

## Utah Valley Paratransit



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United Way Community Services  
(DBA, Utah Valley Paratransit)

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### Title VI Plan

NOVEMBER 2016

Non-Discrimination in the Federal Transit Program

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**Title VI Policy**

**United Way Community Services**

**The Agency affirms:**

1. Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs. Title VI was amended by the Civil Rights Restoration Act of 1987 (P.L. 100-259), effective March 22, 1988, which added Section 606, expanding the definition of the terms “programs or activities” to include all of the operations of an educational institution, governmental entity, or private employer that receives federal funds if any one operation receives federal funds.
3. United Way Community Services is a Private Non-profit entity. It is the policy of United Way Community Services to ensure compliance with Title VI of the Civil Rights Act of 1964 and all related statutes or regulations in all programs and activities so administered.
4. The United Way Community Services Title VI Coordinator is granted the authority to administer and monitor the Title VI Plan as promulgated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation. The Title VI Coordinator will provide assistance as needed.
4. United Way Community Services will take all steps to ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity of the Agency.
5. The Agency recognizes the need for annual Title VI training for Agency personnel.

\_\_\_\_\_  
Bill Hulterstrom, President & CEO

\_\_\_\_\_  
Date

## **Title VI Compliance & Monitoring**

United Way Community Services agrees to participate in on-site reviews and cooperate with Compliance Staff throughout the review process.

### **1.1 In conducting on-site reviews, the UDOT PTT Compliance Officer looks for the following:**

1. Clearly displayed Title VI posters with the required information (in vehicles and in public spaces)
  - a. Description of Title VI
  - b. Explanation of how to obtain Title VI information
  - c. Explanation of how to file a complaint
  - d. Available complaint forms
2. Current file containing complaints
3. UDOT conducts periodic on-site monitor assessments to determine the subrecipient's compliance with the FTA Title VI regulations. These reviews include service measurements, location of transit service and facilities, participation opportunities in the transit planning and decision-making processes, and communication needs of persons with limited English proficiency (LEP).

United Way Community Services agrees to participate in training that includes Title VI and its requirements. The UDOT PTT Compliance Officer presents the following:

1. Introduces Title VI and its requirements for compliance
  - a. Provides information regarding outreach opportunities to minority populations and demographic information
2. Provides sample Title VI posters (including required signatures and contact information)
  - a. Discusses required poster locations
3. Discusses LEP and provides the sample UDOT LEP tools
4. Discusses Title VI complaint forms
5. Provides sample Title VI complaint forms
6. Discusses the required maintenance of a Title VI file readily available for review
7. Discusses the reporting requirements and the annual Certification and Assurances
  - a. Discusses the required Title VI verification, including a description of lawsuits and complaints for the past year

In addition to new subrecipients, training by the UDOT PTT Compliance Officer and UDOT Civil Rights staff is also conducted as requested and as changes in the law occur, as needed.

Both the Compliance Officer and the Civil Rights staff are also available any time as a technical resource for questions or concerns regarding Title VI and its requirements.

## **1.2 Certification and Assurance Submission**

United Way Community Services agrees to submit the annual Title VI assurance to UDOT as part of the annual Certification and Assurance submission.

## **1.3 Title VI Complaint Procedures**

UDOT investigates and tracks Title VI complaints filed with UDOT against sub-recipients.

## **1.4 Procedure for Investigations, Complaints and Lawsuits**

UDOT has developed and maintains a list of any active investigations conducted by entities other than FTA, lawsuits, or complaints naming the recipient and/or sub-recipients that allege discrimination on the basis of race, color, or national origin. This list includes the date the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient or sub-recipient in response to the investigation.

United Way Community Services has developed procedures for investigating and tracking Title VI complaints filed against them and has made those procedures for filing a complaint available to the public. The United Way Community Services' complaint procedure is outlined below:

## **1.5 Complaint Procedure**

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by United Way Community Services may file a Title VI complaint by completing and submitting the Agency's Title VI Complaint Form. United Way Community Services investigates complaints received no more than 180 calendar days after the alleged incident. United Way Community Services will process complaints that have completed all elements of the complaint form.

Once the complaint is received, United Way Community Services will review it to determine if United Way Community Services has jurisdiction. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated by United Way Community Services.

United Way Community Services has 10 business days to investigate the complaint. If more information is needed to resolve the case, United Way Community Services may contact the complainant. The complainant has 10 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 10 days, the investigator can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue the case.

After the investigator reviews the complaint, United Way Community Services will issue one of two letters to the complainant:

1. A closure letter that summarizes the allegations and states there was not a Title VI violation and that the case will be closed.

2. A Letter of Finding (LOF) that summarizes the allegations and the interviews regarding the alleged incident, and explains if any disciplinary action, additional training of the staff member or other action will occur.

