

SAMTD Title VI Complaint Procedure

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color or national origin may file a written complaint with Salem Area Mass Transit District (SAMTD), 555 Court St., NE Suite 5230, Salem, Oregon 97301. Complainants have the right to complain directly to the appropriate federal agency. Every effort will be made to obtain early resolution of complaints. The option of informal meeting(s) between the affected parties and the Title VI manager may be utilized for resolutions. The Title VI manager will notify SAMTD's General Manager of all Title VI related complaints as well as all resolutions.

PROCEDURE

1. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s). In cases where Complainant is unable or incapable of providing a written statement, as verbal complaint may be made. The Title VI manager will interview the Complainant and assist the person in converting verbal complaints to writing. All complaints must, however, be signed by the Complainant or his/her representative.
 - b. Include the date of the alleged act of discrimination, date when the Complainant became aware of the alleged act of discrimination: or the date on which the conduct was discontinued or the latest instance of conduct.
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.
 - d. Federal and state law requires complaints be filed within 180 calendar days of the alleged incident.
2. Upon receipt of the complaint, the Title VI manager will determine its jurisdiction, acceptability, need for additional information.

3. The complainant will be provided with a written acknowledgement that SAMTD has either accepted or rejected the complaint.
4. A complaint must meet the following criteria for acceptance:
 - a. The Complaint must be filed within 180 days of the alleged occurrence.
 - b. The allegation must involve a covered basis such as race, color or national origin.
 - c. The allegation must involve SAMTD service of a Federal-aid recipient, sub-recipient or contractor.
5. A complaint may be dismissed for the following reasons:
 - a. The Complainant requests the withdrawal of the complaint.
 - b. The Complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - c. The Complainant cannot be located after reasonable attempts.
6. Once SAMTD's Title VI manager decides to accept the complaint for investigation, the Complainant will be notified in writing of such determination. The complaint will receive a case number and will be logged in a database identifying: Complainants name, basis, alleged harm, race color and national origin of the Complainant.
7. In cases where SAMTD's Title VI manager assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, SAMTD's Title VI manager will prepare an investigative report for review by the General Manager or his/her designee. The report shall include a narrative description of the incident, indemnification of persons interviewed, findings and recommendations for disposition.
8. The investigative report and its finding will be reviewed by the General Manager of SAMTD and in some cases by SAMTD's Legal Counsel. The report will be modified as needed.
9. The General Manager/Legal Counsel will make a determination on the disposition of the complaint. Dispositions will be stated as follows:
 - a. In the event SAMTD is in noncompliance with Title VI regulation

remedial actions will be listed.

10. Notice of determination will be mailed to the Complainant. Notices shall include information regarding appeal rights of Complainant and instruction for initiating such and appeal. Notice of appeals are as follows:
 - a. SAMTD will reconsider this determination, if new facts come to light.
 - b. If Complainant is dissatisfied with the determination and/or resolution set forth by SAMTD, the same complaint may be submitted to the FTA for investigation. Complainant will be advised to contact the Federal Transit Administration Office of Civil Rights, Attn: Title VI Program Coordinator, East Building 5th Floor – TCR 1200 New Jersey Ave. SE, Washington, D.C. 20590, Telephone 202-366-4018.
11. A copy of the complaint and SAMTD's investigation report/letter of finding and Final Remedial Action Plan, if appropriate will be issued to FTA within 120 days of the receipt of the complaint.
12. A summary of the complaint and its resolution will be included as part of the Title VI updates to the FTA.

RECORDKEEPING REQUIREMENT

The Title VI manager will ensure that all records relating to SAMTD's Title VI Complaint Process are maintained with department records.

Records will be available for compliance review audits.