



TITLE VI/CIVIL RIGHTS COMPLAINT PROCEDURES

VIA Metropolitan Transit (VIA) is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin (limited English proficiency) as provided by Title VI of the Civil Rights Act of 1964, as amended. In addition VIA prohibits discrimination based on sex, age and disability.

VIA will uphold its commitment by:

- Ensuring that the level and quality of transportation services or other benefits is provided without regard to race, color, national origin, sex, age or disability.
- Promoting full and fair participation of all affected populations in transportation decision making.
- Preventing the denial, reduction or delay in benefits related to programs and activities affecting minority populations and low income populations.
- Ensuring meaningful access to VIA services, programs and activities by persons with limited English proficiency (LEP).
- Providing customers' language assistance, if requested, at no cost.

COMPLAINT PROCEDURES

FILING A COMPLAINT

Any person who believes they may have been aggrieved by any unlawful discriminatory practice based on race, color, national origin (limited English proficiency, sex, age or disability) may file a complaint with VIA. VIA encourages complaints to be filed immediately. VIA will investigate complaints filed within 180 calendar days of the alleged discrimination. Complaints can be filed: in writing and mailed to the address listed below using the Title VI/Civil Rights Complaint Form; by email at martha.flores@viainfo.net or verbally by calling (210) 362-2075.

VIA Metropolitan Transit
Attn: Martha Flores, EEO Officer
800 West Myrtle, Suite 102
San Antonio, TX 78212

If information is needed in another language, then please contact (210)-362-2075.

In addition to utilizing the Title VI/Civil Rights Complaint process at VIA, a complainant may file a Title VI complaint with the Federal Transit Administration (FTA).

Federal Transit Administration
Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor TRC
1200 New Jersey Avenue SE
Washington, DC 20590

CONTENTS OF COMPLAINT

The complaint must include a narrative description of the allegation(s) in sufficient detail to enable the EEO Office to understand what occurred, when it occurred and the basis of the alleged discrimination complaint (e.g. race, color, national origin, etc.) The complaint must include all contact information for the complainant including name, address and telephone number; as well as all contact information for all witnesses or individuals with relevant knowledge. The complaint must be signed and dated by the complainant or their representative.

REVIEW OF COMPLAINT

Once the complaint form is received by the EEO Office, it will be reviewed to determine whether the complaint constitutes a Title VI/Civil Rights complaint. The complainant will receive an acknowledgement letter within ten (10) business days informing them whether the complaint will be investigated and requesting more information, if needed, in order for the investigation to take place. In the event more information is needed, the EEO Office will contact the complainant and the complainant shall be given thirty (30) business days to provide the requested information. Failure of the complainant to provide the requested information by a certain date may result in the administrative closure of the complaint or a delay in complaint resolution.

If the EEO Office determines the complaint does not constitute a Title VI/Civil Rights complaint then the complaint will be forwarded to the appropriate department for resolution. The EEO Office will follow up with department to ensure resolution of complaint.

INVESTIGATION OF COMPLAINT

VIA has up to sixty (60) calendar days to investigate the complaint; however, it may be extended beyond the sixty (60) calendar days, within the sole discretion of the EEO Office. The complainant has thirty (30) business days from the date of the acknowledgement letter to send requested information to the investigator or the case could be administratively dismissed. The EEO Office will take the following steps, at a minimum, to investigate the alleged discriminatory act.

- Contact and cooperate with Human Resources, General Counsel and the Division/Department where complaint originated;
- Contact the Division/Department Manager where the alleged discrimination occurred, determine if an investigation has been initiated and review the results of the investigation, if any investigation was conducted;
- Identify and interview all persons with relevant knowledge including, the complainant, persons identified by the complainant and witnesses;
- Identify and review all relevant documents, practices, policies & procedures to determine appropriate resolution.

SUBSEQUENT AND/OR AMENDED COMPLAINTS

Any subsequent or amended complaints should be filed utilizing the Title VI/Civil Rights Complaint Form. Subsequent or amended complaints can also be submitted via email or other written format. The EEO Office will review each subsequent or amended complaint to determine whether the complaint should

stand on its own or be incorporated into the original complaint. Subsequent or amended complaints may delay the timing of the resolution.

COMPLETION OF INVESTIGATION/DISPOSITION

Upon completion of the investigation the EEO Office will prepare a final investigative report for the President/CEO with the investigative findings. The process and final investigation should be completed within sixty (60) calendar days.

The complainant will be issued a letter with assigned disposition to each complaint as follows:

- **Substantiated Complaints-** If there is sufficient evidence to prove the allegation(s) the complaint will be considered **Substantiated** *(Note: If complaint is substantiated appropriate remedial action/resolution will be taken immediately to rectify the discrimination. Further, this policy and procedure prohibiting discrimination will be reviewed with the offender; and appropriate disciplinary action and/or training will be taken pursuant to VIA disciplinary policies.)*
- **Unsubstantiated-** If there is insufficient evidence to prove the allegation(s) the complaint will be considered **Unsubstantiated**.

COMPLAINT APPEAL PROCESS

If the complainant is not satisfied with the disposition or resolution of the complaint and the complainant wants to appeal the decision, they may appeal directly to the following:

VIA Metropolitan Transit
Attn: President/CEO
123 North Medina Street
San Antonio, TX 78207.

Appeals to VIA's President/CEO must be in writing, filed within thirty (30) business days of the date of disposition/resolution of the complaint. Complaint must include the name, address and telephone number of the complainant and must state the basis why the complainant believes the disposition or resolution of the complaint was erroneous. VIA's President/CEO will set a mutually agreed upon time and place for a review and consideration of the appeal with the complainant. The President/CEO will issue a written determination of the appeal within fifteen (15) business days of the date of the review.

Note: If the complainant simultaneously files a complaint with VIA Metropolitan Transit and with an external organization such as the state or federal government, the jurisdiction and investigation of the external agency will supersede VIA's procedures and VIA's investigation may be suspended.