

HATS Title VI Complaint Procedures

Purpose:

The HATS Title VI Complaint Procedures is written to specify the process employed by HATS to investigate complaints, while ensuring due process for Complainants and Respondents. The process does not preclude HATS from attempting to informally resolve complaints.

This procedure applies to all external complaints relating to any program or activity administered by HATS and/or its sub-recipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantage Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination on the basis of race, color, disability, sex, age, low income, nationality or Limited English Proficiency. Additional statutes include, but not limited to, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disability Act of 1990.

These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant. Intimidation or retaliation of any kind is prohibited by law.

Process:

An individual, or his or her representative, who believes that he or she has been subject to discrimination or retaliation prohibited by Title VI and other nondiscrimination provisions, has the right to file a complaint. Complaints need to be filed within 180 calendar days of alleged occurrence, when the alleged discrimination became know to the Complainant, or when there has been a continuing course of conduct, the date on which the conduct was discontinued or latest instance of the conduct.

Complaints may be mailed to:

Title VI Compliance Officer
HATS
112 Market Street, 2nd Floor
Harrisburg, Pennsylvania 17101

Title VI Coordinator
Bureau of Equal Opportunity
Pennsylvania Department of Transportation,
PO Box 3251
Harrisburg, Pennsylvania 17105-1720

Equal Opportunity Specialist
U.S. Department of Transportation
Federal Highway Administration
228 Walnut Street; Room 508
Harrisburg, PA 17105-1720

Equal Opportunity Specialist
PA Human Relations Commission
Harrisburg Regional Office
Riverfront Office Center, 5th Floor
1101-1125 South Front Street
Harrisburg, PA 17104-2515

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Office of the Assistant Attorney General, Main
Washington, D.C. 20530

Civil Rights Officer
U.S. Department of Transportation
Federal Transit Administration
1760 Market Street
Suite 500
Philadelphia, PA 19103-4124

Title VI Coordinator
Office of Civil Rights
Federal Aviation Administration
800 Independence Ave., SW
Washington, DC 20591

Complaints shall be in writing and signed by the Complainant(s). If complaints are received by telephone or in person, the Title VI Compliance Officer or other authorized representative shall formally interview the person to provide the basis for the written complaint. If necessary, the authorized person will assist the Complainant in writing the complaint. The written complaint must include the following information:

- Name, address and telephone number of Complainant
- Basis of the complaint (e.g., Race, Color, National Origin, Sex, Age, Disability or Retaliation)
- A detailed description of the circumstances of the incident that lead the Complainant to believe discrimination occurred.
- Names address and phones numbers of people who may have knowledge of the alleged incident or are perceived as parties in the complained-of-incident.
- Date or dates on which the alleged discrimination occurred
- Other agencies where the complaint was filed.

As an investigation moves forward, additional information may be required.

If HATS receives a formal complaint, they will acknowledge receipt of the complaint by notifying the Complainant and immediately transmitting the complaint to the proper state or federal agency (e.g. Federal Highway Administration, Federal Transit Administration, and PennDOT) for investigation and disposition pursuant to that agency's Title VI complaint procedures. This will be done via the most time efficient method, most likely email. The Department of Justice has final word on what agency will investigate the claim.

The HATS Title VI Compliance Officer will maintain a log of all complaints received by the Commission.

Appeal Process

If the Complainant does not agree with the decision by the Respondent and cannot come to an informal agreement, the Complainant can directly file the complaint with:

Pennsylvania Department of Transportation
Bureau of Equal Opportunity
PO Box 3251
Harrisburg, PA. 17105-3251

Federal Transit Administration
Office of Civil Rights
Title VI Program Coordinator
East Building, 5th Floor - TCR
200 New Jersey Ave., SE
Washington, DC 20590

Federal Highway Administration
Pennsylvania Division Office
228 Walnut Street, Room 508
Harrisburg, PA. 17101-1720

U.S. Department of Justice
Office for Civil Rights
810 7th Street, NW
Washington, DC 20531