



Northeastern Pennsylvania Metropolitan Planning Organization Title VI Non-Discrimination Plan

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Prepared for:

Northeastern Pennsylvania Metropolitan Planning Organization
Northeastern Pennsylvania Alliance
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Northeastern Pennsylvania Alliance

NEPA



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I. STATEMENT OF POLICY

The Northeastern Pennsylvania Metropolitan Planning Organization (NEPA MPO) is committed to a policy of non-discrimination in the conduct of its business, including its Title VI of the Civil Rights Act of 1964 (Title VI) responsibilities for the delivery of equitable and accessible transportation services. It is the MPO's policy to utilize its best efforts to assure that no person shall, on the grounds of race, color, disability, gender, age, low-income, national origin language or limited-English proficiency, be excluded from participation in, be denied the benefits of or be subjected to discrimination under its programs or services.

It is the NEPA MPO's objective to:

- A. Ensure that the level and quality of transportation planning and related activities are conducted without regard to race, color, disability, gender, age, low income, national origin, language or limited-English proficiency;
- B. Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of the MPO's programs and activities on minority populations and low-income populations;
- C. Promote the full and fair participation of all affected populations in transportation decision-making;
- D. Prevent the denial, reduction or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- E. Ensure meaningful access to programs and activities by persons with Limited-English Proficiency (LEP).

The responsibility for carrying out the NEPA MPO's commitment to this program is carried by the Title VI Compliance Officer. The Title VI Compliance Officer is responsible for the day-to-day operations of the Title VI Program and will receive and investigate Title VI complaints which come through the MPO's established complaint procedure. All members of the NEPA MPO will share in the responsibility for making the Title VI Program a success.

Additional information concerning the NEPA MPO's Title VI obligations and the full Complaint Procedure and Complaint Forms can be found on the NEPA MPO website in the Public Involvement Plan section at <http://www.nepa-alliance.org/transportation/title-vi-civil-rights-and-environmental-justice/> or by calling (570) 655-5581.

Matt Connell, Chair, NEPA MPO Policy Board

Adopted [date] _____

II. POLICY PURPOSE, GOALS & OBJECTIVES

The NEPA MPO has established a framework for targeted efforts to identify, seek out and engage environmental justice populations (minority and low-income persons) as well as others who are traditionally underserved by the transportation system (those with Limited-English Proficiency, seniors and persons with disabilities).

The foundation for these efforts is stated in Title VI of the Civil Rights Act of 1964¹:

“... No person in the United States shall, on the basis of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program receiving Federal financial assistance ...”

Further reinforcement was established by the President’s 1994 Executive Order on Environmental Justice², which states:

“... Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations ...”

The purpose of the NEPA MPO’s Title VI Policy is to ensure that plans, programs and processes developed by the MPO consider the needs of environmental justice populations and those traditionally underserved by the transportation system, adhering to the provisions of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and Title VI of the Civil Rights Act of 1964 (Title VI). The goal is to ensure that federally funded transportation projects in the region do not disproportionately burden these populations, such that they are denied the benefits of the projects. The objectives of the policy are to:

1. Identify the environmental justice and traditionally underserved populations residing in the NEPA MPO region;
2. Expand the involvement of environmental justice and traditionally underserved populations in the transportation planning process; and
3. Ensure that the NEPA MPO’s committees are aware of the needs of these environmental justice and other traditionally underserved populations, and considers these needs in decision-making regarding the MPO’s transportation investment program.

NEPA MPO has coordinated its Title VI Policy with its Public Involvement Plan (PIP) and Language Assistance Plan (LAP)/Limited-English Proficiency Plan (LEP), making each plan known among its constituent counties and local governments for the purpose of increasing awareness and tools for public involvement.

¹ Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000).

² Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994.

III. PUBLIC OUTREACH PROGRAM

The NEPA MPO ensures all outreach strategies, communications and public involvement efforts comply with Title VI. The MPO completed a synchronized update of the MPO's Public Involvement Plan (PIP), Title VI Policy and Language Assistance Plan (LAP)/Limited-English Proficiency (LEP) Plan. The updated PIP was adopted by the MPO in November 2015.

The NEPA MPO provides information regarding its obligations, policies and plans to the public using a variety of communication methods, which frequently reinforce each effort.

- The Title VI Policy document is available on the MPO's website. It may be downloaded or requested in paper copy from MPO staff.
- The MPO's Title VI Complaint Form and Process are available on the MPO's website and are available in hard copy upon request at the Northeastern Pennsylvania Alliance Office. The Complaint Form and Process are provided in English, Spanish and Polish.
- The MPO will make available handouts, fliers, or pamphlets at public meetings informing the public of their rights under Title VI.
- The LAP Plan, which outlines services that the MPO provides for LEP persons, is available on the MPO's website and is available upon request at the NEPA Alliance Office.

The goal of the PIP is to actively involve the public in a manner that is:

- Open
- Cooperative
- Collaborative
- Continuing

To help identify the diversity in the NEPA MPO planning area, the PIP includes mapping and other locational analyses of environmental justice populations (minority and in-poverty persons) and other populations that are traditionally underserved by the transportation system (disabled, senior and LEP persons). Accommodations for and targeted outreach to these persons are built into the PIP at multiple points.

Table 1 below outlines outreach strategies that are consistent with both the PIP and this Title VI Policy.