If the complainant wishes to appeal the decision, she/he has 10 calendar days after the date of the closure letter or the LOF to do so. If an appeal has been submitted, United Way Community Services will forward appeals to the UDOT Civil Rights Title VI Coordinator within 10 days.

When a complaint has been directly filed with another state or federal agency, the Agency is to inform the Title VI Coordinator where the complaint has been filed and coordinate any action needed by UDOT to resolve the complaint.

A person may also file a complaint directly with the Utah Department of Transportation at:

Utah Department of Transportation  
Attn: Title VI Coordinator  
4501 South 2700 West  
P.O. Box 141265  
Salt Lake City, UT 84114-1265

A person may also file a complaint directly with the Federal Transit Administration at:

FTA Office of Civil Rights  
1200 New Jersey Avenue SE  
Washington, DC 20590

## **1.6 Title VI Informal Complaint Policy**

Title VI complaints may be resolved by informal means. When informal means are utilized, the complainant must be informed of their right to file a formal written complaint. Such informal attempts and their results will be summarized by United Way Community Services' identified Title VI Coordinator. The coordinator will log the complaint in the required complaint log (see Appendix D for a sample). If the complaint cannot be resolved informally, United Way Community Services' Title VI Coordinator must inform the complainant of the formal process outlined above and instruct the complainant on how to proceed.

## **1.7 Title VI Log of Complaints/Lawsuits, etc.**

United Way Community Services will prepare and maintain a list of any alleged discrimination on the basis of race, color, or national origin, including any active investigations conducted by entities other than FTA, lawsuits, and complaints naming the Agency. The list will include the date that the investigation, lawsuit or complaint was filed; a summary of the allegation(s) and date resolved. See Appendix D for sample complaint log. United Way Community Services has had no Title VI complaints as of November 2016.

## **2. Title VI Notice to Public**

United Way Community Services will provide information to the public regarding United Way Community Services' obligations under FTA's Title VI regulations and apprise members of the public of the protection against discrimination afforded to them by Title VI. At a minimum, United Way Community Services shall disseminate this information to the public by posting the notice on its website. United Way Community Services will document where and when this information is posted.

United Way Community Services will widely distribute its Title VI plan. The Title VI notifications are also included with all newly printed or revised agency publications, brochures and pamphlets meant for public consumption. The following notice is standard wording for publications, brochures, flyers, etc.:

United Way Community Services is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and relevant guidance. The Agency assures that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

To request additional information on United Way Community Services' Title VI policy, or to file a discrimination complaint, please contact United Way Community Services at 801-374-9306.

The Complaint Procedure is located at 815 S. Freedom Blvd. Suite 300, Provo, UT 84601 or [www.unitedwayuc.org](http://www.unitedwayuc.org)

### **3. Title VI Poster Requirements**

United Way Community Services will provide an approved UDOT poster to meet the requirements listed below and will provide updates as required. United Way Community Services will also keep a database of the location of all Title VI posters and ensure they are clearly posted in the appropriate public places. Posters will include the following information:

- Description of agency Title VI commitment
- Information for more of Agency's Title VI program and the procedures to file a complaint, contact information, email, and address
- For more information, visit [www.unitedwayuc.org](http://www.unitedwayuc.org)
- FTA and UDOT Office of Civil Rights, Attention Title VI Program Coordinators, address to file a complaint directly with either the state or federal agency directly
- Additional information if another language is needed 801 374-9306. Ensure the sentence inserted on the poster is also provided in any language(s) spoken by LEP populations that meet the Safe Harbor Threshold.

### **4. Public Participation Plan**

United Way Community Services will work with UDOT staff to identify targeted minorities within the service area. UDOT PTT staff will supply demographic information to the lowest census level possible within the region to identify specifically what minority populations exist within the United Way Community Services service area. United Way Community Services will identify the appropriate locations to disseminate information to the identified populations (e.g., church, neighborhood gathering space) to seek comment, interest in new service or service revisions and/or extensions. United Way Community Services will document and maintain on file all activities related to Title VI outreach. This plan and documentation will be made available at UDOT's request.

United Way Community Services will coordinate with the regional mobility manager over its service area to ensure that United Way Community Services is included in regional planning efforts and that regional planning efforts include outreach to targeted populations within the United Way Community Services service area.

United Way Community Services will provide a summary to UDOT of all outreach efforts upon request or prior to future plan submittals and review.

United Way Community Services recognizes that future funding for new or revised service requires documentation of the above efforts.

United Way Community Services is a member of the Utah County Regional Coordinating Council as well as a member of other organizations that represent the elderly, people with disability, and minority populations. Meetings are held monthly or quarterly to discuss issues and services that they need.



