KITSAP TRANSIT

TITLE VI COMPLAINT PROCEDURE

INTRODUCTION

Title VI of the 1964 Civil Rights Act requires that "No person in the United States Shall, on the grounds of race, color or national 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."

Kitsap Transit has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter IX of the Federal Transit Administration Circular 4702.1B, October 1, 2012.

The complaint procedure is outlined below:

RIGHT TO FILE A COMPLAINT: Any person who believes himself or any specific class of persons to be subjected to discrimination prohibited by Title VI may by himself or by a representative file a written complaint with Kitsap Transit. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by Kitsap Transit.

COMPLAINT TRACKING: Once a complaint is received, it will be reviewed to determine jurisdiction (Human Resources under Title VI, or other department under another process). All Title VI complaints will be assigned a tracking number. If a complaint is received by Human Resources outside of the customer service office, Human Resource staff will contact customer service to obtain a tracking number via their customer service tracking system.

COMPLAINT ACCEPTANCE: Once a Title VI complaint has been accepted by Kitsap Transit, the Human Resources Director, or designee, will evaluate and investigate it, possibly in conjunction with Kitsap Transit's legal counsel. The complainant will receive an acknowledgement letter either informing him/her that an investigation will commence and/or requesting additional information. If the investigator is not contacted by the complainant or does not receive any additional information (if requested in the acknowledgment letter) within thirty (30) days, Kitsap Transit can administratively close the case.

INVESTIGATIONS: Kitsap Transit will make a prompt investigation whenever a compliance review, report, complaint or any other information indicates a possible failure to comply with this part. The investigation will include, where appropriate, a review of the pertinent practices and policies of Kitsap Transit, the circumstances under which the possible noncompliance with this part occurred, and other factors relevant to a determination as to whether Kitsap Transit has failed to comply with Title VI.

LETTERS OF FINDING AND RESOLUTION: After the investigation has been completed, the investigator(s) shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Kitsap Transit's Human Resources Director will transmit to the complainant one of the following two letters based on its findings:

a. A letter of finding indicating Kitsap Transit did not find a violation of DOT's Title VI regulations. This letter will include any explanations of why Kitsap Transit did not find a violation and provide notification of the complainant's appeal rights. If applicable, the letter can include a list of procedural violations or concerns that certain practices are questionable and that without corrective steps, a future violation finding maybe possible.

b. A letter of finding indicating that Kitsap Transit found a violation of DOT's Title VI regulations. This letter will include a summary of the allegations and interviews of each violation referenced, a brief description of proposed remedies (including any disciplinary action, additional training of the staff member or other remedy/action), a notice of an anticipated completion date for the proposed remedies and notification of the complainant's appeal rights.

APPEALS PROCESS: The letters of finding and resolution will offer the complainant an opportunity to provide additional information that would lead Kitsap Transit to reconsider its conclusions. In general, Kitsap Transit requests that the parties in the complaint provide this additional information in writing, to Kitsap Transit's Board of Commissioners within 60 calendar days of the date that Kitsap Transit's letter of finding was transmitted. The request for reconsideration shall be sufficiently detailed to contain any items the complainant feels were not fully understood or reviewed during the investigation. After reviewing this information, the Kitsap Transit Board of Commissioners' designee will respond either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force. Kitsap Transit strives to transmit these letters within 30 to 60 days of receiving the appeal. If the request for reconsideration is denied, the complainant may also submit a complaint to the Department of Transportation for investigation, at FTA Region X Headquarters:

Attn: Civil Rights Officer
Jackson Federal Building
915 Second Avenue, Suite 3142
Seattle, WA 98174
Telephone: (206) 220-7954
Fax: (206) 220-7959

In accordance with Chapter IX, Title VI Discrimination Complaints, of FTA Circular 4702.1B, such a complaint must be submitted within 180 calendar days after the date of the alleged discrimination. Chapter IX of the FTA Circular 4702.1B, which outlines the complaint process of the Department of Transportation, may be obtained by requesting a copy from Kitsap Transit Human Resources Department (360) 478-0275.

Kitsap Transit reserves the right to assign any Title VI complaint to Kitsap Transit's Counsel for dissolution of any or all parts of this process. If so, Kitsap Transit's Counsel will contact the complainant.

For more information via the internet go to: http://www.fta.dot.gov/civil_rights.html

Mary Pauly

Mary Pauly, Human Resources Director

6/8/23

Date