br>Female |
| Mailing Address  | City/State      | Zip            |
| Home Telephone   | Other Telephone | E-mail Address |
| Type of Discrimination<br><input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> ID Age<br><input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Sex/Gender   |                 |                |
| Race of Complainant<br><input type="checkbox"/> Black <input type="checkbox"/> White <input type="checkbox"/> Hispanic <input type="checkbox"/> Asian American<br><input type="checkbox"/> American Indian <input type="checkbox"/> Alaska Native <input type="checkbox"/> Pacific Islander <input type="checkbox"/> Other   |                 |                |
| How were you discriminated against? Please explain your complaint as clearly as possible. Include how other persons were treated differently. Use additional sheet(s), if necessary. Attach supporting documents if available.   |                 |                |
| Date and place of the alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date(s) of discrimination.  |                 |                |
| The law prohibits intimidation or retaliation against anyone because they have either taken action, or participated in action, to secure rights protected by the laws. <b>If you feel that you have been retaliated against, separate from the discrimination alleged above,</b> please explain the circumstances below. Describe the action you took which you believe was the cause for the alleged retaliation. |                 |                |

Name(s) of individual(s) responsible for the discriminatory action(s).

Name(s) of person(s) who may be contacted for additional information to support or clarify your complaint. (Attach additional sheets, if necessary).

| <b>Name</b> | <b>Address</b> | <b>Telephone</b> |
|-------------|----------------|------------------|
| <b>1.</b>   |                |                  |
| <b>2.</b>   |                |                  |
| <b>3.</b>   |                |                  |
| <b>4.</b>   |                |                  |

What action(s) have you or your representative done to attempt to resolve this complaint? Please include filing dates or other dates as applicable.

| <b>Action</b>  | <b>Date</b> |
|--|-------------|
| <input type="checkbox"/> <b>Filed with the Federal Highway Administration</b>    |             |
| <input type="checkbox"/> <b>Filed with the U.S. Department of Transportation</b> |             |
| <input type="checkbox"/> <b>Filed with another Federal agency</b>                |             |
| <input type="checkbox"/> <b>Filed in Federal Court</b>                           |             |
| <input type="checkbox"/> <b>Other action</b>                                     |             |

Please provide any additional information you feel would be helpful in investigating this matter.

Briefly explain what action you are seeking.

|                                |             |
|--------------------------------|-------------|
| <b>Complainant's Signature</b> | <b>Date</b> |
|--------------------------------|-------------|

Mail Complaint Form To: City of Spartanburg  
c/o Title VI Coordinator – Jackie Wood  
145 West Broad Street  
Spartanburg South Carolina 29306