## Limited English Proficiency (LEP) Requirement

- A. United Way Community Services is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. By completing the Four Factor Analysis below, United Way Community Services assures that no person shall on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any FTA service, program, or activity.
1. Indicate the number or proportion of LEP persons eligible to be served or likely to be encountered by the program.
    - a. Describe how LEP persons interact with the Agency.
    - b. Identify LEP communities by language group.
    - c. Identify whether LEP persons are underserved by the Agency service due to language barriers.
  2. Indicate the frequency with which LEP persons come into contact with the program through the following methods:
    - a. Buses
    - b. Public meetings
    - c. Customer service interactions
    - d. Surveys
  3. Describe the service and the nature of importance of the service (narrative).
    - a. Participate in the development of the coordinated plan to meet the specific transportation needs of seniors and people with disabilities especially those with LEP needs.
    - b. Include special language assistance for public meetings.
  4. Indicate the resources available to Agency for LEP outreach, as well as the costs associated with that outreach.

**United Way Community Services Limited English Proficiency Plan is included as Appendix A.**

### **Members of Non-Elected Committees and Councils:**

United Way Community Services does not have any committees or councils that are appointed by the agency.

## **5. Staff Ongoing Title VI Training Process/Description**

All United Way Community Services staff and volunteers will be trained either annually or as newly hired staff/volunteers on Title VI. Training will include the following documents:

- Non-discrimination poster
- Title VI complaint form
- Complaint log
- LEP
- Title VI brochure

United Way Community Services will utilize UDOT, UTA, or MAG staff to assist with trainings. Affidavits will be signed when training is completed and filed as part of the Title VI program documentation.

## Appendix A

### Limited English Proficiency Plan

#### **Introduction**

Most persons living in the United States read, write, speak, and understand English. There are many persons, however, for whom English is not their primary language. If those persons have a limited ability to read, write, speak or understand English, they are limited English proficient, or "LEP." Language barriers often inhibit, or prohibit, LEP persons from accessing benefits and services, from understanding and exercising rights, from fulfilling responsibilities and obligations, and from understanding information provided to them regarding federally funded programs, activities, and services.

In an effort to provide continuing, cooperative, and comprehensive transportation planning for residents of the region, United Way Community Services has developed the Limited English Proficiency Plan. The LEP Plan outlines how to identify persons who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available. The goal of the LEP Plan is to ensure that all residents of the service area can, to the fullest extent practicable, participate in the transportation planning and decision-making process.

#### **Title VI and Executive Order 13166**

United Way Community Services is committed to incorporating Environmental Justice elements and Title VI considerations into its Public Participation Plan. During the public participation process, populations that have been traditionally underserved by existing transportation systems, including but not limited to low-income and minority households, are sought out and their needs considered.

Title VI states that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion. Title VI prohibits discrimination: whether intentional or where the unintended effect is unduly burdensome. The United Way Community Services Complaint Procedure outlines the agency's Title VI policy, how an individual may submit a complaint, how the complaint will be investigated and potential resolution scenarios. On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. It is expected that agency plans will provide for such meaningful access consistent with, and without unduly burdening, the fundamental mission of the agency. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

This Limited English Proficiency Plan outlines United Way Community Services' efforts to make information available to limited English proficient (LEP) persons. According to U.S. Department of Transportation Guidelines, a four-factor analysis is used to evaluate the extent to which language assistance measures are required to ensure meaningful access to LEP persons.

## Four Factor Analysis

The four-factor analysis considers:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity or service.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity or service provided by the federal-funding recipient to people's lives.
4. Resources available to federal-funding recipients and costs of language assistance.

### Factor 1 Analysis - The number and proportion of LEP persons in the service area.

The latest Census Bureau data was reviewed in order to analyze the profile of United Way Community Services' service population. For the purposes of the LEP Plan, persons that identified themselves as speaking English less than "very well" are considered LEP persons.

Table 1 is reflective of the Utah County population who speak English less than "very well" and meet the Safe Harbor Provision. The Safe Harbor Provision states that federal agencies are considered to have strong evidence of compliance if they have translated vital documents into the languages for LEP groups numbering 5% of the population or 1,000 persons, whichever is less. Spanish is the only language for which the Safe Harbor Provision is met.

**Table 1: Total LEP Population, Utah County**

	<i>Total Pop</i>	<i>% of Total Pop</i>	<i>% of LEP</i>
<b>Utah County</b>	471,537	100%	
<b>Total LEP*</b>	20,398	4.3%	100%
<b>Spanish</b>	16,617	3.5%	81.5%

Source: Source: U.S. Department of Justice, Civil Rights Division; Table ACS2013\_LEP; generated by Holly Mahoney, using 2013 Language Map App; <https://www.lep.gov> (28 November 2016)

A list of all persons with Limited English Proficiency is included, by language as Attachment 1.

### Factor 2 Analysis - The frequency in which LEP Persons Encounter the United Way Community Services Programs.

United Way Community Services serves an area with a rapidly growing population. Encounters with LEP populations are likely to grow in the future.

