



# TITLE VI POLICY

*Adopted August 20, 2012*



CITY OF  
MASON

# TABLE OF CONTENTS

---



City Organizational Chart ..... Page 3

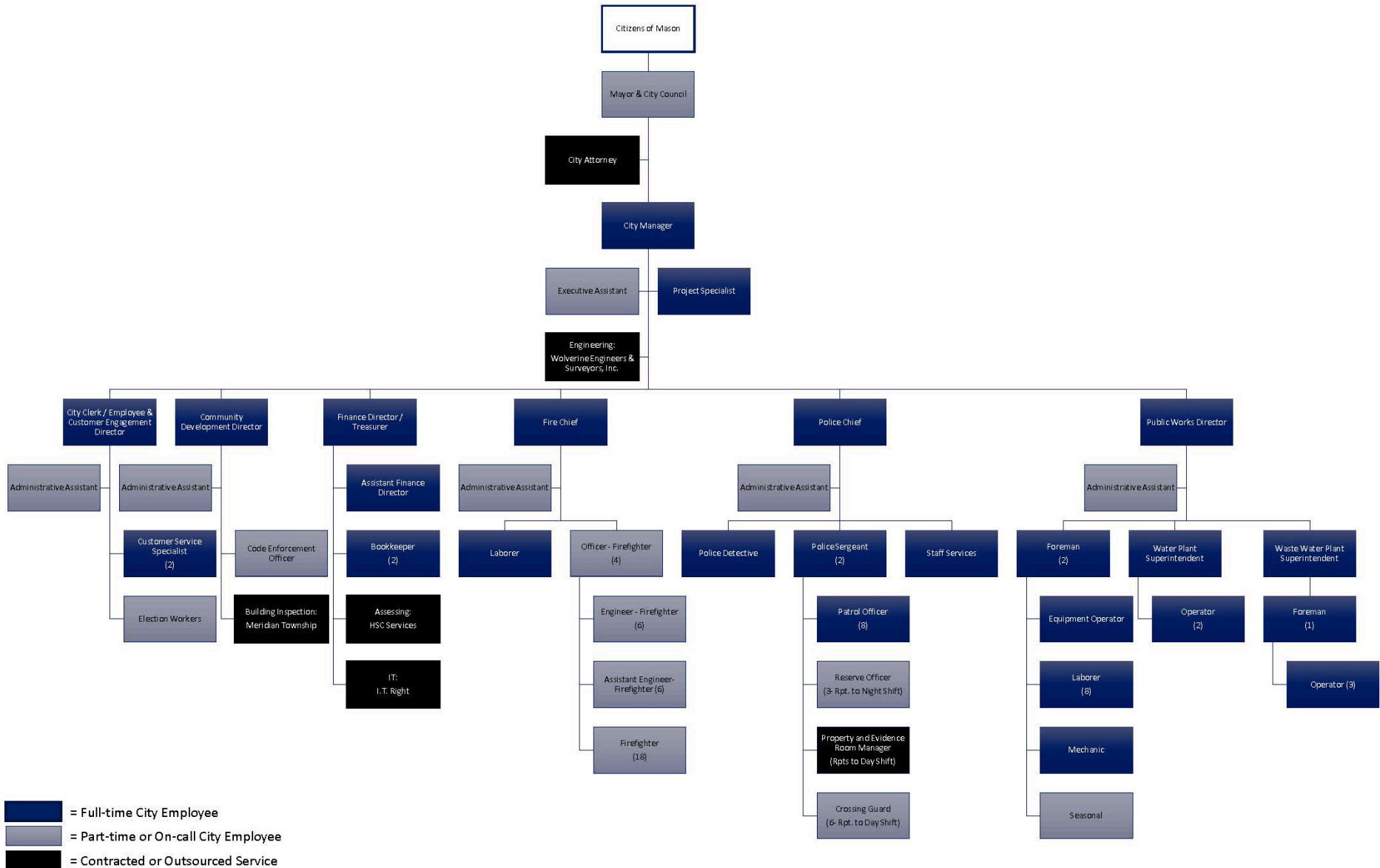
Title VI Policy Statement ..... Page 4

Complaint Form ..... Page 7



# CITY OF MASON ORGANIZATIONAL CHART

## November 2019



# Title VI Policy Statement

---

## **Title VI Authorities**

Title VI of 1964 Civil Rights Act (42 USC §2000d to 2000-4), and related statutes and regulations provide that no person in the United States shall, on the grounds of race, color, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to, discrimination under any program or activity receiving federal assistance (See 23 CFR §200.9 and 49 CFR Part 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259, March 22, 1988).

## **Coordinator Responsibilities**

The City Manager is responsible for ensuring the implementation and the day to day administration of the City of Mason’s Title VI Policy. The City Manager is also responsible for implementing, monitoring, and ensuring the City’s compliance with the Title VI regulations.

## **General Responsibilities**

### **1. Public Dissemination**

The City of Mason will disseminate Title VI Policy information to City employees, sub-recipients, and contractors, as well as the general public. Public dissemination will include posting public statements, inclusion of Title VI language in contracts, announcements of hearings, and notices of vacancies in boards and committees and meetings. These notices will be posted in newspapers as well as in the City of Mason City Hall and, depending on the time of announcement, will be posted in the quarterly City newsletter.

