

# Complaint Procedures

This section outlines the Title VI complaint procedures related to providing programs, services and benefits. However, it does not deny the complainant the right to file formal complaints with the City of Pine Bluff, Equal Employment Opportunity Commission or the Federal Transit Administration, or to seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs receiving federal financial assistance.

## General

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 as noted below may file a written complaint with the City of Pine Bluff, Transit Department, 2300 East Harding, Pine Bluff, Arkansas 71601. Complainants have the rights 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 Transit Director and the Human Resources Director may be utilized for 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 incapable of providing a written statement, a verbal complaint may be made. The Transit Director 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 complainants became aware of the alleged act of discrimination, or the date on which that 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 law requires complaints to be filed within 180 calendar days of the alleged incident.
2. Upon receipt of the complaint, the Transit Director will determine its jurisdiction, acceptability, need for additional information, as well as assign the complaint to the Human Resource Department to investigate the merit of the complaint.
3. The complainant will be provided with a written acknowledgement that Pine Bluff 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 a PBT service of 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 PBT and Human Resources agrees to accept the complaint for investigation, the complainant will be notified in writing of such determination.
7. In cases where PBT and Human Resources Department assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, PBT staff will prepare an investigative report for review by the Transit Director and Human Resources. The report shall include a narrative description of the incident, identification of person interviewed, findings and recommendations for disposition.
8. The investigative report and its findings will be reviewed by the Transit Director and Human Resources Director. In some cases, the investigative report and findings will be reviewed by the City Attorney. The report will be modified as needed.
9. The Transit Director and Human Resources Director will make a determination on the disposition of the complaint. Dispositions will be stated as follows:

- a. In the event PBT is in noncompliance with the Title VI regulations, remedial actions will be listed.
10. Notice of the Transit Director's determination will be mailed to the complainant. Notice shall include information regarding appeal rights of complainant and instructions for initiating such as appeal. Notice of appeals are as follows:
- a. PBT will reconsider this determination if new facts come to light.
  - b. If complainant is dissatisfied with the determination and/or resolution set forth by PBT, 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  
Attention: Complaint Team  
819 Taylor Street, RM 8A36  
Fort Worth, TX 76102

11. A copy for the complaint and PBT 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.