

**WORCESTER REGIONAL TRANSIT AUTHORITY
TITLE VI NONDISCRIMINATION COMPLAINT PROCEDURE**

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. Two Executive Orders and related statutes further define populations that are protected under the umbrella of Title VI. Executive Order 12898 is concerned with environmental justice for minority and low-income populations. Executive Order 13166 is concerned with providing equal access to services and benefits for those individuals with limited English proficiency (LEP). The rights of women, the elderly, and people with disabilities are protected under related statutes.

Title VI requires that recipients of federal assistance not discriminate against the protected populations whether the aid is received directly or through contractual means. Massachusetts General Law extends these protections to prevent discrimination on the basis of religion, military service, ancestry, sexual orientation or gender identity or expression. In order to comply with 49 CFR Section 21.9(b), the Worcester Regional Transit Authority (WRTA) maintains the following procedure for receiving, investigating, addressing, and tracking Title VI complaints.

1. Submittal of Complaints

Any individual who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes, by the Worcester Regional Transit Authority (WRTA) in its role of planning and programming federal funds may file a written complaint. Such complaint must be filed no later than 180 calendar days after the date the person believes the discrimination occurred.

Written complaints may be submitted to:

Mr. Dennis Lipka, Administrator/Title VI Coordinator
Worcester Regional Transit Authority
60 Foster Street
Worcester, MA 01608

Written complaints addressed to the WRTA Administrator shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as completely as possible the facts of and circumstances surrounding the alleged discrimination, and shall include the following information:

- Name, address, and phone number of the complainant.
- A written statement of the complaint, including the following details:
 - Basis of alleged discrimination (for example, race, color, national origin, or language).
 - A detailed description of the alleged discriminatory act(s).
- What in the nature of the incident(s) led the complainant to feel discrimination was a factor:
 - The date or dates on which the alleged discriminatory event or events occurred.
 - Name(s) of alleged discriminating individual(s), if applicable.
- Other agencies (state, local, or federal) where the complaint is also being filed.
- Complainant's signature and date.

Complainants are strongly encouraged to submit written complaints using the WRTA's Title VI Complaint Form, which is available at <http://www.therta.com/title-vi/>

In the case where a complainant is unable or incapable of providing a written statement and has no designee to do so, a verbal complaint of discrimination may be made. Such complaints may be submitted to WRTA Customer Service in person, by telephone at (508) 791-9782 or via a recording.

Oral and written complaints may also be submitted to:

Title VI Program Coordinator
MassDOT Office of Diversity and Civil Rights
10 Park Plaza, Suite 4160
Boston, MA 02116

The MassDOT Title VI Program Coordinator will convert the verbal allegations to writing and provide the complainant with the written document for

confirmation, revision, and a signature before processing. In cases where the Complainant will be assisted in converting an oral complaint into a written complaint, the Complainant is required to sign the written complaint.

Written complaints may also be submitted to:

U.S. Department of Transportation
Departmental Office of Civil Rights
1200 New Jersey Ave.
Washington D.C. 20590

2. Review of Complaint

Complaints concerning WRTA operations (whether submitted using the csfeedback@therta.com link or by communication with the Customer Services staff) will be entered into the WRTA's Customer Service database, reviewed by the Customer Services Manager, and routed to the appropriate WRTA personnel with notification to the WRTA Administrator. The WRTA Customer Services Manager shall monitor the status of such complaints, and ensure that a response is issued within ten (10) business days.

Complaints addressed to the WRTA Administrator will likewise be entered into the WRTA's Customer Service database by the Administrator and/or his staff. The Administrator shall review the complaint and determine its appropriate routing within WRTA or for referral to WRTA counsel or an outside public agency. This review may include the collection of additional information from the complainant and/or the alleged discriminated party. Upon completion of the review, the WRTA staff shall report to the WRTA Administrator. This report may include recommendations for possible action to address the complaint. Recommendations may include:

- Forwarding the complaint to a responsible implementing agency.
- Identifying remedial actions available to provide redress.
- Identifying improvements to the WRTA's processes relative to Title VI.

Note that the WRTA may close out complaints of either type during its review due to resolution of the Complainant's issue, insufficient or unsubstantiated information contained in the complaint, or the WRTA's inability to contact the Complainant.

3. Responding to Complaints

The WRTA shall acknowledge receipt and processing of all Title VI complaints within ten (10) business days.

For complaints involving WRTA operations, WRTA staff shall develop a proposed response to the complaint, recommend a course of action, and submit it to the WRTA Administrator for discussion, approval and potential implementation. The WRTA Administrator shall issue a written response to the complainant. This response shall be issued no later than 60 days after the date on which the WRTA Administrator received the complaint. If more time is required, the WRTA Administrator shall notify the complainant of the estimated time frame for completing the review and response.

If a complaint concerns agencies other than the Worcester Regional Transit Authority (WRTA), WRTA staff will seek permission from the complainant to forward his/her complaint to appropriate individuals at those agencies.

4. Appeals

The complainant may appeal the WRTA Administrator's response to the complaint. Appeals must be in writing and be submitted to either of the following no later than 30 days after the date of the written response:

MassDOT Office of Diversity and Civil Rights
10 Park Plaza, Suite 4160
Boston, MA 02116

U.S. Department of Transportation
Departmental Office of Civil Rights
1200 New Jersey Ave.
Washington D.C. 20590

In the case where a complainant is unable or incapable of providing a written appeal and has no designee to do so, a verbal appeal to a complaint of discrimination decision may be made through the Title VI Program Coordinator at MassDOT Office of Diversity and Civil Rights. Verbal appeals may be submitted (either in person, by telephone at (508) 756-7717, or via a recording) to MassDOT's Title VI Program Coordinator. The Title VI

Program Coordinator will convert the verbal appeal to writing and provide the complainant with the written document for confirmation, revision, and a signature before processing. In cases where the Complainant will be assisted in converting an oral appeal into a written appeal, the Complainant is required to sign the written appeal.

The complainant has the right to file formal complaints with other state or federal agencies and/or to seek private counsel. These procedures are part of an administrative process that does not include punitive damages or compensatory remuneration for the complainant.

WRTA staff will forward complaints and responses to those complaints to the Massachusetts Department of Transportation's Office of Diversity and Civil Rights.

The WRTA shall maintain a list of complaints, lawsuits, and investigations alleging discrimination on the basis of race, color, or national origin. The list shall include filing date(s), allegation summaries, the status of the investigation, lawsuit or complaint, and actions taken by the WRTA. The list of complaints, investigations and resolutions will be forwarded to MassDOT's Office of Diversity and Civil Rights. A summary of all civil rights compliance review activities conducted over the latest three-year period shall be maintained.