Table 1. Listing of Title VI Outreach Strategies

Outreach Tool	Definition
Direct Mailings	Mail sent to an affected group or area to educate, notify or request input.
Display Ads in Newspaper	Paid advertisement in the newspaper to alert readers about an upcoming event or action.
Displays at Transit Centers	Permanent or temporary displays at transit hubs and centers to reach a large number of system riders.
Legal Notice	Public posting or advertising in newspapers to announce a legal action or intent.
On-board Information	Pamphlets and posters that alert transit riders to information.
Public Hearing	A meeting during which public testimony may be heard and formal action may be taken on any measure before the NEPA MPO Committees.
Rider Alerts	Notifications of route, frequency or other information that is of particular interest to transit riders.
Signs	Signs on buses, at stop locations and at transit centers to reach people who use transit services.
Surveys (scientific and self-selected); online or hardcopy	Surveying opinions and ideas to help the NEPA MPO understand how to better serve the constituency.
Workshops/Open Houses/Town Halls	Types of meetings where staff and public interact and discuss various issues.
Website	Notifications of meetings and availability of translating website and documents into other languages using Propio, Bing, or Google Translate.
Social Media (Facebook, Twitter)	Provide short and quick notices of NEPA MPO events and plans available for review.
MySidewalk	Provides an online forum to both distribute information from the NEPA MPO and collect information from the public.

A. Voting and Non-Voting Membership of the NEPA MPO Committee

The NEPA MPO has the authority to conduct transportation planning and programming activities for Carbon, Monroe, Pike and Schuylkill Counties. The NEPA MPO has two main governing bodies—the NEPA MPO Technical Planning Committee and the NEPA MPO Policy Board.

The MPO Technical Planning Committee is comprised of sixteen (16) voting members that include two (2) representatives from each of the four MPO counties, three (3) transit representatives, a representative from the Urbanized Area, the Planning and Programming Engineer from PennDOT Districts 4 and 5, a PennDOT Central Office representative, and a representative from the NEPA Board of Directors.

The NEPA MPO Policy Board is comprised of five (5) voting members that include one representative from each of the four MPO counties, appointed by the NEPA Alliance Board of Directors and a PennDOT Central Office representative.

The NEPA MPO Technical Planning Committee and NEPA MPO Policy Board are guided by Operational Procedures and Bylaws, which were adopted in October 2013.

B. Diversity in the Voting Membership of the MPO Committees

The success of the MPO is ensured by active participation and input from its members. To that end, and in accordance with Title VI regulations and guidelines stipulating non-elected committee representatives endeavor to reflect community demographics within the MPO (including groups or communities traditionally underserved by existing transportation systems), the NEPA MPO encourages the participation of underserved and potentially vulnerable residents on its committees. **Table 2** is a comparison of the minority composition of the NEPA MPO Technical Planning Committee and Policy Board vs. the NEPA MPO Region.

Table 2. Minority Composition of the NEPA MPO Technical Planning Committee and Policy Board vs. MPO Region

	Body			
	NEPA MPO Committee & Board		NEPA MPO Region	
	Population	%	Population	%
Total	21		438,900	
Racial Composition				
<i>African American or Black</i>	2	9.5%	27,976	6.4%
<i>Asian</i>	0	0.0%	5,076	1.2%
<i>Native American¹</i>	0	0.0%	569	0.1%
<i>Some Other Race</i>	0	0.0%	706	0.2%
<i>Two or More Races</i>	0	0.0%	6,675	1.5%
<i>White</i>	19	90.5%	362,919	82.7%
Ethnic Composition				
<i>Hispanic or Latino</i>	0	0.0%	34,979	8.0%
<i>Not Hispanic or Latino</i>	0	100.0%	403,921	92.0%

Source: American Community Survey, 5-year Estimate, 2009-2013.

Notes:

¹ "Native American" includes those recorded as "Native Hawaiian and Other Pacific Islander" and "American Indian and Alaska Native."

C. Outreach to Environmental Justice (EJ) and other Traditionally Underserved Populations (TUP)

The NEPA MPO will make a special effort to notify, engage, and consider the needs of minority and low-income persons, as well as other populations and communities that are "traditionally underserved" by the existing transportation systems. Underserved people may have difficulty getting to places of employment, schools, recreation and shopping, and accessing services and medical care compared to the overall population, and may be unaware of transportation proposals/issues that could dramatically impact their lives. The NEPA MPO's efforts in this regard will be consistent with the Environmental Justice Executive Order (E.O. 12898) dated February 11, 1994, and other related guidance from the Federal Highway Administration and Federal Transit Administration. Refer to the detailed discussion of outreach strategies for TUPs included in Section 4 of the PIP.

The NEPA MPO will continue to identify communities, organizations, agencies and advocacy groups that represent EJ and other traditionally underserved populations, adding them to the appropriate MPO listing of Interested Parties (see the NEPA MPO Public Involvement Plan, Appendix I). New Interested Parties are added continually, as requested or as they are identified.

The NEPA MPO's outreach is further enhanced according to outreach requirements built into the public involvement process for Long Range Transportation Plan Amendments and Transportation Improvement Plan (TIP) Major Amendments. The public involvement process includes "triggers" for a targeted outreach activity when the

amendment includes a project that “disproportionately burdens a population or concentration of minority, in-poverty, disabled or Limited-English Proficient persons” (see the NEPA MPO Public Involvement Plan, pages 27 and 31).

