Title VI Program Complaint Procedures

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.

The following information outlines MoDOT's Title VI Program complaint procedures related to providing programs, services and benefits. These procedures do not deny a complainant the right to file a formal grievance. Complainants have a right to make a complaint directly to the appropriate state or federal agency, such as the Missouri Commission on Human Rights, Equal Employment Opportunity Commission, Federal Transit Administration (FTA), Federal Highway Administration (FHWA) or Federal Motor Carrier Safety Administration (FMCSA) or to seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind.

Any person who believes he or she, individually, or as a member of any specific class of person, has been subjected to discrimination on the basis of race, color, national origin, disability, age, income status or LEP, as noted below, may file a written complaint with:

Missouri Department of Transportation
External Civil Rights Division
Title VI Coordinator
P.O. Box 270
Jefferson City, Missouri 65102-0270

Every effort will be made to obtain early resolution of complaints. The option of an informal meeting(s) between the affected parties and the Title VI Coordinator may be utilized to facilitate such resolution.

Procedures

1. The complaint must meet the following requirements:
    a. The complaint should be in writing and signed by the Complainant(s). In cases where the Complainant is unable or incapable of providing a written statement, a verbal complaint may be accepted. The Title VI Coordinator will interview the Complainant and assist the Complainant in converting verbal complaints into writing. All complaints must be signed by the Complainant or his/her representative.
    b. Include the date of the alleged act of discrimination or when the Complainant became aware of the alleged act of discrimination, the date in which the conduct was discontinued or the latest instance of the 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 Coordinator will determine jurisdiction, the acceptability of the complaint, the need for additional information and will assign the complaint for investigation accordingly.

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3. The Complainant will be provided with a written acknowledgement that MoDOT 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 allegations must involve a covered basis of discrimination such as race, color or national origin.
    c. The allegation must involve a MoDOT 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 failed to respond to repeated requests for additional information needed to process the complaint.
    c. The Complainant cannot be located after reasonable attempts have been made to locate Complainant.

6. Once MoDOT 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 into a database identifying the Complainant's name and the basis for the complaint.

7. In cases where MoDOT assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, the Title VI Coordinator or assigned investigator will prepare an investigative report for review by the Director of External Civil Rights. The report will include a narrative description of the incident, identification of persons interviewed, findings and recommendations.

8. The investigative report and its findings will be reviewed by the MoDOT Director or appointed designee, as well as the External Civil Rights Director and the Chief Counsel's Office.

9. The MoDOT Director or appointed designee will make a determination on the disposition of the complaint. If it is found that MoDOT is in noncompliance with Title VI regulations remedial actions will be taken.

10. Notice of the Director's determination will be mailed to the Complainant. The notice will include information regarding the right to appeal and instructions on how to initiate the appeal process. The notice of appeal is as follows:
    a. MoDOT will reconsider its initial determination if new facts are revealed.
    b. If the Complainant is dissatisfied with the determination and/or resolution set forth by MoDOT, the same complaint may be submitted to directly to the appropriate state or federal agency, such as the Missouri Commission

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on Human Rights, Equal Employment Opportunity Commission, Federal Transit Administration (FTA), Federal Highway Administration (FHWA) or Federal Motor Carrier Safety Administration (FMCSA) for investigation.

11. A copy of the complaint and MoDOT's letter of findings will be submitted to the 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.

13. Title VI investigative reports will be retained for up to three years and will be made available for compliance review audits.

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