

## **Title VI Notice to the Public**

The Southwestern Pennsylvania Commission will provide information to the public regarding the SPC's obligations under FTA's Title VI regulations and apprise members of the public of the protection against discrimination afforded to them by Title VI. At a minimum, the SPC shall disseminate this information to the public by posting the notice on its website and in public places where the Title VI notice is relevant. The SPC will post this notice on our website, in our office and in the vanpool vans. See Appendix A for copies of SPC's Title VI poster.

The SPC will widely distribute its Title VI plan. The Title VI notifications are also included with all newly printed or revised agency publications, brochures and pamphlets meant for public consumption. The following notice is standard wording for publications, brochures, flyers, etc.

The SPC is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and relevant guidance. The SPC assures that no person in the United States shall, on the grounds of race, color or nation origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

To request additional information on the SPC's Title VI policy, or to file a discrimination complaint, please contact the SPC at (412) 391-5590.

The Complaint Procedure is located on our website at <https://spcregion.org/pdf/titleVI/SPCTitleVIComplaintPolicyandForm.pdf> and a hard copy can be obtained from our office at:

**Southwestern Pennsylvania Commission**

**Title VI Coordinator**

Two Chatham Center, Suite 500  
112 Washington Place  
Pittsburgh, PA 15219

### SPC Title VI Notice To Public

The Southwestern Pennsylvania Commission (SPC) hereby gives public notice that it is the policy of the Commission to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI and other related statutes require that no person in the United States of America shall, on the grounds of race, color, sex, national origin, age, or disability, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which SPC receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice by SPC under Title VI has a right to file a formal complaint with the Commission. Any such complaint must be in writing and filed with SPC's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more Information call 412-391-5590.

## Title VI Complaint Procedures

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin. Subsequent laws and Presidential Executive Orders added disability, sex, age, income status and limited English proficiency to the criteria for which discrimination is prohibited, in programs and activities receiving federal financial assistance. As a recipient of federal assistance, the SPC has adopted a Discrimination Complaint Procedure as part of its Title VI Plan to comply with Title VI, Title II of the Americans with Disabilities Act of 1990 (ADA)/Section 504 of the Rehabilitation Act of 1973 (Section 504), and associated statutes.

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, Title II of the Americans with Disabilities Act of 1990 (ADA)/Section 504 of the Rehabilitation Act of 1973 (Section 504), or any nondiscrimination authority, may file a complaint with SPC. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the SPC Title VI Coordinator for review and action.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
  - a. The date of the alleged act of discrimination; or
  - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued. In this case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.
3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints should set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in putting the complaint in writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.
4. Within 10 days, the SPC Title VI Coordinator will acknowledge receipt of the allegation in writing; inform the complainant of action taken or proposed action to process the allegation; advise the respondent of their rights under Title VI and related statutes; and, advise the complainant of other avenues of redress available, such as the Pennsylvania Department of Transportation (PennDOT), the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA).
5. Within 10 days, a letter will be sent to the PennDOT Central Office, Civil Rights Division, and a copy to the FHWA Pennsylvania Division Office or other agency. This letter will list the names of the parties involved, the basis of the complaint, and the assigned investigator.
6. Generally, the following information will be included in every notification to the Penn DOT Office of Civil Rights:
  - a. Name, address, and phone number of the complainant.
  - b. Name(s) and address(es) of alleged discriminating official(s).

- c. Basis of complaint (i.e., race, color, national origin, sex, age, disability, income status, limited English proficiency).
  - d. Date of alleged discriminatory act(s).
  - e. Date of complaint received by the recipient.
  - f. A statement of the complaint.
  - g. Other agencies (state, local or federal) where the complaint has been filed.
  - h. An explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.
- 7. Within 60 days, the SPC Title VI Coordinator will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Executive Director. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
- 8. Within 90 days of receipt of the complaint, the SPC Title VI Coordinator will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with Penn DOT or the FHWA or other agency, if they are dissatisfied with the final decision rendered by SPC. SPC's Title VI Coordinator will also provide the PennDOT Civil Rights Central Office with a copy of the determination and report findings.
- 9. In the case a nondiscrimination complaint that was originated at SPC is turned over to and investigated by Penn DOT, FHWA or another agency, the SPC Title VI Coordinator will monitor the investigation and notify the complainant of updates, in accordance with applicable regulations, policies and procedures.
- 10. In accordance with federal law, the SPC will require that applicants of federal assistance notify the SPC of any law suits filed against the applicant or sub-recipients of federal assistance or alleging discrimination; and a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.
- 11. The SPC will collect demographic data on staff, committees, and program areas in accordance with 23 CFR, 49 CFR and SPC's established procedures and guidelines.
- 12. The SPC will retain Discrimination Complaint Forms and a log of all complaints filed with or investigated by SPC.
- 13. Records of complaints and related data will be made available by request in accordance with the Pennsylvania Freedom of Information Act.

## Title VI Complaint Form

Information on how to file a complaint is located on the SPC website. The complaint may be mailed or delivered to:

**Southwestern Pennsylvania Commission**  
**Title VI Coordinator**  
**Two Chatham Center, Suite 500**  
**112 Washington Place**  
**Pittsburgh, PA 15219**

Individuals may also reach the designated SPC Title VI Coordinator at (412) 391-5590, or send email to: TitleVI-Coordinator@spcregion.org.