D. MPO Meeting Notices

The NEPA MPO Technical Planning Committee is scheduled to meet once a month, usually on the third Tuesday of the month. The NEPA MPO Policy Board is scheduled to meet every two months, following the NEPA Alliance Board of Directors meeting. The announcement of MPO Meeting dates and times is provided on the NEPA MPO’s website at <http://www.nepa-alliance.org/transportation/mpo-meeting-dates/>. All meeting dates, times and locations are publicly advertised as public notices in the legal sections of six newspapers (four counties within the MPO plus Lackawanna and Luzerne counties as they are part of the NEPA Alliance). Currently, notices are published in the following newspapers (additional newspapers may be identified):

- Carbon County – Lehigh Times News (<http://www.tnonline.com/>)
- Monroe County – Pocono Record (<http://www.poconorecord.com/>)
- Pike County – Pike County Dispatch (<http://pikedispatch.com/>)
- Schuylkill County – Pottsville Republican Herald (<http://republicanherald.com/>)
- Lackawanna County - Times-Tribune (<http://thetimes-tribune.com/>)
- Luzerne County - Citizen’s Voice (<http://citizensvoice.com/>)

E. MPO Meeting Accessibility

Meetings of the MPO are open to the public, in compliance with the MPO’s Bylaws and Pennsylvania’s Sunshine Law. Copies of materials considered by the MPO committee are made available to the public at the time of the meeting or subsequent to a committee meeting. Approved meeting minutes are available for review on the NEPA MPO website.

The NEPA MPO is committed to compliance with the nondiscrimination requirements of applicable civil rights statutes, executive orders, regulations, and policies. The MPO meeting location is accessible to persons with disabilities. Other meetings scheduled by the NEPA MPO will occur at facilities and locations which will encourage attendance by the general public and that are accessible and accommodating to persons with disabilities, older persons and sight and/or hearing-impaired persons; and, are accessible by public transportation or other accommodation. Meeting locations shall be compliant with the Americans with Disabilities Act.

To better accommodate persons with LEP, meeting materials will be made available in document formats that allow automated translation (e.g., Bing or Google Translate) or be translated using Propio, a free interpretation service. To better accommodate persons with visual disabilities, written materials can be formatted specifically for use by devices to assist the sight-impaired. If accommodations are needed for those with other special needs related to language, sight or hearing, please call (570) 655-5581 at least two (2) business days in advance.

When a targeted outreach activity or meeting is triggered by the presence of an LEP population, written materials will be made available in languages other than English that are relevant to those populations. Based on the Four Factor Analysis described in the LEP Plan, vital documents translation is required in Spanish and Polish when considering the NEPA MPO region as a whole.

F. Additional Outreach Methods

The NEPA MPO will give consideration to alternative methods of involving the public appropriate to the project. Such methods include, but are not limited to newsletters, distributing information through public libraries and community groups (especially those serving EJ persons, LEP communities, the elderly and persons with disabilities), using open house format meetings, involving focus groups for specially selected topics, preparing press releases, online

engagement and holding events at non-traditional locations such as shopping malls, fairs, sporting events and community centers. Non-traditional meeting places at convenient times allow for greater participation from pre-existing audience.

IV. TITLE VI COMPLAINT PROCEDURES

A. Purpose

The NEPA MPO Title VI Complaint Procedures are written to specify the process employed by the MPO to investigate complaints, while ensuring due process for Complainants and Respondents. The process does not preclude the NEPA MPO from attempting to informally resolve complaints.

These procedures apply to all external complaints relating to any program or activity administered by the NEPA MPO and/or its sub-recipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantaged Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination on the basis of race, color, disability, gender, age, low income, national origin, language or Limited-English Proficiency. Additional statutes include, but are not limited to, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987 and the Americans with Disabilities Act of 1990.

These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant. Intimidation or retaliation of any kind is prohibited by law.

B. How do I file a Title VI Complaint?

An individual, or his or her representative, who believes that he or she has been subject to discrimination or retaliation prohibited by Title VI and other nondiscrimination provisions, has the right to file a complaint. Complaints need to be filed within **180 calendar days** of alleged occurrence, when the alleged discrimination became known to the Complainant or when there has been a continuing course of conduct, the date on which the conduct was discontinued or latest instance of the conduct.

Complaints shall be in writing and signed by the Complainant(s). If complaints are received by telephone or in person, the Title VI Compliance Officer or other authorized representative shall formally interview the person to provide the basis for the written complaint. If necessary, the authorized person will assist the Complainant in writing the complaint. The written complaint must include the following information:

- Name, address and telephone number of Complainant.
- Basis of the complaint (e.g., Race, Color, National Origin, Gender, Age, Disability or Retaliation).
- A detailed description of the circumstances of the incident that lead the Complainant to believe discrimination occurred.
- Names, addresses and phone numbers of people who may have knowledge of the alleged incident or are perceived as parties in the complained of incident.
- Date, or dates, on which the alleged discrimination occurred.
- Other agencies where the complaint was filed.
- As an investigation moves forward, additional information may be required.

The Title VI Complaint Form may be used to submit the complaint information. The complaint may be filed in writing with the NEPA MPO at the following address:

Title VI Compliance Officer
Northeastern Pennsylvania MPO
1151 Oak Street
Pittston, PA 18640
(570) 655-5581

The NEPA MPO encourages all Complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily.

For complaints originally submitted by facsimile or email, an original, signed copy of the complaint must be mailed to the Title VI Compliance Officer as soon as possible, but no later than 180 calendar days from the alleged date of discrimination.

C. What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color, disability, gender, age, low income, national origin, language or limited-English proficiency, in a service or benefit provided by the NEPA MPO, will be directly addressed by the NEPA MPO. The NEPA MPO shall provide appropriate assistance to Complainants, including those persons with disabilities, or who are limited in their ability to communicate in English.

