

Title VI and Related Statutes Discrimination Complaint Process

A. FILING OF FORMAL COMPLAINTS

1. Applicability

The complaint procedures apply to the beneficiaries of the Department of Transportation's programs, activities, and services, including but not limited to the public, contractors, subcontractors, consultants and other subrecipients of Federal and State funds.

2. Eligibility

Any person who believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the Department or its subrecipients, consultants, and contractors on the basis of race, color, national origin, sex, age, or disability may bring forth a complaint of discrimination under Title VI and related statutes.

3. Time Limitation and Filing Options

Title VI complaints of discrimination may be filed with:

- ◆ The Department District EO Offices, Headquarters OEO, or DCIU
- ◆ Federal Highway Administration
- ◆ U.S. Department of Transportation

In all situations, Civil Rights staff and/or District Offices must immediately forward Title VI discrimination complaints to the OEO DCIU.

Complaints must be filed no later than 180 days after:

- ◆ The date of the alleged act of discrimination; or
- ◆ The date when the person(s) became aware of the alleged discrimination; or
- ◆ Where there has been a continuing course of conduct, the date on which the conduct was discontinued.

4. Type of Complaints

All Title VI and related statute complaints are considered formal as there is no informal process. Complaints **must** be in writing and **signed** by the complainant. Complaints must include the complainant's name, address and phone number and be detailed to specify all issues and circumstances of the alleged discrimination.

5. Complaint Basis

Allegations must be based on issues involving race, color, national origin, sex, age or disability. The term basis refers to the complainant's protected group status.

Protected Group Categories	Definition	Examples
Race	An individual belonging to one of the accepted anthropological racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group.	Black, White, Hispanic, Asian, Native American Indian, Filipino, or Pacific Islander.
Color	Color of skin, including shade of skin within a racial group.	Black, white, light brown, dark brown, etc.
National Origin	National birth site. Citizenship is not a factor. Discrimination based on language or a person's accent is covered by national origin.	Mexican, Cuban, Japanese, Vietnamese, Chinese.
Sex	Gender. Includes sexual harassment and pregnancy.	Women and men.
Age	Persons of any age.	21 year old person.
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic.