

Southeastern Wisconsin Regional Planning Commission (SEWRPC) Title VI Complaint and Investigation Procedures

The Title VI of the Civil Rights Act of 1964 requires that no person in the United States shall, on the grounds of race, color or national origin, be excluded from, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program and/or activity administered by SEWRPC or its 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 possible level. 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 of the complaint. Initial interviews with the complainant and the respondent will include requests for information regarding specific relief and settlement options.

If information is needed in another language, please contact the Title VI Coordinator at (262) 547-6721.

Procedures

Any individual, group of individuals, or entity that believes they have been subjected to discrimination or retaliation prohibited by Title VI nondiscrimination provisions may file a written complaint to SEWRPC's Title VI Coordinator or directly with the Federal Transit Administration, Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590. A formal complaint should be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complainant must meet the following requirements:

1. Complaints must be in writing and signed by the complainant(s).
2. Complaints must include the date of the alleged act(s) of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date of the latest instance of the conduct).
3. Complaint must present a detailed description of the issues and activities perceived as parties in the action complained against.
4. Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail or hand deliver to the SEWRPC offices a signed, original copy of the fax or e-mail transmittal for SEWRPC to be able to process it.
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 to SEWRPC for processing.

Receipt and Acceptance

In order to be accepted, a complaint must meet the following criteria:

1. The complaint should be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
2. The allegation(s) must involve a covered basis such as race, color, or national origin.
3. The allegation(s) must involve a program or activity that receives Federal financial assistance.
4. When a complaint is received the Title VI Coordinator will provide written acknowledgement of the Complainant, within ten (10) days by registered mail.
5. If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided thirty (30) business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.

SEWRPC will assume responsibility for investigating complaints against any of its consultants and/or contractors. Complaints in which SEWRPC is named as the Respondent, shall be forwarded to the appropriate Federal agency for proper disposition, in accordance with their procedures.

Dismissal

A complaint may be recommended for dismissal for the following reasons:

1. The complainant requests withdrawal of the complaint.
2. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
3. The complainant cannot be located after reasonable attempts

Investigation of Complaints

In cases where SEWRPC assumes the investigation of the complaint, SEWRPC will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of SEWRPC's written notification of acceptance of the complaint to furnish his/her response to the allegation(s).

Within forty (40) calendar days, the SEWRPC Title VI Coordinator will prepare an investigative report for review by the agency's Legal Counsel and Executive Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for remedial steps as appropriate and necessary. The remedial steps, if any, will be implemented as soon as practicable. The Complainant will receive a copy of the final report together with any remedial steps. The Complainant shall also be notified of his/her right to appeal the decision.

The Title VI Coordinator shall maintain a log of Title VI complaints received from this process. The log shall include the date the complaint was filed; a summary of the allegations; the status of the complaint; and actions taken by SEWRPC in response to the complaint. Should SEWRPC receive a Title VI complaint in the form of a formal charge or lawsuit, SEWRPC's Legal Counsel shall be responsible for the investigation.