

**Orange County Transportation Authority
Title VI Complaint Procedure
Tracking and Investigating**



It is the policy of Orange County Transportation Authority (OCTA) to employ its best efforts to ensure that all programs, services, activities, and benefits are implemented without discrimination. OCTA follows complaint investigation and format procedures which are in keeping with Title VI requirements. This is OCTA's procedure for tracking and investigating complaints alleging discrimination on the basis of race, color, or national origin.

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 OCTA, the Federal Transit Administration (FTA), or the Secretary of Transportation (DOT). Further, OCTA prohibits intimidation, coercion, or engagement in other discriminatory conduct against anyone because he or she has filed a complaint to secure rights protected by Title VI.

A complaint must be filed within 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary of Transportation or FTA. Complaints may be filed online at octa.net/contact/customer-comment-form/, emailed to titlevi-inquiries@octa.net, verbally via OCTA's Customer Service Department 714-636-RIDE, or in person at OCTA's administrative office. OCTA encourages complaints to be initially filed with OCTA for resolution. However, in those cases where the complainant is dissatisfied with the resolution by OCTA, the same complaint may be submitted to the FTA or the Secretary of Transportation for investigation.

Written complaints may also be mailed to OCTA directly, or the FTA and Secretary of Transportation offices identified below:

Orange County Transportation Authority:

Maggie McJilton
Executive Director, People and Community Engagement
Federal Compliance Officer
600 South Main St.
Orange, CA 92868

Federal Transit Administration:

Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Federal Highway Administration

U.S. Department of Transportation
Attention: Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590

The complaint information should include the date of the alleged act of discrimination, when the complainant(s) became aware of the alleged action of discrimination; or the date on which that conduct was discounted or the latest instance of conduct.

Complainants should present a detailed description of the issue(s), including the name(s) and job title(s) of those individual(s) perceived as parties in the complaint. The allegation must involve discrimination

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on the grounds of race, color or national origin. Allegations must involve an OCTA service, program or activity of a federal-aid recipient, sub-recipient or contractor.

In cases where the complainant is unable or incapable of providing a written statement but wishes OCTA to investigate the alleged discrimination, a verbal complaint of discrimination may be made. The complainant will be interviewed by an appropriate representative authorized to receive complaints. If necessary, the representative will assist the complainant in converting verbal complaints to writing. Translation services will be provided to all complainants, as necessary.

Information for filing a Title VI complaint can be accessed on the OCTA website at www.octa.net or by contacting the OCTA Customer Relations Department at 714-636-RIDE (multi-lingual translation services are available). E-mail inquiries or initial complaints can be sent directly to the OCTA Office of Civil Rights at titlevi-inquiries@octa.net.

Complaint Format:

- Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination.
- OCTA will provide the complainant or his/her representative with a written acknowledgment that OCTA has received the complaint within ten working days.

Complaint Forwarding:

If a Title VI complaint is related to a program or project funded by the Federal Highway Administration, the complaint will be forwarded to Caltrans within one business day via email to Title.VI@dot.ca.gov.

Tracking Complaints:

- The following complaint information will be tracked on the OCTA Title VI Complaint/Investigation log by the Office of Civil Rights in the People and Community Engagement Division:
 1. Date the complaint was received by the OCTA Office of Civil Rights
 2. Date an acknowledgment letter was sent to the complainant
 3. Entity
 4. Protected category
 5. Program/Activity/Service
 6. Summary of the allegation
 7. Status of the complaint
 8. Was the complaint investigated – yes/no
 9. Action Taken
 10. The response letter was sent to the complainant - action taken

Determination of Investigative Merit:

OCTA will begin an investigation within fifteen (15) working days of receipt of a valid complaint. A complaint shall be regarded as meriting investigation unless:

- It clearly appears on its face to be frivolous or trivial.

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- Within the time allotted for making the determination of jurisdiction and investigative merit, the party complained against voluntarily concedes noncompliance and agrees to take appropriate remedial action.
- Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint; or
- Other good cause for not investigating the complaint exists (e.g. respondent is presently under investigation by another Federal agency).

Request for Additional Information from Complainant and/or Respondent:

In the event that the complainant or respondent has not submitted sufficient information to make a determination of jurisdiction or investigative merit, OCTA may request additional information from either party. This request shall be made within 15 working days of the receipt of the complaint and will require that the party submit the information within 60 working days from the date of the original request. Failure of the complainant to submit additional information within the designated time frame may be considered good cause for a determination of no investigative merit. Failure of respondent to submit additional information within the designated time frame may be considered good cause for a determination of noncompliance.

Investigative Report:

OCTA will complete an investigation within ninety (90) days of receipt of the complaint. If additional time for the investigation is needed, the complainant will be contacted. A written report will be prepared by the responsible investigator at the conclusion of the investigation. The investigative report will include the following:

- Summary of the complaint, including a statement of the issues raised by the complainant and the respondent's reply to each of the allegations, citations of relevant Federal, State, and Local Laws, rules, regulations, and guidelines, etc.
- Description of the investigation, including a list of the persons contacted by the investigator and a summary of the interviews conducted; and a statement of the investigator's findings and recommendations. A closing letter will be provided to the complainant.

OCTA Timeline Requirements:

Signed complaint filed with the OCTA Office of Civil Rights	180 days
OCTA written acknowledgement from date of receipt	10 days
Begin investigation	15 days
Request for additional information from complainant(s)	15 days
Submit additional information	60 days
Complete investigation	90 days

Recordkeeping Requirements:

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The OCTA Civil Rights Compliance Officer will ensure that all records relating to the OCTA Title VI Complaint Process are maintained with the department records for seven years as of the date of the complaint.

Records will be available for compliance review audits.