



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

It is the policy of the 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 the Federal Highway Administration's (FHWA) Title VI requirements. This is the OCTA procedure for tracking and investigating complaints alleging discrimination on the basis of race, color national origin, age, sex, and disability.

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, national origin, age, sex, or disability may file a written complaint with OCTA, the FHWA or the state of California Department of Transportation (Caltrans). 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 signed complaint must be filed within 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Caltrans. OCTA encourages complaints to be initially filed with OCTA for resolution. However, in those cases where the complainant is dissatisfied with the resolution by the OCTA, the same complaint may be submitted to Caltrans or the FHWA Headquarters for investigation. Unless otherwise permitted, the final determination of all the Title VI complaints affecting programs administered by the FHWA will be made by the Caltrans Division of Civil Rights.

Signed written complaints maybe submitted to the OCTA directly or the FHWA or Caltrans offices identified below:

- Maggie McJilton, Executive Director  
HROD/Office of Civil Rights  
Orange County Transportation Authority  
550 South Main Street  
P.O. Box 14184  
Orange, CA 92863-1584
- California Department of Transportation  
(Caltrans)  
Discrimination Complaint Investigation Unit  
1823 14th Street, MS 79  
Sacramento, CA 95814
- FHWA Headquarters  
Office of Civil Rights  
1200 New Jersey Avenue, SE. (HCR-40)  
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 on the grounds of race, color or national origin, age, sex or disability. Allegations must involve an OCTA service, programs 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, Caltrans or the FHWA to investigate alleged discrimination, a verbal complaint of discrimination may be made. The complainant will be interviewed by an appropriate official authorized to receive complaints. If necessary, the official will assist the complainant in converting verbal complaints to writing. Translation services will be provided to all complainants, as necessary. All complaints must, however, be signed by the complainant or his/her representative.

Information for filing a Title VI complaint can be accessed on the OCTA website at [www.octa.net](http://www.octa.net) or by contacting the OCTA Customer Relations Department at 714-636-RIDE. E-mail inquiries or initial complaints can be sent directly to the OCTA Office of Civil Rights at [titlevi-inquiries@octa.net](mailto:titlevi-inquiries@octa.net). English and Spanish Title VI protection notification is provided in the OCTA Bus Book and in brochures available on OCTA buses, at eight transportation hubs, two administrative office locations and the OCTA Store. Multi-lingual translation services are available at 714-636-RIDE.

### **Complaint Format:**

- All complaints must be in writing and signed by the complainant or his/her representative before action can be taken. 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.

### **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 Human Resources & Organizational Development 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.
- 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:**

The OCTA Civil Right 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.