

**COMPLAINT
PROCESS**

I. Introduction

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the City's programs, activities and services as required by statute.

II. Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the City for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

III. Roles and Responsibilities

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion, assign a capable person to investigate the complaint.

The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

IV. Filing a Complaint

The complainant shall make him/herself reasonably available to the designated investigator, to ensure completion of the investigation within the timeframes set forth.

Applicability: The complaint procedures apply to the beneficiaries of City programs, activities and services, including but not limited to: the public, contractors, sub-contractors, consultants, and other sub-recipients of Federal and state funds.

Eligibility: Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the City or its sub-recipients, consultants and contractors on the

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basis of race, color, national origin (including Limited English Proficiency), sex, age or disability may bring forth a complaint of discrimination under Title VI by completing the Title VI Discrimination Complaint Form (see City's Complaint Form) and submitting it to the City's Title VI Coordinator.

Time Limitation on Filing Complaints: Title VI complaints may be filed with the Title VI Coordinator. In all situations, the employees of the City must contact the Title VI Coordinator immediately upon receipt of Title VI related statutes complaints.

Complaints must be filed within 180 days of the alleged discrimination. The policy assumes that if a complainant could not reasonably be expected to know that the act was discriminatory within the 180 day period, the period is extended 60 days beyond the date the complainant became aware to file the complaint.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. The complainant must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint.

Items that should not be considered a formal complaint: (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

- An anonymous complaint that is too vague to obtain required information,
- Inquiries seeking advice or information,
- Courtesy copies of court pleadings,
- Newspaper articles,
- Courtesy copies of internal grievances.

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V. Investigation

Investigation Plan: The Title VI Coordinator shall assign a trained investigator to the complaints that will be required to prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s),
- Basis for complaint: Issues, events or circumstances that caused the person to believe that he/she has been discriminated against,
- Information needed to address the issue,
- Criteria, sources necessary to obtain the information,
- Identification of key people,
- Estimated investigation time line,
- Remedy sought by the complaint(s).

Conducting the Investigation:

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained as much as possible.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- TxDOT will be responsible for conducting the investigation of any transportation related discrimination complaints filed under Title VI with the city of Pasadena in which the City or its sub-recipients are named as the respondent. Upon receipt, the complaint and any pertinent information will be forwarded to the TxDOT Office of Civil Rights Program Unit within ten (10) calendar days.

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Investigation Reporting Process:

- Within 40 days of receiving the complaint, the investigator prepares an investigative report and submits the report and supporting documentation to the Title VI Coordinator for review.
- Upon review of the file and investigative report, the Title VI Coordinator makes a determination of “probable cause” or “no probable cause” and prepares the decision letter.

Retaliation:

The laws enforced by this City prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint, please contact:

City of Pasadena
Attn: Azell Carter, Compliance Examiner
City of Pasadena
1211 Southmore
Pasadena, Texas 77502
713-475-7295

Reporting Requirements to an External Agency

A copy of the complaint, together with a copy of the investigation report and final decision letter will be forwarded to the Texas Department of Transportation, Office of Civil Rights within 30 days of the date the investigation is completed.

Records

All records and investigation working files are maintained in a confidential area. Records are kept for a minimum of three years.