

## WYDOT Title VI Complaint Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with the WYDOT's Civil Rights Program. If the Complainant is unable to reduce the complaint to writing, please contact the Office of Civil Rights using the information below, and a staff member will help dictate the complaint or provide other necessary assistance.\*

### *Initiation and Acceptance of a Complaint*

2. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
3. The complainant must meet the following requirements:
  - a. Complaint shall be in writing and signed by the complainant(s).\*
  - b. Present the date or approximate date of the alleged act of discrimination (date when the complainant became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
  - c. Present a detailed description of the issues including names and job titles of those individuals perceived as parties in the complained-of incident, if known.
  - d. Allegations received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be reduced in writing and provided to the complainant for confirmation or revision before processing.
4. Upon receipt of the complaint, the Civil Rights Program will determine its jurisdiction, acceptability, need for additional information, and investigate the merit of the complaint. In cases where the complaint is against one of WYDOT's subrecipients, the complaint will be forwarded to that subrecipient for investigation. If the complaint falls under the jurisdiction of the Federal Highway Administration (FHWA), it will be forwarded to the office with proper jurisdiction.
5. Complaints received as Title VI Complaints, but which may fall under rights protected by the ADA or other federal protections will be routed and investigated by the proper office.
6. Acceptance of a complaint will be determined by:
  - a. Whether the complaint is timely filed;
  - b. Whether the allegations involve a covered basis: race, color, or national origin;
  - c. Whether the allegations involve a program or activity of a Federal aid recipient, subrecipient, or contractor.
7. A complaint may be dismissed for the following reasons:
  - a. The complaint is untimely filed;
  - b. The complaint does not allege a basis covered by Title VI (in which case it will be forwarded to the appropriate office or agency);
  - c. The complainant does not allege any harm with regard to covered programs or statutes;

- d. The complainant requests the withdrawal of the complaint;
- e. The complainant fails to respond to repeated requests for additional information needed to process the complaint;
- f. The complainant cannot be located after reasonable attempts; or
- g. The Complainant has filed a legal action in Federal District Court with the same basis and issues involved in the complaint.

#### *Acknowledging the Complaint*

- 8. The Civil Rights Program has sole authority for accepting complaints for investigation. Once accepted, the complaint will be acknowledged in writing within thirty (30) calendar days.

#### *Investigating the Complaint*

- 9. The Title VI Coordinator, or any other qualified investigator designated by the Civil Rights Program, will investigate the complaint, including outreach to the party who is alleged to have acted in a discriminatory manner.
- 10. The Title VI Coordinator or assigned investigator will contact the Complainant if more information is needed. The Complainant shall respond to any such requests within thirty (30) days, or the complaint may be dismissed.
- 11. As soon as feasible, and generally within ninety (90) calendar days of receipt of the complaint and all necessary follow up, the Title VI Coordinator or designee will prepare an investigative report. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
- 12. The Complainant will be mailed a written copy of the report.

#### *Appealing the Decision*

- 13. If the complainant is not satisfied with the results of the investigation s/he shall be advised of his/her rights to appeal WYDOT's initial determination.
- 14. No form is required to file an appeal. The Complainant should simply notify the Title VI Coordinator in writing they wish to appeal. This notice can be sent via mail (5300 Bishop Blvd., Cheyenne, WY 82009) or email (DOT-civilrights@wyo.gov) to the Title VI Coordinator.
- 15. The complaint and appeal will then be forwarded to Civil Rights Program and be assigned to the ADA Coordinator or other WYDOT employee(s) who was/were not a party to the original investigation.
- 16. That secondary reviewer or review team will re-assess and re-investigate if necessary, and an independent decision will be issued in writing.

*Other Venues for Title VI Complaints*

17. Upon completion of the investigative process, or at any time, the Complainant has the right to file the complaint with FTA's Office of Civil Rights at the address below:

Office of Civil Rights  
Federal Transit Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
United States