Currently, at most, United Way Community Services staff comes into contact with LEP persons about five (5) times per month. United Way Community Services have staff on hand who are fluent in Spanish and other languages.

### Factor 3 Analysis - The Importance of the Service Provided by United Way Community Services

United Way Community Services provides a range of services to Utah County residents. Among the most important of the services, are those transportation services provided through United Way

Community Services to the population age 60 and over and to persons with disability ensuring access to the various community activities and improving their personal lives.

Inclusive public participation is a priority consideration in all United Way Community Services efforts and programs. Understanding and continued involvement are encouraged throughout all processes.

#### **Factor 4 – The Resources Available and Overall Cost**

The fourth and final factor of the analysis weighs the preceding three factors to assess the needs of LEP persons within the service area against the resources available to United Way Community Services and the costs of providing access.

United Way Community Services seeks input from all stakeholders, and every effort is made to ensure that the public process is as inclusive as possible. Continued public involvement and participation is encouraged throughout the process. Given the high percentage of Spanish - speaking persons who speak English less than “very well,” United Way Community Services translates all vital documents to Spanish. Vital documents, as defined by FTA, are those documents that provide access to essential services. Examples of vital documents include a Title VI complaint form and notice of a person’s rights under Title VI.

In addition to vital document translation, United Way Community Services has Spanish – speaking staff on hand to address oral questions and provide language translation. United Way Community Services is committed to providing free oral language translation services at any time requested, as long as appropriate time is allowed to acquire translation services.

### **MEETING REQUIREMENTS & IMPLEMENTATION**

#### **Identifying LEP Individuals Who Need Language Assistance**

When first encountering a LEP individual in a face-to-face situation, United Way Community Services staff will use language identification flashcards developed by the U.S. Census Bureau. These cards have the phrase, “Mark this box if you read or speak ‘name of language,’” translated into 38 languages. They were designed for use by government and nongovernment agencies to identify the primary language of LEP individuals during face-to-face contacts. The Census Bureau’s Language Identification Flashcard can be downloaded for free at <http://www.lep.gov/ISpeakCards2004.pdf>. United Way Community Services plans to make them available at public meetings and other community input events. Once a language is identified, a relevant point of contact will be notified to assess feasible translation or oral interpretation assistance.

#### **Types of language services available**

In the event that United Way Community Services should receive a request for assistance in a language other than English, staff members will take the name and contact information of the person. If the language requested is Spanish, a Spanish – speaking employee will be contacted to arrange oral language translation. United Way Community Services will seek oral language translation assistance if a language besides Spanish is requested.

Within its budget and capabilities, the United Way Community Services staff pledges that it will, to the best of its abilities, ensure that LEP persons have a meaningful opportunity to participate in the planning and decision-making process.

## **Staff Training**

Current staff members and incoming staff members will be briefed on the LEP Plan and how to assist LEP persons. They will also be instructed to keep a record of language assistance requests so that needs may be accurately assessed in the future.

## **Monitoring and Updating the LEP Plan**

This LEP Plan is designed to be flexible and one that easily can be updated. At a minimum, United Way Community Services will follow the Title VI program update schedule, as directed by UDOT. United Way Community Services understands that its community profile continues to change and that the four-factor analysis may reveal the need for additional LEP services in the future. As such, United Way Community Services will examine its Title VI Plan to ensure that it remains reflective of the community's needs, during regular updates to the Public Involvement Policy.

Each update should consider the following components:

- How many LEP persons were encountered? Were their needs met?
- What is the current LEP population in the United Way Community Services service area?
- Has there been a change in the types of languages where translation services are needed?
- Has United Way Community Services' available resources, such as technology, staff, and financial costs, changed?
- Has United Way Community Services fulfilled the goals of the LEP Plan?
- Were there any complaints received?
- Have new federal or state regulations concerning LEP Plans been approved that necessitate the changes to the current LEP Plan or process for addressing LEP persons?

## **Providing Notice to LEP Persons**

It is important to notify LEP persons of services available free of charge in a language that would be understood. United Way Community Services posts UDOT's Title VI Notice at the reception desk to the offices, as well as in vehicles and in public meeting spaces.

## **Dissemination of United Way Community Services Limited English Proficiency Plan**

The LEP Plan will be posted on the United Way Community Services website at [www.unitedwayuc.org](http://www.unitedwayuc.org). Copies of the LEP Plan will be provided to the Utah Department of Transportation (UDOT), the Federal Transit Administration (FTA), the Federal Highway Administration (FHWA), and any person or agency requesting a copy.