When a complaint is received, the NEPA MPO will acknowledge receipt of the complaint within fifteen (15) calendar days by notifying the Complainant and immediately transmitting the complaint to the proper state or federal agency (e.g., Federal Highway Administration, Federal Transit Administration, PennDOT) for investigation and disposition pursuant to that agency's Title VI complaint procedures. The Department of Justice has final word on what agency will investigate the claim. In responding to any requests for additional information, a Complainant's failure to provide the requested information may result in the administrative closure of the complaint.

The NEPA MPO will maintain a log of all complaints received. The NEPA MPO will regularly review any comments and complaints received from members of the public to determine if such comments or complaints warrant a Title VI review and response. Any comments or complaints that are determined to be Title VI related will be entered in the complaint log. Responses to the Title VI comment or complaint will follow established procedures identified in this Title VI policy and procedures document.

D. How will the Complainant be notified of the outcome of the complaint?

The NEPA MPO will send a final written response letter to the Complainant within 15 calendar days of the outcome. If the letter notifies the Complainant that the complaint is not substantiated, the Complainant is also advised of his or her right to:

- A. Appeal within seven (7) calendar days of receipt of the final written decision from the NEPA MPO; and/or
- B. File a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 calendar days of receipt of such complaints.

Once sufficient information for investigating the complaint is received by the NEPA MPO, a written response will be drafted subject to review by the NEPA MPO's counsel. If appropriate, a NEPA MPO attorney may administratively close the complaint. In this case, the NEPA MPO will notify the Complainant of the action as soon as possible.

To request additional information on the NEPA MPO's non-discrimination obligations or to file a Title VI complaint, please submit your request in writing to:

Title VI Compliance Officer
Northeastern Pennsylvania MPO
1151 Oak Street
Pittston, PA 18640
(570) 655-5581

Complaint forms may be obtained by calling the phone number above, or by downloading a PDF version of the form online at the following address: <http://www.nepa-alliance.org/transportation/title-vi-civil-rights-and-environmental-justice/>.

In addition to the complaint process described above, a Complainant may file a Title VI complaint with the following offices:

Title VI Coordinator
Bureau of Equal Opportunity
Pennsylvania Department of Transportation
P.O. Box 3251
Harrisburg, PA 17105-1720

Equal Opportunity Specialist
U.S. Department of Transportation
Federal Highway Administration
228 Walnut Street, Room 508
Harrisburg, PA 17101-1720

Civil Rights Division
U.S. Department of Justice
Office of the Assistant Attorney General, Main
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Civil Rights Officer
U.S. Department of Transportation
Federal Transit Administration
1760 Market Street, Suite 500
Philadelphia, PA 19103-4124

Title VI Coordinator
Office of Civil Rights
Federal Aviation Administration
800 Independence Avenue, SW
Washington, D.C. 20591

E. Sample Title VI Notice (English, Spanish and Polish Versions)

**NORTHEASTERN PENNSYLVANIA
METROPOLITAN PLANNING ORGANIZATION (NEPA MPO)
NOTIFICATION OF PROTECTIONS TO THE PUBLIC OF RIGHTS UNDER TITLE VI
AND INSTRUCTIONS ON HOW TO FILE A COMPLAINT**

It is the NEPA MPO's policy to utilize its best efforts to assure that no person shall, on the grounds of race, color, disability, sex, age, low income, national origin or Limited-English Proficiency, be excluded from participation in, be denied the benefits of or be subjected to discrimination under its programs or services, as provided by Title VI of the Civil Rights Act of 1964, as amended.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint. All complaints received are documented and investigated.

For more information on the NEPA MPO's civil rights program and the procedures to file a complaint, or to get information in another language, please contact:

Title VI Compliance Officer
Northeastern Pennsylvania MPO
1151 Oak Street
Pittston, PA 18640
(570) 655-5581

<http://www.nepa-alliance.org/transportation/title-vi-civil-rights-and-environmental-justice/>

After the complaint is processed, a response (if requested) will be sent to the individual filing the complaint and appropriate corrective action is taken.

A Complainant may file a complaint directly with the Federal Highway Administration by filing a complaint with the Equal Opportunity Specialist, U.S. Department of Transportation, Federal Highway Administration, 228 Walnut Street, Room 508, Harrisburg, PA 17101-1720.

**NORTHEASTERN PENNSYLVANIA ORGANIZACIÓN DE PLANIFICACIÓN
METROPOLITANA (NEPA MPO)
NOTIFICACIÓN DE PROTECCIONES AL PÚBLICO DE DERECHOS BAJO TÍTULO VI
Y INSTRUCCIONES PARA PRESENTAR UNA QUEJA**

NEPA MPO está comprometida a asegurar que ninguna persona sea excluida de participar en sus servicios o negada los beneficios de sus servicios sobre la base de raza, color, discapacidad, edad, bajos ingresos financieros, origen nacional, o su habilidad limitada de hablar inglés. Ninguna persona debe ser excluida de participar de sus servicios según lo dispuesto por el Título VI de la Ley de Derechos Civiles de 1964, según enmendada.

Cualquier persona que cree que ha sido agraviada por una práctica discriminatoria e ilegal bajo Título VI puede presentar una queja. Todas las quejas recibidas están documentadas y asignadas a los empleados apropiados para investigación.

Para más información sobre el programa de derechos civiles de Título VI y los procedimientos para presentar una queja, o para obtener más información en otro idioma, por favor póngase en contacto con:

Title VI Compliance Officer
Northeastern Pennsylvania MPO
1151 Oak Street
Pittston, PA 18640
(570) 655-5581

<http://www.nepa-alliance.org/transportation/title-vi-civil-rights-and-environmental-justice/>

Después de procesar la queja una respuesta (si pedida) será mandada a la persona que haya presentado la queja y acción correctiva será realizada.

