



TITLE VI NONDISCRIMINATION COMPLAINT PROCEDURE

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. Two Executive Orders and related statutes further define populations that are protected under the umbrella of Title VI. Executive Order 12898 is concerned with Environmental Justice for minority and low-income populations. Executive Order 13166 is concerned with providing equal access to services and benefits for those individuals with limited English proficiency (LEP). The rights of women, the elderly, and persons with disabilities are protected under related statutes.

Title VI requires that recipients of federal assistance not discriminate against the protected populations whether the aid is received directly or through contractual means. Massachusetts General Law extends these protections to prevent discrimination on the basis of religion, military service, ancestry, sexual orientation or gender identity or expression. In order to comply with 49 CFR Section 21.9(b), the Central Massachusetts Metropolitan Planning Organization (CMMPO) has adopted the following procedure for receiving, investigating, addressing, and tracking Title VI complaints. The Central Massachusetts Regional Planning Commission (CMRPC) administers this procedure for the CMMPO.

1. Submittal of Complaints

Any individual who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and related statutes, by the Central Massachusetts Metropolitan Planning Organization (CMMPO) in its role of planning and programming federal funds may file a written complaint. Complaints may be filed for discrimination on the basis of race, color, or national origin. The complaint must be filed no later than 180 calendar days after the date the person believes the discrimination occurred.



Written complaints shall be submitted to:

Chair, CMMPO
c/o Janet A. Pierce, Executive Director
CMRPC
1 Mercantile Street, Suite 520
Worcester, MA 01608

Complaints shall be in writing and shall be signed by the Complainant and/or the Complainant's representative. Complaints shall set forth as completely as possible the facts of and circumstances surrounding the alleged discrimination and shall include the following information:

- Complainant name, address, and phone number;
- a complaint statement including:
 - the basis of alleged discrimination (for example, race, color, national origin, or language), and
 - a detailed description of the alleged discriminatory act(s);
- what in the nature of the incident(s) led the Complainant to feel discrimination was a factor:
 - the date or dates on which the alleged discriminatory event or events occurred;
 - name(s) of alleged discriminating individual(s), if applicable.
- other agencies (state, local, or federal) which the complaint is also being filed with, and
- Complainant's signature and date.

When a Complainant is unable to provide or incapable of providing a written statement and has no designee to do so, a verbal complaint of discrimination may be made.

Verbal complaints may be submitted in person by telephone at: (857) 368-8580, or TTY: (857) 368-0603, or in an audio recorded format) to the Chief Diversity and Civil Rights Officer at MassDOT Office of Diversity and Civil Rights. The Chief Diversity and



Civil Rights Officer will convert the verbal allegations to writing and provide the Complainant with the written document for confirmation, revision, and a signature before processing. In cases where the Complainant will be assisted in converting an oral complaint into a written complaint, the Complainant is required to sign the written complaint.

Written complaints may also be submitted to:

Chief Diversity and Civil Rights Officer
MassDOT Office of Diversity and Civil Rights
10 Park Plaza, Suite 3170
Boston, MA 02116

Departmental Office of Civil Rights
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington D.C. 20590

2. Review of Complaint

Upon receipt of the complaint, the CMMPO chair shall request the CMMPO Title VI Coordinator (“Coordinator”) to review it. This review may include the collection of additional information from the Complainant and/or the alleged discriminating party or parties. Upon completion of the review, the Coordinator shall report to the CMMPO chair. The Coordinator’s report may include recommendations for possible actions to address the complaint. Recommendations may include:

- forwarding the complaint to a responsible implementing agency
- identifying available remedial actions to address the complaint
- identifying CMMPO process improvements relevant to Title VI and/or Environmental Justice populations.



3. Responding to Complaints

The Coordinator shall develop a response to the complaint and recommend action(s) to the CMMPO Chair through the CMRPC Executive Director for discussion, approval and potential implementation. If the Coordinator determines that a complaint potentially involves agencies other than the CMMPO, the Coordinator will advise the CMMPO Chair through the CMRPC Executive Director accordingly. The Coordinator will then forward the complaint to appropriate individuals at those agencies only if the Complainant gave his/her consent to do so as explained in the *CMMPO Consent and Release Form for Discrimination Complaints*.

The CMMPO Chair shall decide on the response to the complaint and through the CMRPC Executive Director issue a written response to the Complainant no later than sixty (60) days after the Chair received the complaint. If more time is required, the Chair shall notify the Complainant of the estimated time frame for completing the review and response. The CMMPO Chair will inform CMMPO members of receipt of a complaint and issuance of a response.

4. Appeals

The Complainant may appeal the CMMPO Chair's response to his/her complaint. Appeals must be submitted in writing no later than thirty (30) days after the date of the written response to:

Chair, CMMPO
c/o Janet A. Pierce, Executive Director
Central Massachusetts Regional Planning Commission
1 Mercantile Street, Suite 520
Worcester, MA 01604-4016

If a Complainant is unable to provide or is incapable of providing a written appeal and has no designee to do so, a verbal appeal to a complaint of discrimination decision may be submitted (either in person, by telephone at: (857) 368-8580 or TTY: (857) 368-0603, or via a recording) to the Chief Diversity and Civil Rights Officer at the



MassDOT Office of Diversity and Civil Rights. The Chief Diversity and Civil Rights Officer will convert the verbal appeal to writing and provide the Complainant with the written document for confirmation, revision, and a signature before processing. In cases where the Complainant will be assisted in converting an oral appeal into a written appeal, the Complainant is required to sign the written appeal.

The Complainant has the right to file formal complaints with other state or federal agencies and/or to seek private counsel. These procedures are part of an administrative process that does not include punitive damages or compensatory remuneration for the Complainant.

5. Tracking of Complaints, Lawsuits and Investigations

The CMMPO is required to maintain a list of complaints, lawsuits, and investigations alleging discrimination on the basis of race, color, or national origin. The list includes filing date(s), allegation summaries, status of investigations, lawsuits or complaints, and CMMPO actions taken. This list is updated on an ongoing basis and is provided to MassDOT's Office of Civil Rights. The CMMPO also maintains a summary of all civil rights compliance review activities it conducts over the latest three-year period.

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