Any questions or comments regarding this plan should be directed to:

Attn: Title VI Coordinator  
P.O. Box 135  
Provo, UT 84603  
(801) 374-9306  
Fax (801) 371-8645

Attachment 1: Limited English Proficient Populations, Utah County

	Estimate	Margin of Error
Total Population	471,537	*****
Total LEP	20,398	+/-1702.87
Total LEP Percent	4.33	+/-0.36
Spanish or Spanish Creole	16,617	+/- 952
French (incl. Patois, Cajun)	159	+/- 64
French Creole	40	+/- 59
Italian	77	+/- 48
Portuguese/Portuguese Creole	372	+/- 127
German	83	+/- 54
Yiddish	0	+/-27
Other West Germanic langs.	9	+/-13
Scandinavian langs.	23	+/-20
Greek	4	+/- 7
Russian	192	+/-90
Polish	12	+/-20
Serbo-Croatian	0	+/-27
Other Slavic langs.	0	+/-27
Armenian	82	+/-78
Persian	7	+/-10
Gujarati	0	+/-27
Hindi	51	+/-58
Urdu	60	+/-92
Other Indic langs.	194	+/-148
Other Indo-European langs.	16	+/-17
Chinese	625	+/-210
Japanese	327	+/-105
Korean	404	+/-134
Mon-Khmer(Cambodian)	0	+/-27
Hmong	59	+/- 71
Thai	98	+/-96
Laotian	26	+/-28
Vietnamese	127	+/-78
Other Asian langs.	154	+/-94
Tagalog	94	+/-56
Other Pacific Island langs.	274	+/-166
Navajo	42	+/-43
Other Native North American	0	+/-27
Hungarian	9	+/-14
Arabic	18	+/-35
Hebrew	0	+/-27
African langs.	29	+/-38
Other and unspecified	114	+/-114

## **Appendix B**

### **UDOT Title VI Complaint Procedure and Investigation Guidelines**

#### **A. SCOPE OF TITLE VI COMPLAINTS**

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI may individually or through a legally authorized representative make and sign a complaint and file the complaint with the UDOT Title VI Compliance Specialist. Allegations received do not have to use the key words “complaint,” “civil rights,” “discrimination,” or even their near equivalents. It is sufficient if such allegations imply any form of unequal treatment in one or more of our programs for it to be considered and processed as an allegation of a discriminatory practice.

#### **B. UDOT TITLE VI PUBLIC NOTICE PROCESS**

The Utah Department of Transportation has given assurance for the protection of the general public in accordance with Title VI. The UDOT, by a public notice process, affords the general public an opportunity to formally complain to the Department with regard to the Department’s treatment of Agency activities as they may adversely affect some. Public notices relating to UDOT Title VI Complaint Procedures shall be published annually in newspapers having a general circulation in the vicinity of proposed projects. As a minimum, such public notice shall contain the following:

1. UDOT assurance of compliance with Title VI of the Civil Rights Act of 1964 and Departmental Policy concerning non-discrimination in all UDOT activities.
2. Public right to file complaints.
3. One hundred eighty (180) calendar day time limit for filing of complaints.
4. Complaint filing procedure. An example of such “UDOT Notice to the Public” is included as Appendix D.



## C. UDOT TITLE VI FORMAL COMPLAINT PROCEDURE

### AUTHORITY

49 CFR 21.11 (b), U.S. DOT'S Title VI Regulations

“Any person who believes himself or any specific class of persons to be subjected to discrimination prohibited by this part may by himself or by a representative file with the Secretary a written complaint. A complaint must be filed no later than 180 calendar days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary.”

This section outlines the Title VI complaint procedures, which will be followed in processing and conducting the investigation of complaints alleging discrimination under Title VI of the Civil Rights Act of 1964. These procedures define the responsibilities of the Title VI Coordinator with respect to investigation and resolution of complaints.

1. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI may individually or through a legally authorized representative make and sign a complaint and file the complaint with the UDOT Title VI Coordinator. Allegations received do not have to use the key words “complaint,” “civil rights,” “discrimination,” or even their near equivalents. It is sufficient if such allegations imply any form of unequal treatment in one or more of our programs for it to be considered and processed as an allegation of a discriminatory practice.
2. Within ten (10) calendar days, the Title VI Coordinator will acknowledge receipt of the allegation. A notification letter will be sent to the complainant of the action taken or proposed action to process the allegation, and advise the complainant of other avenues of appeal available to them if they do not agree with the decision.

The notification letter will contain:

- a. The basis for the complaint.
- b. A brief statement of the allegations over which UDOT has jurisdiction.
- c. A brief statement of UDOT's jurisdiction over the recipient to investigate the complaint; and
- d. An indication of when the parties will be contacted.

