

CITY OF WEST PALM BEACH



FEDERAL TRANSIT AUTHORITY TITLE VI
COMPLAINT PROCEDURES

This section outlines the Title VI complaint procedures related to providing programs, services and benefits. However, it does not deny any individual the right to file formal complaints with the Federal Transit Administration (“FTA”) or any other appropriate federal agency, or seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the 1964 Civil Rights Act and the Highway Act of 1973, the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 (ADA) require that: no person in the United States shall, on the ground of race, color, national origin, sex, religion, age, disability or family status be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The City of West Palm Beach (“City”) is actively committed to obeying and preventing all forms of discrimination prohibited by Title VI and all other applicable federal, state and local laws.

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 may file a written complaint with the City of West Palm Beach Human Resources Department, Attention Title VI Coordinator, P.O. Box 3366, West Palm Beach, Florida 33402 or by e-mail to: ada-compliance@wpb.org. A form available for such complaints is available on the City of West Palm Beach’s website, www.wpb.org.

The City strives to obtain early resolution of complaints. The option of informal meeting(s) between affected parties and the City’s Title VI Coordinator/Administrator or their designee may be utilized for resolutions. The Title VI Coordinator/Administrator will notify FTA of all Title VI related complaints as well as all resolutions.

PROCEDURE

1. The complaint must meet the following requirements:
 - a. Complaint shall be in writing and signed by the complainant(s), preferably on the form provided on the City’s website. In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made by calling (561) 494-1019. An EEO Specialist will interview the Complainant and assist the person in converting verbal complaints to writing. All complaints must be signed by the complainant or his/her representative; and
 - b. Include the date of the alleged act of discrimination, date when the Complainant became aware of the alleged act of discrimination; or the date on which that conduct was discontinued or the latest instance of conduct; and
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint; and
 - d. complaints must be filed within 365 calendar days of the alleged incident.

2. Upon receipt of the complaint, the City will determine its jurisdiction, acceptability, need for additional information, as well as assign the complaint to an EEO Specialist to investigate the merit of the complaint.
3. The Complainant will be provided with a written acknowledgement that the City has either accepted or rejected the complaint.
4. A complaint must meet the following criteria for acceptance:
 - a. The complaint must be filed within 365 days of the alleged occurrence; and
 - b. The allegation must involve a covered basis such as race, color, national origin, sex, religion, age, disability or family status; and
 - c. The allegation must involve a City of West Palm Beach service of a Federal-aid recipient, sub-recipient or contractor.
5. A complaint may be dismissed for the following reasons:
 - a. The complaint fails to meet the criteria of items 1a. through d. or 4a. through c., above; or
 - b. The Complainant requests withdrawal of the complaint; or
 - c. The Complainant fails to respond to repeated requests for additional information needed to process the complaint; or
 - d. The Complainant cannot be located after reasonable attempts.
6. The investigation and resolution of the complaint will follow procedures outlined in the City's Code of Ordinances, Part II, Chapter 42, Article II, Equal Opportunity, at Sections 42-42 through 42-46, available through www.municode.com.

RECORDKEEPING REQUIREMENT

The Title VI Coordinator/Administrator and will ensure that all records relating to the City of West Palm Beach Title VI complaint process are maintained in the Human Resources Department in accordance with applicable law. Records will also be available for compliance review audits.