

VI. NON-DISCRIMINATION COMPLAINT PROCESS

Any person who believes that he or she, either individually, as a member of any specific class of persons, or in connection with any minority contractor, has been subjected to discrimination prohibited by Title VI of Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 as they relate to any Federal Highway Administration (FHWA) or Federal Transit Administration (FTA) funded program or activity administered by WACOG, its subrecipients, consultants and contractors may file a complaint. The complaint must be (a) unequal treatment because of race, color, or national origin or (b) noncompliance with Title VI rules or guidelines adopted thereunder. The complaint form in both English and Spanish can be found at the WACOG website at: <https://www.wacog.com/title-vi/> or as an attachment (Exhibit "4") of this document.

*Justin Hembree, Transportation Program Manager
Title VI Program Coordinator
Western Arizona Council of Governments
208 N Fourth St
Kingman, AZ 86401*

Complaints Filed Against WACOG

The required procedures for FHWA and FTA Title VI/ADA Non-discrimination Complaints filed against WACOG are listed below.

- No Complaints have been filed in 2020

FHWA Title VI Complaint Procedures

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 as they relate to any Federal Highway Administration program or activity administered by WACOG, its subrecipients, consultants and contractors. In addition to these procedures, complainants reserve the right to file formal complaints with other state or federal agencies or take legal action for complaints alleging discrimination.

Required procedures for FHWA Title VI Complaints filed against WACOG, WACOG'subrecipients, contractors or consultants:

Any person, specific class of persons or entity that believes they have been subjected to discrimination on an FHWA-related activity or program as prohibited by the legal provisions of Title VI on the basis of race, color, national origin, can file a formal complaint with WACOG. A copy of the Complaint Form may be accessed electronically at: <https://www.wacog.com/title-vi/>

1. The complaint must be filed within 180 days of the alleged discrimination, and include the date the alleged discrimination became known to the complainant or the last date of the incident.
2. Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. However, the complainant may call WACOG and provide the allegations by telephone for transcription. Once transcribed WACOG will send the written complaint to the complainant for correction and signature.
3. A complaint should contain at least the following information:
 - a. A written explanation of what has happened;
 - b. A way to contact the complainant;
 - c. The basis of the complaint (e.g., race, color, national origin);
 - d. The identification of a specific person/people and the respondent (e.g., WACOG/organization) alleged to have discriminated;
 - e. Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal Highway Administration financial assistance; and is a consultant, contractor or subrecipient of WACOG and
 - f. The date(s) of the alleged discriminatory act(s).
4. Upon receipt of a completed complaint, WACOG will forward all FHWA Title VI complaints to Arizona Department of Transportation (ADOT) Civil Rights Office (CRO) within 72 hours.
5. ADOT CRO will forward all FHWA Title VI complaints to the FHWA Division Office.
6. All Title VI complaints received by the FHWA Division Office will be forwarded to the FHWA Office of Civil Rights for processing and potential investigation.
7. If the FHWA Office of Civil Rights determines a Title VI complaint against a subrecipient can be investigated by ADOT CRO, the FHWA Office of Civil Rights may delegate the task of investigating the complaint to ADOT CRO. ADOT CRO will conduct the investigation and forward the Report of Investigation to the FHWA Office of Civil Rights for review and final disposition.
8. The disposition of all Title VI complaints will be undertaken by the FHWA Office of Civil Rights, through either (1) informal resolution or (2) issuance of a Letter of

Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to the FHWA Division Office.

9. The complainant may also file a discrimination related complaint on an FHWA program or activity directly with ADOT or with the Federal Highway Administration by contacting the agencies at:

<p><i>ADOT Civil Rights Office</i> 206 S. 17th Avenue, Mail Drop 155-A Phoenix, AZ 85007 602.712.8946 602.239.6257 FAX Email: CivilRightsOffice@azdot.gov</p>	<p><i>Federal Highway Administration</i> U.S. Department of Transportation Office of Civil Rights 1200 New Jersey Avenue, SE 8th Floor E81 - 105 Washington, DC 20590 Email: CivilRights.FHWA@dot.gov 202.366.0693 202.366.1599 FAX</p>
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FTA Title VI Complaint Procedures

For FTA funded programs or activities; the complainant may file a discrimination related complaint directly with WACOG or with ADOT or with the Federal Transit Administration by contacting the agencies at:

<p><i>ADOT Civil Rights Office</i> 206 S. 17th Avenue, Mail Drop 155-A Phoenix, AZ 85007 602.712.8946 602.239.6257 FAX Email: CivilRightsOffice@azdot.gov</p>	<p><i>FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.</i></p>
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If information is needed in another language, please contact the WACOG Title VI coordinator at (928)-377-1070. Si se necesita información en Español, por favor comuníquese con la Oficina WACOG al (928) 377-1070