Depending upon the nature of the complaint, the complainant may go to the following:

- a. U.S. Department of Justice (USDOJ)

- b. The filing of complaints with FHWA, FTA or FAA must be within the appropriate jurisdictional time frame. Each agency must be contacted by the complainant for the specific appeal procedure to be followed.
3. The Title VI Coordinator will review and determine the appropriate action regarding every complaint. UDOT will not proceed with or continue a complaint investigation if:
  - a. The complaint is, on its face, without merit.
  - b. If, the same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous Federal court decisions.
  - c. The complaint allegation is moot and there are no class allegations; or
  - d. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identity) has made it impossible to investigate further.
4. The Title VI Coordinator will also notify the appropriate DOT modal agency, i.e. FHWA, FAA, or FTA Regional Office of Civil Rights within ten (10) calendar days of receipt of the allegations.
  - a. Name, address, and phone number of the Complainant.
  - b. Name(s) and address(es) of persons alleged to have been involved in the act.
  - c. Basis of alleged discrimination (i.e., race, color, sex, national origin, disability, or age). Federal Transit Title VI discrimination complaints covers race, color or national origin. Physical or mental disability is added due to the Rehabilitation Act of 1973 and the Americans with Disability Act of 1990.
  - d. Date of alleged discriminatory act(s).
  - e. Date complaint was received by the UDOT.
  - f. A brief statement of the complaint.
  - g. Other agencies (state, local or federal with which the complaint has been filed).
  - h. An explanation of the actions the Department has taken or proposed to resolve the issues raised in the complaint.

5. Within sixty (60) calendar days, the Title VI Coordinator and appropriate Program Designee will conduct and complete an investigation of the allegation, and based upon the information obtained, will render their recommendation for action in a report of findings to the Director of the UDOT. The report will be completed with the coordination and consultation of the Department's General Counsel.
6. The Utah Department of Transportation will establish procedures for promptly resolving deficiency status and reducing to writing the remedial action considered necessary. All within a period not to exceed sixty (60) calendar days.
7. A copy of the complaint together with a copy of the UDOT's report of the investigation shall be forwarded to Federal Transit, Regional Civil Rights Officer within (60) calendar days of the date the complaint was received by UDOT.

**D. UDOT TITLE VI INFORMAL COMPLAINT POLICY**

1. Title VI complaints may be resolved by informal means. When informal means are utilized, the complainant must be informed of their right to file a formal written complaint. Such informal attempts and their results will be summarized by the Title VI Designee and forwarded to the Title VI Coordinator.
2. Any complaint received in writing shall be considered to be a formal complaint and shall be handled under the formal complaint procedure outlined above.
3. The Title VI Coordinator will periodically inform the Federal Transit, Regional Civil Rights Officer regarding the status of complaints.
4. When a complaint has been directly filed with another state or Federal agency, the Title VI Coordinator is to be informed by the Agency where the complaint has been filed and coordinate any action needed by the UDOT to resolve the complaint.

**Appendix C**

**Utah Department of Transportation  
Civil Rights Division  
P O Box 141520**

**Salt Lake City, Utah 84114-1520**

**(801) 965-4384**

**Fax: (801) 965-4101**

**TITLE VI COMPLAINT FORM**

Complaints must be in writing and filed with the UDOT Title VI Coordinator within 180 calendar days following the date of the alleged discriminatory occurrence. Complainant has a right to representation, file a written complaint with FTA, Regional Civil Rights Officer, complainant has the option to remain anonymous or to seek assistance in filling out the complaint form.

Your Name \_\_\_\_\_ Date of Filing \_\_\_\_\_

Your Address \_\_\_\_\_

Work Phone \_\_\_\_\_ Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

FTA recognizes race, color and national origin as basis for Title VI complaints. Indicate on what ground(s) you believe you were discriminated against by checking the applicable boxes below:

**Race**

**Color**

**Nat. Origin**

Explain why you believe discrimination has taken place. Please provide date(s), time(s), and location(s) of discrimination. Please provide witness name(s), address(es), and telephone number(s). Please provide name(s) and work location(s) of person(s) you believe responsible for the discrimination. Explain the resolution you request. (Use additional sheets of paper if needed.)

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Indicate the person(s) who are alleged to be responsible.

Name(s)	Agency	Work Location (if known)	Classification (if known)

What Remedy? Requested Action? And/or Adjustment you are requesting? Please be specific. Use additional sheets as necessary. \_\_\_\_\_

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The complainant may also file a complaint directly with United Way Community Services by filing a complaint with its Title VI Coordinator at:

United Way Community Services  
Attn: Title VI Coordinator  
P.O. Box 135  
Provo, UT 84603  
(801) 374-9306  
Fax: (801) 371-8645

Your Signature \_\_\_\_\_ Date \_\_\_\_\_

Form SFN 51795

Revised: October 2013

**Departament de Transporte de Utah**

**Division de Derechos Civiles**

**PO Box 141520**

**Salt Lake City, Utah 84114-1520**

**Tel (801) 965-4384**

**Tel (801) 965-4101**

**FORMULARIO DE QUEJAS TITULO VI**

Quejas deben ser sometidas por escrito y presentadas al Coordinador de Titulo VI durante los 180 días a partir de la fecha en que ocurrió la presunta discriminación. El demandante tiene derecho a representación. Someta su queja por escrito a FTA, Oficial de Derechos Civiles de la Region. El demandante tiene la opción a permanecer anónimo o solicitador ayuda llenando el formulario de quejas.

