

# Title VI Complaint Procedures

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These procedures provide guidance for all complaints filed under Title VI of the Civil Rights Act of 1964, as they relate to any program or activity that is administered by Tanner Community Development Corporation (TCDC) including consultants, contractors and vendors. Intimidation or retaliation as a result of a complaint is prohibited by law. In addition to these procedures, complainants reserve the right to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints at the lowest possible level.

- (1) Any person who believes he and/or she has been discriminated against on the basis of race, color, or national origin may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form.
- (2) Formal complaints must be filed within 180 calendar days of the last date of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.
- (3) Complaints must be in writing and signed by the complainant(s) and must include the complainant(s) name, address and phone number. The Title VI contact person will assist the complainant with documenting the issues if necessary.
- (4) Allegations received by fax or e-mail will be acknowledged and processed, once the identity of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or email transmittal for the complaint to be processed.
- (5) Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return for processing.
- (6) Once submitted TCDC will review the complaint form to determine jurisdiction. All complaints will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the TCDC or submitted to the State or Federal authority for guidance.
- (7) TCDC will notify the Title VI Coordinator of all Title VI complaints within 72 hours via telephone at: 602-253-6904; email to: [tcdc@tcdccorp.org](mailto:tcdc@tcdccorp.org) or mail to: Kerwin [Brown, 700 E. Jefferson St, Phoenix, AZ 85034](#)

- (8) TCDC has 60 days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant. The complainant has 60 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 30 business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.
- (9) After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a Letter of Finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether 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 30 days after the date of the letter or the LOF to do so.
- (10) A complainant dissatisfied with TCDC decision may file a complaint directly with the City of Phoenix Public Transit Department (COP): Attention: Title VI Coordinator, 302 N. 1<sup>st</sup> Ave., Suite 900, Phoenix, AZ 85003 or the Federal Transit Administration (FTA) offices of Civil Rights: Attention Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590
- (11) A copy of these procedures can be found online at: [www.tcdccorp.org](http://www.tcdccorp.org)

## **Procedures for Tracking and Investigating Title VI Complaints**

### **Tracking Complaints:**

Complaint comes to TCDC's office and is directed to the Executive Director and is logged into the TCDC Title VI complaint log. The Executive Director is responsible for ensuring that information is complete and that all appropriate parties are notified within 24 hours. The Executive Director and the CEO will audit complaints to ensure appropriate notifications and closure.

### **Investigating Complaints:**

- Summary of the complaint to be completed by the Executive Director
- A statement of the concerns will be developed to include: Who, What, When, Where and How

The issues will be outlined for investigation.

Respondent's reply to concerns/issues: (Respondent is any source of information that can contribute to the investigation)

- Obtain information from each respondents (tape) review documents
- Document information collected in customer contact
- Complete documentation to include:

- Determine steps/action to be taken
  - Follow up with customer
  - Operator (interview/history)
  - GPS tracking
  - Maintenance (Staff/records)
  - Incident reports (any eye witness, Police, etc.)
  - Route history
- Findings of Facts: Investigate every issue (stated in the statement of concerns/issues noted) Separate fact from opinions.
  - Citations of pertinent regulations and rules. Develop list of all regulations, rules, policies & procedures that may apply to the investigation.
    - Title VI requirements
    - Company rules & procedures
    - TCDC policies and service standards
  - Conclusion of law
    - Compare each fact from “findings of fact” to the list of regulations, rules etc.
    - Make a decision on whether violations(s) occurred
    - List of violations become “conclusions of law”
  - Description of remedy for each violation
    - Specific corrective actions for each violation found
    - Include plans for follow up checks
    - Do not conclude report with “no action taken”
    - If no violations found, conclude the report in a positive manner
    - Review policies and procedures
    - Review Title VI provisions

**Response to Customer:**

Detail summary of conversation with customer, Send copy of letter to customer.

**Action taken**

- Include specific corrective action for each violation found
- If no violation found, note policies, procedures & review with operator
- Do not state “no action taken”