

CITY OF GOLDSBORO
TITLE VI PROGRAM COMPLAINT PROCEDURES

Any person who believes she or he has been discriminated against on the basis of race, color or national origin by the City of Goldsboro (hereinafter referred to as “City”) may file a Title VI complaint by completing and submitting the City’s Discrimination Complaint Form. The City investigates complaints received no more than 180 days after the alleged incident.

Once the complaint is received by the City’s Title VI Coordinator, the City will review it to determine if the complaint is within the City’s jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the City or, if determined to be outside the City’s jurisdiction, will be forwarded to the appropriate agency.

The City of Goldsboro will make every effort to obtain early resolution of complaints at the lowest level possible. Complaints of alleged discrimination will be investigated by the appropriate authority. Upon completion of each investigation, City staff will inform every complainant of all avenues of appeal.

Purpose

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

Filing of Complaints

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

Eligibility: Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, sex, age, national origin, or disability may file a written complaint with City of Goldsboro. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative and must be in writing.

Time Limits and Filing Options: A complaint must be filed no later than **180 calendar days** after the following:

- The date of the alleged act of discrimination; or
- The date when the person(s) became aware of the alleged discrimination; or
- Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

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Format for Complaints: Complaints shall be in writing and signed by the complainant(s) or a representative and include the complainant’s name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing (see “Complaint Form”). Complaints will be accepted in other languages and in Braille.

Complaint Basis: Allegations of discrimination must be based on issues involving race, color, national origin, sex, age, or disability. The term “basis” refers to the complainant’s membership in a protected group category.

Title VI complaints may be submitted to the following entities

<p>City of Goldsboro Title VI Coordinator P.O. Drawer A Goldsboro, NC 27533-9701 <i>or physical address</i> Community Relations Office Historic City Hall 214 North Center Street Goldsboro, NC 27530</p>	<p>Federal Transit Administration Office of Civil Rights, ATTN: Title VI Program Coordinator East Bldg. 5th Floor – TCR 1200 New Jersey Avenue, SE Washington, DC 20590</p>
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Complaint Review Process

Initial Contact: The Goldsboro Title VI Coordinator will provide complainants with an explanation of the filing options, information concerning the discrimination complaint process and a Title VI Discrimination Complaint Form.

City Responsibility: The Title VI coordinator or designee, will review complaints upon receipt to ensure that relevant information is provided, the complaint is timely, and satisfies jurisdictional requirements.

All complaints shall be investigated unless:

- The complaint is withdrawn;
- The complainant fails to provide required information in a timely manner;
- The complaint is not filed timely; and

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Any issues that do not involve discrimination, or are not based on a protected basis will be directed to the appropriate entity. Under no circumstances will complainants be discouraged from filing a complaint.

The Title VI Coordinator or designee, will investigate all complaints filed against the Goldsboro's contractors, subcontractors, consultants, and other sub-recipients. These complaints will be forwarded to NCDOT upon request.

Complaints filed against Goldsboro will be forwarded to NCDOT for processing investigation.

Upon determination that the complaint warrants an investigation, the complainant is sent a certified letter acknowledging receipt of the complaint within 10 days of receipt of the complaint. The name of the investigator is provided as well as the complainant's rights under Title VI and related statutes.

The respondent is notified by certified mail that he/she has been named in a complaint and is provided with his/her rights under Title VI and related statutes. The letter identifies the investigator's name and informs the respondent that he/she will be contacted for an interview.

Complaint Investigation

The investigator shall prepare an investigative plan that includes, but is not limited to the following:

- Complainant(s) name and address;
- Respondent(s) name and address;
- Applicable law(s);
- Basis for the complaint;
- Allegations, events or circumstances that caused the person to believe that he/she has been discriminated against;
- Appropriate information needed to address the issue;
- Name of persons to be interviewed and issues of which they have first-hand knowledge;
- Questions for the complainant, respondent, and witness(es);
- Evidence to be obtained during the investigation; and
- Remedy sought by the complainant.

Conducting the Investigation

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained to the fullest extent possible.

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- Interviews will be conducted to obtain the facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case that the witness can provide firsthand information.
- Interviews are taped/recorded with the interviewee's consent.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- The investigation working papers are completed, cross-referenced and indexed.
- The interviewee may have representation of his/her choice at the interview.

Informal Resolution

The Alternative Dispute Resolution (ADR) process is offered as an alternative for resolving Title VI complaints. During the investigative process, the investigator will make every effort to assist the parties with reaching a voluntary, negotiated resolution.

During the initial interviews with the complainant and respondent, the investigator will request information regarding specifically requested relief and settlement opportunities. The attempts to resolve complaints using ADR are required by the Alternative Dispute Resolution Act of 1998.

Investigation Reporting Process

Within 60 days of conducting the investigation, the investigator will prepare an investigative report and submit the report and supporting documentation to the Title VI Coordinator, or designee for review. The investigative report should include recommended decisions.

The investigative report should outline the following complaint details: Date of written complaint, contract number, contractor and/or subcontractor name, and the complaint basis (race, color, national origin, etc).

The Title VI Coordinator or designee will review the file and investigative report. If a designee conducts the review, then subsequent to the review, the designee will submit the investigative reports, investigative files, and recommended decisions to the Title VI Coordinator.

Upon the Title VI Coordinator's approval, the investigative report and recommended decisions shall be forwarded to NCODT.

Records

All records and investigative working files will be maintained within the Title VI Coordinator's offices, or at a location as directed by the Title VI Coordinator. Records are kept for four years internally.