

XI. Complaint Process

Any person who believes that he or she, either individually, as a member of any specific class of persons, or in connection with any minority contractor, has been subjected to discrimination prohibited by Title VI of Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 may file a complaint. The complaint must be (a) unequal treatment because of race, color, national origin, gender, age and/or disability, or (b) noncompliance with Title VI rules or guidelines adopted thereunder.

The Arizona Department of Transportation (ADOT) Civil Rights Office (CRO) has the principal responsibility for processing, investigating, and resolving complaints arising as a result of transportation related operations of its sub-recipients such as CYMPO. The CYMPO will be responsible for processing, investigating and resolving complaints of discrimination by its member agencies. Complaints must be submitted in writing to:

Christopher Bridges, Administrator
Central Yavapai Metropolitan Planning Organization
1971 Commerce Center Circle, Suite E
Prescott, AZ 86301

And or:

ADOT Civil Rights Office
206 South 17th Avenue, Mail Drop 155A
Phoenix, AZ 85007

Complaints received alleging discrimination by CYMPO will be forwarded to the ADOT Civil Rights Office.

A formal complaint must be filed within 180 calendar days of the alleged act of discrimination or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct. This timeframe is prescribed by 49 CFR 21.11(b).

The complaint must meet the following requirements:

- a. Complaint shall be in writing and signed by the complainant(s) and must include complainant(s) name, address and phone number. The CYMPO Administrator will assist the complainant with documenting the issues if necessary.
- b. Present date of the alleged act of discrimination; date when the complainant(s) became aware of the alleged discrimination; or the date on which that 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 complained-of-incident.
- d. Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant is required to mail a signed, original copy of the fax or e-mail transmittal for the CYMPO to process it.
- e. Allegations received by telephone will be transcribed and provided to the complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return to the CYMPO for processing.
- f. Within 45 calendar days of the acceptance of the complaint, the CYMPO investigator will prepare a report for the CYMPO Executive Board to review. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. Upon completion of the investigation a copy of the report will be forwarded to ADOT's Civil Rights Office.
- g. ADOT's final investigative report with the preliminary findings and a copy of the complaint will be forwarded by certified mail to either FHWA (Arizona Division office Civil Rights Specialist), FTA or FAA or NHTSA, within 60 calendar days of the acceptance of the complaint, per 23 CFR 200.9(b) (3).

A complainant dissatisfied with CYMPO's Final Decision may file an appeal with ADOT's Civil Rights Office.