



METRO'S PROCEDURES FOR TRACKING AND INVESTIGATING TITLE VI COMPLAINTS

If any individual believes that s/he or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipts of benefits and/or services, or on the grounds of race, color, national origin, or sex, s/he may exercise their right to file a complaint with Metro. Every effort will be made to resolve complaints informally at the Metro, sub-recipient, and contractor's level.

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program or activity administered by Metro or its subrecipients, 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 level possible. The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolution, at any stage of the process. The Title VI Coordinator will make every effort to pursue a resolution to the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

A. Procedure

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 Metro's Title VI 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:
 - a. Complaint shall be in writing and signed by the complainant(s).
 - b. Include the date of the alleged act of discrimination (date when the complainant(s) 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.
 - d. Allegations may be faxed or e-mailed and will be acknowledged and processed once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. The complainant is required to mail a signed, original copy of the fax or e-mail transmittal for Metro to be able to process it.

- e. Allegations received by telephone will be reduced to writing and provided to complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign, and return to Metro for processing.
2. Upon receipt of the complaint, the Title VI Coordinator will determine the complaint's jurisdiction, acceptability, and the need for additional information, as well as investigate the merit of the complaint. In cases where the complaint is against one of Metro's subrecipients of federal funds, Metro will assume jurisdiction and will investigate and adjudicate the case. Complaints against Metro will be referred to the Oregon Department of Transportation's ("ODOT") Office of Equal Opportunity ("OEO"), for proper disposition pursuant to their procedures. In special cases warranting intervention to ensure equity, these agencies may assume jurisdiction and either complete or obtain services to review or investigate matters.
3. 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, religion, color, national origin, or gender.
 - c. The allegation(s) must involve a program or activity of a Federal-aid recipient, subrecipient, or contractor.
4. A complaint may be dismissed for the following reasons:
 - a. The complainant requests the withdrawal of the complaint.
 - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - c. The complainant cannot be located after reasonable attempts.
5. Once Metro or ODOT decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within five calendar days. The complaint will receive a case number and will then be logged into Metro's records identifying its basis and alleged harm, and the race, religion, color, national origin, and gender of the complainant.
6. In cases where Metro assumes the investigation of the complaint, Metro will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days from the date of Metro's written notification of acceptance of the complaint to furnish his/her response to the allegations.
7. In cases where Metro assumes the investigation of the complaint, within 40 calendar days of the acceptance of the complaint, Metro's Investigator (who may be one of

Metro's Title VI designees, an outside inspector, or Metro's Title VI Coordinator) will prepare an investigative report for review by the Office of Metro Attorney and the COO. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.

8. The investigative report and its findings will be sent to the Metro Attorney for review. The Metro Attorney will review the report and associated documentation and will provide input to the Investigator within 10 calendar days.
9. Any comments or recommendations from the Metro Attorney will be reviewed by Metro's Investigator. The Investigator will discuss the report and recommendations with the COO within 10 calendar days. The report will be modified as needed and made final for its release.
10. Metro's final investigative report and a copy of the complaint will be forwarded to FTA within 60 calendar days of the acceptance of the complaint.
11. Metro will notify the parties of its final decision.
12. If complainant is not satisfied with the results of the investigation of the alleged discrimination and practices, the complainant will be advised of the right to appeal to the U.S. Department of Transportation ("USDOT"). The complainant has 180 days after Metro's final resolution to appeal to USDOT. Unless facts not previously considered come to light, reconsideration or appeal to Metro will not be available.