El demandante puede presentar una queja directamente con la Administración Federal de Carreteras mediante la presentación de una queja ante la Especialista de Oportunidades Iguales, U.S. Department of Transportation, Federal Highway Administration, 228 Walnut Street, Room 508, Harrisburg, PA 17101-1720.

**PÓŁNOCNO PENNSYLVANIA
METROPOLITAN PLANOWANIE ORGANIZACJA (NEPA MPO)
ZAWIADOMIENIE OCHRONY DO PUBLICZNEJ W ZAKRESIE PRAW NA PODSTAWIE ARTYKUŁ VI
I INSTRUKCJE, JAK ZŁOŻYĆ SKARGĘ**

Bez względu na rasę, kolor skóry, niepełnosprawność, płeć, wiek, niskie dochody, pochodzenie, język lub ograniczona znajomość języka angielskiego (LEP) NEPA MPO zapewnia, że w ramach swoich usług żadna osoba nie zostanie wykluczona z udziału, korzyści, lub być przedmiotem dyskryminacji jak przewidziano w Title VI Civil Rights Act z 1964 roku, z późniejszymi zmianami.

Każda osoba, która uważa, że została poszkodowana w wyniku niezgodnych z prawem praktyk dyskryminacyjnych w ramach Title VI może złożyć skargę. Wszystkie otrzymane skargi są udokumentowane i zbadane.

Więcej informacji o programie na rzecz praw obywatelskich w NEPA MPO i procedur jak złożyć skargę lub uzyskać informację w innym języku, prosimy o kontakt:

Title VI Compliance Officer
Northeastern Pennsylvania MPO
1151 Oak Street
Pittston, PA 18640
(570) 655-5581

<http://www.nepa-alliance.org/transportation/title-vi-civil-rights-and-environmental-justice/>

Po przesłaniu skargi, odpowiedź (jeżeli jest wymagana), zostanie wysłana do osoby składającej skargę i właściwe działania naprawcze zostaną podjęte.

Skargę można złożyć bezpośrednio z Federal Highway Administration, składając skargę do Equal Opportunity Specialist U.S. Department of Transport Federal Highway Administration, 228 Walnut Street, Room 508, Harrisburg, PA 17101-1720.

F. Title VI Complaint Form (English, Spanish and Polish Versions)

It is the NEPA MPO's policy to utilize its best efforts to assure that no person shall, on the grounds of race, color, disability, gender, age, low income, national origin, language or Limited-English Proficiency (LEP), be excluded from participation in, be denied the benefits of or be subjected to discrimination under its programs or services, as provided by Title VI of the Civil Rights Act of 1964, as amended. These procedures apply to all external complaints relating to any program or activity administered by NEPA MPO and/or its sub-recipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantaged Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination.

The following information is necessary for processing your complaint. If you require assistance in completing this form, please contact the NEPA MPO Title VI Compliance Officer by calling (570) 655-5581. Please return the completed form to the NEPA MPO Title VI Compliance Officer at NEPA MPO, 1151 Oak Street, Pittston, PA 18640. Title VI complaints must be filed within 180 calendar days from the date of the alleged discrimination.

Complainant Name:

Name of Individual Assisting Complainant:

Complainant Address:

Individual Assisting Address:

Complainant Phone:

Individual Assisting Phone:

Complainant Alt. Phone:

Individual Assisting Alt. Phone:

Which of the following describes the reason(s) the alleged discrimination took place? Circle one or more.

Race Age Color Gender Language/LEP National Origin Disability Retaliation

Date(s) of alleged discrimination: _____

Please provide a detailed description of the circumstances of the incident(s), including any additional information supporting your complaint (please use additional pages as necessary).

Please provide the name(s), title and address (if known) of the person who discriminated against the Complainant.

Please provide, if applicable, names and contact information of people who may have knowledge of the alleged incident(s) or are perceived as parties in the complained-of-incident(s):

Please list any other agency where complaint has been filed:

I affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

Complainant's Signature

Print Name of Complainant

Date

Assisting Individual Complainant's Signature

Print Assisting Individual Name

Date

Date Received: _____

Received By: _____

Title VI Form Procedure

The NEPA MPO will acknowledge receipt of the complaint by notifying the Complainant within 15 calendar days of the “Date Received”. If the Complainant is unsatisfied with the response from the NEPA MPO Compliance Officer, the NEPA MPO will transmit the complaint to the proper state or federal agency—Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and the Pennsylvania Department of Transportation (PennDOT) for investigation and disposition pursuant to that agency’s Title VI complaint procedures.

1. Complete and return Title VI Complaint Form to the NEPA MPO Title VI Compliance Officer at NEPA MPO, 1151 Oak Street, Pittston, PA 18640, within 180 calendar days from the date of the alleged incident.
2. The complaint will be reviewed and investigated by the NEPA MPO Title VI Compliance Officer.
3. The NEPA MPO Title VI Compliance Officer will determine the merit of the claim and (within 15 calendar days) provide the Complainant, and/or the individual assisting complainant, a written acknowledgement that the NEPA MPO has either accepted or rejected the complaint.
4. If the Complainant is unsatisfied with the response, the complaint may be presented to the NEPA MPO Policy Board Chairman within 10 calendar days from receiving the response.
5. The NEPA MPO Policy Board Chairman will respond to the Complainant, and/or the Individual Assisting Complainant, within 15 calendar days.
6. If the Complainant is unsatisfied with the response, the investigative report and findings will be reviewed by the NEPA MPO Policy Board and the NEPA MPO counsel.
7. A copy of the complaint and the NEPA MPO’s investigative report/findings and remedial action plan, if appropriate, will be issued to the proper federal or state agency (e.g.: FHWA, FTA, and PennDOT) within 120 calendar days of receipt of the complaint.
8. A summary of the complaint and its resolution will be included as part of the Title VI updates to the proper federal or state agency (e.g.: FHWA, FTA, and PennDOT).
9. Records will be available for compliance review audits.