### **2. Prevention of Discrimination**

Procedures will be implemented to detect and eliminate discrimination when found to exist, including, but not limited to, issues of accessibility of training to all qualified City employees, utilization of Minority/Women/Disadvantaged Business Enterprises (DBE) contractors, public involvement and material acquisition.

### **3. Annual Reports**

An annual report will be prepared by August 1<sup>st</sup> of each year. The City Manager will be responsible for preparing this annual report. The annual report must be submitted to MDOT by September 1<sup>st</sup> of each year. The report will review Title VI accomplishments and goals for the upcoming year.

### **4. Remedial Action**

The City of Mason will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance through a program review of the program administrative requirements. If irregularities occur in the administration of the program’s operation, procedures will be promptly implemented to resolve Title VI issues all within a period not to exceed 90 days.

MDOT will be notified of any complaint filed at the City of Mason involving Title VI issues, as well as the resolution of the complaint.

## **Filing a Complaint**

### **Applicability**

The complaint procedures apply to the beneficiaries of the City of Mason's programs and activities, including but not limited to: the public, contractors, sub-contractors, consultants, employees and other sub-recipients of federal and state funds.

### **Eligibility**

Any person who believes that they have been excluded from participation in, or denied benefits or services of any program or activity of the City of Mason or its sub-recipients, consultants, and contractors on the basis of race, religion, color, national origin, sex, age, or disability may bring forth a complaint of discrimination under Title VI and related statutes.

### **Time Limitation on Filing Complaints**

Title VI complaints may be filed with:

- City of Mason
- Michigan Department of Transportation
- Federal Highway Administration
- U.S. Department of Transportation

In all situations, City of Mason employees must contact the City Manager immediately upon receipt of complaints under Title VI or related statutes.

Complaints must be filed no later than 180 days after:

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

Complaints must be in writing, and must be signed by the complainant and/or the complainant's authorized representative. The complaint must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event a complainant makes a verbal complaint to a City of Mason employee, or other person authorized to receive complaints on behalf of the City, that person shall interview the complainant. If necessary, the authorized person shall assist the complainant in writing out the complaint for the complainant, or the complainant's representative, to sign.

A complainant may also request a copy of the City of Mason's Title VI complaint form. These forms are available at the City of Mason City Hall during normal business hours.

## **Internal Complaint Processing**

- The City Manager, acting as the Title VI Coordinator, will review the complaint upon receipt to ensure that all information is provided, the complaint meets the 180 day filing deadline and meets jurisdictional requirements.



- The City Manager will then investigate the complaint, unless it is withdrawn. If the complaint is against the City Manager, the City Attorney will investigate the complaint.
- If the complaint warrants a full investigation, the complainant will be notified in writing by certified mail. This notice will name the investigator and/or investigating agency. The City will also notify MDOT of the investigation to determine if the City shall proceed alone with the investigation, or if MDOT assistance is required.
- The person who has allegedly violated the policy shall also be notified by certified mail as to the complaint. This letter will also include the investigator's name, and will request that this person be available for an interview.

## **City of Mason Investigation Procedures**

### **Investigation Plan**

The investigator shall prepare a written plan which includes, but is not limited to:

- Name(s) of the complainant(s)
- Basis for the complaint
- Any additional information needed
- Criteria and sources needed to obtain additional information
- Identify key people
- Estimated investigation time-line
- Remedy sought by the complainant(s)

### **Conducting the Investigation**

- The investigation will address only those issues relevant to the allegations of the complaint
- Confidentiality will be maintained as much as possible
- Interviews will be conducted with those persons involved and evidence will be gathered
- A chronological contact sheet will be maintained in the case file

### **Investigation Reporting Process**

- Within 35 days of receiving the complaint, the investigator shall prepare a report and submit it and any supporting documentation to the Labor Committee for review.
- The Labor Committee will review the file, make a determination as to "probable cause" or "no probable cause," and prepare a final decision letter.

### **Reporting Requirements to an External Agency**

A copy of the complaint, together with a copy of the investigation report and the Labor Committee's final decision letter will be forwarded to the Michigan Department of Transportation within 60 days of the date the complaint was received.

### **Records**

All records will be kept in a confidential manner and be on file for a period of five years.



# TITLE VI COMPLAINT FORM

This form is to be used to report a suspected violation of Title VI by the City of Mason and/or one of its employees, agents, contractors, subcontractors, or sub recipients of federal and state funds. Completion of this form will result in an investigation and report pursuant to the City of Mason Title VI Policy.

Name of complainant: \_\_\_\_\_ Phone No: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Type of discrimination involved (check all that apply):

Race       Color       Age       Sex       National Origin       Disability

Date on which act of discrimination occurred: \_\_\_\_\_

Date on which complainant became aware of act of discrimination: \_\_\_\_\_

If continuing course of discriminatory conduct, the date on which the conduct was discontinued: \_\_\_\_\_

Name and title of person involved in discriminatory conduct (if known): \_\_\_\_\_

Detailed basis for complaint (use additional sheets as necessary): \_\_\_\_\_

Remedy sought: \_\_\_\_\_

## **Applicant Certification:**

The information provided herein is true to the best of my knowledge, information and belief.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Office Use Only:**

Complaint Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_