Nombre \_\_\_\_\_ Fecha \_\_\_\_\_  
\_\_\_\_\_

Dirección  
\_\_\_\_\_

Tel Empleo \_\_\_\_\_ Tel Hogar \_\_\_\_\_ Tel Cel \_\_\_\_\_  
\_\_\_\_\_

FTA reconoce raza, color, y origen nacional como bases para quejas al Titulo VI. Indique el motivo por el cual cree haber sido discriminado(a) marcando una de las siguientes opciones:

- Raza**   **Color**   **Origen Nacional**

Explique porqué cree que ha sufrido discriminación. Por favor provea fecha(s), hora(s), y lugar(es). Por favor provea nombres de testigo(s), direccion(es), y número(s) de teléfono. Por favor provea nombre(s) y lugar(es) de empleo de la(s) persona(s) quienes usted cree son responsables de la discriminación.

Explique la resolución que está pidiendo. (Use mas hojas si es necesario)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ -  
\_\_\_\_\_  
\_\_\_\_\_

Indique que persona(s) son presuntamente responsables

<b>Nombre(s)</b>	<b>Agencia</b>	<b>Lugar de empleo (si disponible)</b>	<b>Clasificación (si disponible)</b>

¿Qué remedio, acción, o ajuste está solicitando? Por favor sea específico(a). Use mas hojas si es necesario.

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El demandante tambien puede presentar una queja directamente con United Way Community Services mediante la presentacion de una queja ante el Coordinador del Titulo VI del United Way Community Services en:

Condado de United Way Community Services  
Attn: Coordinador del Titulo VI  
P.O. Box 135  
Provo, UT 84603  
(801) 374-9306  
Fax: (801) 371-8645

Firma \_\_\_\_\_ Fecha \_\_\_\_\_

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Form SFN 51797

Revised: October 2013

# Appendix D

## Title VI Complaint Log

FTA COMPLAINT LOG			
Date _____	Name of Agency _____		
Person who prepared report _____			
Contact Information:	Phone _____	Email _____	

A	Date of Complaint	Complainant	Race	Color	National Origin	Recipient	Date Investigation Completed	Disposition	Date Of Disposition	Other Information	Referred To FTA



## Appendix E

### Notice to the Public

#### United Way Community Services

- United Way Community Services operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the United Way Community Services Civil Rights Department or appropriate individual.
- For more information on the United Way Community Services civil rights program and the procedures to file a complaint, call 801-374-9306 or visit 815 S. Freedom Blvd, Suite 300, Provo, UT 84601 for a hard copy or visit our website at [www.unitedwayuc.org](http://www.unitedwayuc.org)
- Complaints must be filed in person or in writing. Complaints should be directed to:  
United Way Community Services  
Attn: Title VI Officer  
P.O. 135  
Provo, UT 84603
- A complainant may file a complaint directly with the Utah Department of Transportation:  
Utah Department of Transportation  
Attn: Title VI Coordinator  
4501 South 2700 West,  
P.O. Box 141265  
Salt Lake City, UT 84114-1265
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint at:  
Federal Transit Administration, Office of Civil Rights  
Attn: Title VI Program Coordinator

East Building, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE  
Washington, DC 20590

- For information in another language, contact the UDOT reception desk at 801-965-4000 or go to UDOT's Translators website at [www.udot.utah.gov/go/titleVI](http://www.udot.utah.gov/go/titleVI)

## Appendix F

### Title VI Poster



### **NON-DISCRIMINATION TITLE VI POSTER**

#### **Title VI and Nondiscrimination Commitment (FHWA):**

Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, UDOT will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age or disability.

#### **Title VI and Nondiscrimination Commitment (FTA):**

Pursuant to Title VI of the Civil Rights Act of 1964 and related laws and regulations, UDOT will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color and national origin.

#### **Complaint Procedures:**

UDOT has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with UDOT. Any such complaint must be in writing and filed with the UDOT Title VI Coordinator within one hundred eighty (180) calendar days following the date of the alleged discriminatory occurrence. For more information, please contact the UDOT's Title VI Coordinator.

#### **ADA/504 Statement:**

Pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations, UDOT will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. UDOT will provide reasonable accommodation to disabled individuals who wish to participate in public

involvement events or who require special assistance to access UDOT facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, UDOT asks that requests be made at least five (5) calendar days prior to the need for accommodation. Questions, concerns, comments or requests for accommodation should be made to UDOT's ADA Coordinator.