NORTHEASTERN PENNSYLVANIA ORGANIZACIÓN DE PLANIFICACIÓN METROPOLITANA (NEPA MPO)
Procedimiento de Queja del Título VI

NEPA MPO está comprometido con asegurar que ninguna persona, por motivos de raza, color, discapacidad, edad, bajos ingresos financieros, nacionalidad, idioma, o habilidad limitada de hablar inglés, sea excluida de participar o sea negada los beneficios de sus servicios, o ser sujeto a discriminación en sus programas o servicios, según lo previsto en el Título VI de la Ley de Derechos Civiles de 1964, según enmendada. Estos procedimientos se aplican a todas las quejas externas relacionadas con cualquier programa o actividad administrada por NEPA MPO y / o sus sub-receptores, consultores y contratistas, presentada bajo el Título VI de la Ley de Derechos Civiles de 1964 según enmendada, (incluyendo Empresas en Desventaja e Igualdad componentes de Oportunidad de Empleo), así como otras leyes conexas que prohíben la discriminación.

La siguiente información es necesaria para el procesamiento de su queja. Si necesita ayuda para completar este formulario, por favor póngase en contacto con el MPO título VI Oficial de Cumplimiento NEPA llamando al (570) 655-5581. Por favor devuelva el formulario completo a la MPO título VI Oficial de Cumplimiento NEPA en NEPA MPO, 1151 Oak Street, Pittston, PA 18640. quejas Título VI deben ser presentadas dentro de los 180 días calendario a partir de la fecha de la supuesta discriminación.

Nombre del Demandante:

Dirección del Demandante:

Número de Teléfono del Demandante:

Número de Teléfono Alternativo del Demandante:

Nombre de la Persona Ayudando al Demandante:

Dirección del Ayudante:

Número de Teléfono del Ayudante:

Número de Teléfono Alternativo del Ayudante:

Cuál, de las siguientes opciones describe la causa de la supuesta discriminación? (Márque con un círculo)

Raza Edad Color Sexo Idioma Nacionalidad Discapacidad Represalias

Fecha(s) de Incidente: _____

Por favor describa el supuesto incidente de discriminación. Proporcione los nombres y títulos de los empleados de NEPA involucrados si se conocen. Explique lo que pasó y quién fue responsable (por favor utilice hojas adicionales como sea necesario).

Por favor, indique el nombre (s), y el título y dirección (si se conoce) de la persona que discrimino en contra del demandante.

Por favor, indique el nombre (s), título y dirección (si se conoce) de la persona(s) que puedan tener conocimiento del supuesto incidente(s) o sean percibidos como partes de la queja del incidente(s):

Por favor indique cualquier otra agencia donde una denuncia haya sido presentada:

Afirmo que he leído los cargos anteriores y que es fiel a lo mejor de mi conocimiento de la información y la creencia:

Firma del Demandante	Nombre del Demandante (en letras legibles)	Fecha
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Firma del Ayudante	Nombre del Ayudante (en letras legibles)	Fecha
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Fecha de Recepción: _____ Recibido por: _____

Título VI Procedimiento de Queja

NEPA MPO reconocerá el recibo de la denuncia mediante notificación al demandante dentro de un plazo de 15 días de la presentación de quejas. Si el demandante no está satisfecho con la respuesta del oficial de cumplimiento de NEPA MPO, la denuncia será transmitida al estado adecuado o agencia federal – Administración Federal de Carreteras, la Administración Federal de Carreteras (FHWA), la Administración Federal de Tránsito (FTA), y el Departamento de Transporte de Pennsylvania (PennDOT) para la investigación y la disposición de conformidad con los procedimientos de queja del Título VI de dicha agencia.

1. Llène y envíe su solicitud a: Title VI Compliance Officer, NEPA MPO, 1151 Oak Street, Pittston, PA 18640 dentro de 180 días calendarios después del supuesto incidente.
2. La queja será revisada y examinada por el administrador de NEPA MPO.
3. El Administrador, junto con los miembros del equipo de dirección determinarán el mérito de la queja y (dentro de 15 días calendarios) proporcionará al demandante, y / o al asistente del demandante un reconocimiento por escrito que NEPA MPO tiene ya sea aceptada o rechazada la denuncia.
4. Si el demandante no está satisfecho con la respuesta, la queja puede ser presentada al Presidente de la Junta de Polizas de NEPA MPO dentro de 10 días calendarios a partir de la recepción de la respuesta.
5. El Presidente de la Junta de Polizas de NEPA MPO responderá al demandante y / o al ayudante del demandante dentro de 15 días hábiles.
6. Si el demandante está insatisfecho con la respuesta, el informe de investigación y fallos será revisado por la Junta Directiva NEPA MPO.
7. Una copia de la queja y del reporte de investigación de informes de NEPA MPO y el plan de medidas correctoras, en su caso, se entregarán a la agencia federal o estatal apropiada (por ejemplo: FHWA, FTA, y PennDOT) dentro de los 120 días calendarios de la recepción de la queja.
8. Un resumen de la queja y su resolución se incluirá como parte de las actualizaciones del Título VI a la agencia federal o estatal apropiada (por ejemplo: FHWA, FTA, y PennDOT).
9. Anotaciones estarán disponibles para auditorías de reviso de cumplimiento.