### TITLE VI COMPLAINT FORM

Complaints must be in writing and filed with the SPC Title VI Coordinator within 180 calendar days following the date of the alleged discriminatory occurrence. Complainant has a right to representation, file a written complaint with FTA, Regional Civil Rights Officer, and complainant has the option to remain anonymous or to seek assistance in filling out the complaint form.

**Your Name** \_\_\_\_\_ **Date of Filing** \_\_\_\_\_

**Your Address** \_\_\_\_\_

**Work Phone** \_\_\_\_\_ **Home Phone** \_\_\_\_\_ **Cell Phone** \_\_\_\_\_

FTA recognizes race, color and national origin as basis for Title VI complaints. Indicate on what ground(s) you believe you were discriminated against by checking the applicable boxes below:

☐ **Race**

☐ **Color**

☐ **Nat. Origin**

☐ **Other**

Explain why you believe discrimination has taken place. Please provide date(s), time(s), and location(s) of discrimination. Please provide witness name(s), address(es), and telephone number(s). Please provide name(s) and work location(s) of person(s) you believe responsible for the discrimination. Explain the resolution you request. (Use additional sheets of paper if needed.)

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**Indicate the person(s) who are alleged to be responsible.**

Name(s)	Agency	Work Location (if known)	Classification (if known)

What Remedy? Requested Action? And/or Adjustment you are requesting? Please be specific. Use additional sheets as necessary. \_\_\_\_\_

\_\_\_\_\_

**Your Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

Form SFN 51795  
Revised: June 1, 2011

### **Appeal Process**

If the Complainant does not agree with the decision by the Respondent and cannot come to an informal agreement, the Complainant can directly file the complaint with:

Pennsylvania Department of Transportation  
Bureau of Equal Opportunity  
PO Box 3251  
Harrisburg, PA 17101-3251

Federal Highway Administration  
Pennsylvania Division Office  
228 Walnut Street, Room 508  
Harrisburg, PA 17101-1720

Federal Transit Administration  
Office of Civil Rights  
Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590

U.S. Department of Justice  
Office for Civil Rights  
810 7<sup>th</sup> Street, NW  
Washington, DC 20531

**Comisión del suroeste de Pensilvania**  
**Coordinador del Título VI** Two Chatham Center, Suite 500  
 112 Washington Place  
 Pittsburgh, PA 15219  
 (412) 391-5590

**FORMULARIO DE QUEJAS TITULO VI**

Quejas deben ser sometidas por escrito y presentadas al Coordinador de Título VI durante los 180 días a partir de la fecha en que ocurrió la presunta discriminación. El demandante tiene derecho a representación. Somete su queja por escrito a FTA, Oficial de Derechos Civiles de la Region. El demandante tiene la opción a permanecer anónimo o solicitador ayuda llenando el formulario de quejas.

**Nombre** \_\_\_\_\_

**Fecha** \_\_\_\_\_

**Dirección**

\_\_\_\_\_

**Tel Empleo** \_\_\_\_\_ **Tel Hogar** \_\_\_\_\_

**Tel Cel** \_\_\_\_\_

FTA reconoce raza, color, y origen nacional como bases para quejas al Título VI. Indique el motivo por el cual cree haber sido discriminado(a) marcando una de las siguientes opciones:

↑

☐ **Raza** ↑

☐ **Color** ↑

☐ **Origen Nacional**

Explique porqué cree que ha sufrido discriminación. Por favor provea fecha(s), hora(s), y lugar(es). Por favor provea nombres de testigo(s), direccion(es), y número(s) de teléfono. Por favor provea nombre(s) y lugar(es) de empleo de la(s) persona(s) quienes usted cree son responsables de la discriminación. Explique la resolución que está pidiendo. (Use mas hojas si es necesario)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Indique que persona(s) son presuntamente responsables**

Nombre(s)	Agencia	Lugar de empleo (si disponible)	Clasificación (si disponible)

¿Qué remedio, acción, o ajuste está solicitando? Por favor sea específico(a). Use mas hojas si es necesario.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Firma \_\_\_\_\_

Fecha \_\_\_\_\_

Formar SFN 51797

Revisado: October 24, 2011

**Proceso de apelación:**

Si el demandante no está de acuerdo con la decisión del demandado y no puede llegar a un acuerdo informal, el demandante puede presentar la queja directamente a:

Departamento de transporte de Pensilvania  
Oficina de Igualdad de Oportunidades  
PO Box 3251  
Harrisburg, PA 17101-3251

Administración Federal de Carreteras  
Oficina de la división de Pensilvania  
228 Walnut Street, Room 508  
Harrisburg, PA 17101-1720

Administración Federal de Tránsito  
Oficina de Derechos Civiles  
Coordinador del programa del Título VI  
East Building, 5<sup>th</sup> Floor – TCR  
1200 New Jersey Ave., SE  
Washington, DC 20590

Departamento de justicia  
Oficina de Derechos Civiles  
810 7<sup>th</sup> Street, NW  
Washington, DC 20531