Services are provided free without charge for individuals with special needs with disabilities. Any fees will be paid by the recipient or subrecipient. The public will have access to translators, "I Speak Cards", TTY/TDD services and vital documents translated when requested.

**UDOT Title VI Coordinator**

Becki Bryce  
Utah Department of Transportation  
4501 South 2700 West, P.O. Box 141520  
Salt Lake City, UT 84114-1520  
Email: [bbryce@utah.gov](mailto:bbryce@utah.gov)  
Phone: (801) 965-4384 Fax: (801) 965-4101

**UDOT ADA Coordinator**

Chris Mabey  
Utah Department of Transportation  
Traffic and Safety Division  
4501 South 2700 West, P.O. Box 143200  
Salt Lake City, UT 84114-3200  
Email: [cmabey@utah.gov](mailto:cmabey@utah.gov)  
Phone: (801) 965-4272  
Hearing Impaired: 711 or 1-800-346-4128

A complaint may also be filed directly with United Way Community Services by contacting the United Way Community Services Title VI Coordinator at:

**United Way Community Services**

Title VI Coordinator  
Attn: Lopini Wolfgramm  
P.O. Box 135  
Provo, UT 84603  
(801) 374-9306  
Fax: (801) 371-8645



## **CARTEL TITULO VI NO-DISCRIMINACION**

### **Título VI y Compromiso a no discriminación (FHWA):**

Según el Título VI de el Acto de Derechos Civiles de 1964 y leyes y reglamentos relacionados, UDOT no quedará libre de participación en, negará beneficios de, o sujetará a discriminación a nadie en base a raza, color, origen nacional, sexo, edad o discapacidad.

### **Título VI y Compromiso a no discriminación (FTA):**

Según el Título VI de el Acto de Derechos Civiles de 1964 y leyes y reglamentos relacionados, UDOT no quedará libre de participación en, negará beneficios de, o sujetará a discriminación a nadie en base a raza, color, y origen nacional.

### **Proceso para Tramitar Quejas:**

UDOT ha establecido un proceso para tramitar quejas de discriminación y tomará acción pronta y razonablemente para investigar y eliminar discriminación cuando ésta suceda. Cualquier persona que crea que él o ella ha sido ofendido(a) por una práctica ilícita y discriminatoria bajo el Título VI tiene derecho a someter una queja formal con UDOT. Tal queja debe ser por escrito y sometida al Coordinador de Título VI de UDOT durante los ciento ochenta (180) días a partir de la fecha del presunto acontecimiento. Para más información, por favor comuníquese con el Coordinador de Título VI de UDOT.

### **Declaración ADA/504:**

Según la Sección 504 de al Acto de Rehabilitación de 1973 (Sección 504), El Acto de Ley para Estadounidenses con Discapacidades de 1990 (ADA) y leyes y reglamentos estatales y federales relacionados, UDOT hará todo esfuerzo para asegurar que sus instalaciones, programas, servicios, y actividades sean accesibles a todos aquellos con discapacidades. UDOT hará modificaciones razonables para individuos con discapacidades quienes deseen participar en eventos públicos o a quienes requieren asistencia especial para accede programas, servicios o actividades. Ya que porveer tales modificaciones puede requerir asistencia de terceras personas, organización o recursos, UDOT pide que cualquier

petición sea hecha al menos cinco (5) días antes de la fecha en que se necesita tal modificación. Preguntas o solicitudes deben ser dirigidas al Coordinador de ADA de UDOT.

Los servicios serán proveídos libres de cargo a individuos con necesidades especiales o discapacidades. Cualquier cargo será pagado por el beneficiario. El public tendrá acceso a traductores, tarjetas “Yo Hablo”, servicios TTY/TDD y documentos esenciales traducidos cuando sea necesario.

**Coordinador Título VI de UDOT**

Becki Bryce

Utah Department of Transportation

4501 South 2700 West, P.O. Box 141520

Salt Lake City, UT 84114-1520

Email: [bbryce@utah.gov](mailto:bbryce@utah.gov)

Tel: (801) 965-4384 Fax: (801) 965-4101

**Coodinador de ADA de UDOT**

Chris Mabey

Utah Department Transportation

4501 South 2700 West, P.O. Box 143200

Salt Lake City, UT 84114-3200

Email: [cmabey@utah.gov](mailto:cmabey@utah.gov)

Tel: (801) 965- 4272

Hearing Impaired: 711 or 1-800-346-4128

Una queja tambien se puede archivar directamente con los servicios comunitarios de United Way contactando al coordinador titulo VI servicios comunitarios de United Way.

**Coordinador Titulo VI de United Way Community Services**

Attn: Lopini Wolfgramm

P.O. Box 135

Provo, UT 84603

(801) 374-9306

Fax: (801) 371-8645