Title VI Formularz reklamacyjny

Bez względu na rasę, kolor skóry, niepełnosprawność, płeć, wiek, niskie dochody, pochodzenie, język lub ograniczona znajomość języka angielskiego (LEP) NEPA MPO zapewnia, że w ramach swoich usług żadna osoba nie zostanie wykluczona z udziału, korzyści, lub być przedmiotem dyskryminacji jak przewidziano w artykule VI Civil Rights Act z 1964 roku, z późniejszymi zmianami. Procedury te mają zastosowanie do wszystkich skarg zewnętrznych związanych z programami lub działalnościami zarządzane przez NEPA MPO lub jej podgrup odbiorców, konsultantów i wykonawców, złożony na podstawie artykułu VI Ustawy o Prawach Obywatelskich z 1964 z późniejszymi zmianami, (w tym w niekorzystnej sytuacji i Przedsiębiorstwem Równe Biznesu Składniki możliwości zatrudnienia), a także inne powiązane przepisy, które zakazują dyskryminacji.

Następujące informacje są niezbędne do złożenia skargi. Jeśli potrzebujesz pomocy w wypełnieniu formularza, prosimy o kontakt z NEPA MPO Title VI Compliance Officer pod numerem (570) 655-5581. Proszę odesłać wypełniony formularz do NEPA MPO Title VI Compliance Officer w NEPA MPO, 1151 Oak Street, Pittston, PA 18640. Title VI reklamacje należy złożyć w ciągu 180 dni kalendarzowych od daty domniemanej dyskryminacji.

Skarżący

Imię i Nazwisko:

Adres:

Telefon:

Telefon 2:

Osoba wspomagająca powoda

Imię i Nazwisko:

Adres:

Telefon:

Telefon 2:

Które z poniższych opisuje przyczynę (-y) rzekoma dyskryminacja miała miejsce? Podkreśl jeden lub więcej.

Rasa Wiek Kolor Płeć Język Pochodzenie Niepełnosprawność Odwet

Data (-y) domniemanej dyskryminacji: _____

Proszę przedstawić szczegółowy opis okoliczności zdarzenia, w tym wszelkie dodatkowe informacje (proszę użyć dodatkowych stron w razie potrzeby).

Proszę podać imię/imiona i nazwisko(-a), stanowisko i adres (jeżeli jest znany) osoby dyskryminującej Powoda.

Jeśli możliwe proszę podać nazwiska i dane kontaktowe osób, które mogą mieć wiedzę na temat domniemanego incydentu (-ów) lub są postrzegane jako strony:

Proszę podać gdzie jeszcze zostało złożone to zażalenie:

Potwierdzam, że zapoznałem się z powyższą skargą i że jest wierna mojej najlepszej wiedzy, informacji i przekonaniom.

Podpis skarżącego	Pełne imię skarżącego	Data
-------------------	-----------------------	------

Podpis osoby wspomagającej	Pełne imię osoby wspomagającej	Data
----------------------------	--------------------------------	------

Data odebrania: _____ otrzymana przez: _____

Artykuł VI Procedura Formularz reklamacyjny

NEPA MPO ma obowiązek potwierdzić otrzymanie skargi i powiadomić skarżącego w terminie 15 dni kalendarzowych od daty otrzymania. Jeżeli skarżący jest niezadowolony z odpowiedzi z NEPA MPO Zgodności, NEPA MPO przekazuje skargę do właściwego stanu lub agencji federalnej-Federal Highway Administration (FHWA), Federal Transit Administration (FTA) lub Pensylwania Departament of Transportation (PennDOT) dla dochodzenia i usposobienie na mocy artykułu VI procedur reklamacyjnych tej agencji.

1. Należy wypełnić i odesłać formularz Title VI reklamacji do NEPA MPO Title VI Compliance Officer at NEPA MPO, 1151 Oak Street, Pittston, PA 18640, w terminie 180 dni kalendarzowych od daty rzekomego incydentu.
2. Reklamacja zostanie sprawdzona i zbadana przez NEPA MPO Title VI Compliance Officer.
3. NEPA MPO Title VI Compliance Officer określi zasadność roszczenia i (w ciągu 15 dni kalendarzowych) zapewnią skarżącemu lub osobie pomagającej skarżącemu, pisemne potwierdzenie, że NEPA MPO zaakceptowała bądź odrzuciła skargę.
4. Jeżeli skarżący jest niezadowolony z odpowiedzi, skarga może być przedstawiona NEPA MPO Policy Board Chairman w terminie 10 dni kalendarzowych od otrzymania odpowiedzi.
5. The NEPA MPO Policy Board Chairman odpowie osobie skarżącej lub osobie pomagającej skarżącemu w ciągu 15 dni kalendarzowych.
6. Jeżeli skarżący jest niezadowolony z odpowiedzi, raport śledczy oraz ustalenia zostaną zweryfikowane przez radę NEPA MPO Policy Board and NEPA MPO.
7. Kopia skargi, NEPA MPO raport śledczy i ustalenia oraz plan działań naprawczych, w stosownych przypadkach, będą wydawane do właściwego federalnego lub stanowego biura (np: FHWA, FTA, a PennDOT) w ciągu 120 dni kalendarzowych od daty otrzymania reklamacji.
8. Podsumowanie skargi oraz rezolucję zostaną uwzględnione w ramach aktualizacji Title VI do właściwego federalnego lub stanowego biura (np: FHWA, FTA, a PennDOT).
9. Zapisy będą dostępne do kontroli przeglądu zgodności.

G. Sample Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jane Doe
1234 Main St.
Pottsville, PA 17901

Reference: << YYYY-000 >>

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the NEPA MPO alleging

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by calling (570) 655-5581, emailing at XXXXXXXXXXXXXXXXXXXX or writing to me at this address:

NEPA MPO
1151 Oak Street
Pittston, PA 18640

Sincerely,

XXXX XXXXXX
NEPA MPO Title VI Compliance Officer

H. Sample Letter Notifying Complainant that the Complaint is Substantiated

Today's Date

Ms. Jane Doe
1234 Main St.
Pottsville, PA 17901

Reference: << YYYY-000 >>

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the NEPA MPO alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate.) You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

XXXXX XXXXXXXXX
NEPA MPO Title VI Compliance Officer

I. Sample Letter Notifying Complainant that the Complaint is Not Substantiated

Today's Date

Ms. Jane Doe
1234 Main St.
Pottsville, PA 17901

Reference: << YYYY-000 >>

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the NEPA MPO alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had, in fact, been violated. As you know, Title VI prohibits discrimination based on race, color, disability, gender, age, low income, national origin, language or limited-English proficiency, in any program receiving federal financial assistance.

The NEPA MPO has analyzed the materials and facts pertaining to your case for evidence of the failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated. I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to: 1) appeal within seven (7) calendar days of receipt of this final written decision from NEPA MPO; and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Highway Administration or Federal Transit Administration at:

Equal Opportunity Specialist
U.S. Department of Transportation
Federal Highway Administration
228 Walnut Street, Room 508
Harrisburg, PA 17101-1720

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

XXXXXXXX XXXXXX
NEPA MPO Title VI Compliance Officer

J. Title VI Complaint Log Procedure

1. When a complaint is received, the Title VI Compliance Officer will create the Title VI Complaint Record, as follows (see template):
 - a. The complaint is assigned a reference number. The reference number may be formed by the four-digit year in which the complaint is received and a three digit serial number. For example, the first complaint received in 2016 would have the Reference Number "2016-001".
 - b. The Compliance Officer fills in the name, contact information, receipt date and date of alleged discrimination. If any other agencies have been contacted about the discrimination, they are indicated. Notes may be added, as appropriate. The complaint must be received within 180 calendar days of the date of alleged discrimination.
 - c. The complaint is filed in the "complaint log", which is intended to be the MPO's official and ongoing record of all Title VI complaint activity.

The complaint log is to contain the original Complaint, the NEPA MPO Title VI Complaint Record (see template), documentation of investigations completed, and any correspondence sent or received. The log is intended to be portable, so that it may be taken to meetings or other activities where the NEPA MPO has committed to making the log available. For example, the log may be in paper copy format in a binder, with a backup file (physical or electronic) kept in a secure location.

2. The Compliance Officer is responsible to process and resolve the Title VI complaint according to the MPO's Title VI Policy. This includes receiving and sending correspondence, directing the investigation of complaints, documenting decisions, completing complaint records and maintaining the complaint log.

K. NEPA MPO Title VI Complaint Record Template

Reference Number:	<<YYYY-000>>
Complainant:	
Address:	
Phone:	
Email:	

Date Complaint Received by NEPA MPO:		Notes:	
Date of Alleged Discrimination:			
Received by:			
Copy to File:	<input type="checkbox"/> Yes		
Other Agencies Contacted:	<input type="checkbox"/> FHWA		<input type="checkbox"/> PennDOT
	<input type="checkbox"/> FTA		<input type="checkbox"/> PA BEO
	<input type="checkbox"/> Other: _____		

Date Acknowledgement of Receipt Letter sent:		Notes:
Sent by:		
Copy to File:	<input type="checkbox"/> Yes	

Complaint Determination:	<input type="checkbox"/> Substantiated	Notes:
	<input type="checkbox"/> Not Substantiated	
	<input type="checkbox"/> Other: _____	
Date Determination of Complaint Letter sent		
Sent by:		
Copy to File:	<input type="checkbox"/> Yes	

NEPA MPO Title VI Complaint Record Template (continued)

Date Response Received from Complainant:		Notes:
Received by:		
Copy to File:	<input type="checkbox"/> Yes	
Complainant's Disposition:	<input type="checkbox"/> Satisfied <input type="checkbox"/> Not Satisfied	

Date Complaint Forwarded to Policy Board Chairman:		Notes:
Forwarded by:		
Date of Response:		
Sent by:		
Copy to File:	<input type="checkbox"/> Yes	

Date Response Received from Complainant:		Notes:
Reviewed by:		
Copy to File:	<input type="checkbox"/> Yes	
Complainants Disposition:	<input type="checkbox"/> Satisfied <input type="checkbox"/> Not Satisfied	

Date Complaint Forwarded to Policy Board/Counsel:		Notes:
Forwarded by:		
Date of Response:		
Sent by:		
Copy to File:	<input type="checkbox"/> Yes	

Complaint File Reviewed by or Sent to Federal or State Agency:	<input type="checkbox"/> FHWA	<input type="checkbox"/> PennDOT	Notes:
	<input type="checkbox"/> FTA	<input type="checkbox"/> PA BEO	
	<input type="checkbox"/> Other: _____		
Date Sent/Reviewed:			
Sent by:			
Reviewed by:			

NEPA MPO Title VI Complaint Record Template (continued)

Summary of Complaint & Resolution:	
Date Complaint Closed:	
Complaint Officer	(Print)
	(Signature)