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Complaint Resolution Procedure to Ensure Non-Discrimination In Federally Assisted Programs or Activities Participated in by the Hinesville Area Metropolitan Planning Organization

Purpose, Scope, Responsibilities and Complaint Form

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June 22, 2015: Corrected 120 days
for filing to 180 days.

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Purpose

This procedure covers all formal complaints and informal charges filed by an individual or group of individuals under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by Hinesville Area Metropolitan Planning Organization (HAMPO) or its sub-recipients, consultants, and contractors. Intimidation or retaliation of any kind is prohibited by law. These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel.

Definitions

An *informal charge* is defined as any verbal or written communication received by customer service staff from members of the public referencing a general complaint regarding the inequitable distribution of benefits, services, amenities, programs or activities financed in whole or in part with federal funds.

A *formal complaint* is defined as any written complaint of discrimination on the basis of race, color, national origin or sex filed by an individual or group; signed by the complaining party on HAMPO's complaint form (included at the end of this document) seeking to remedy perceived discrimination by facially neutral policies, practices or decisions, which have an adverse impact which resulted in inequitable distribution of benefits, services, amenities, programs or activities finance in whole or in part with federal funds. Such complaints include, but are not limited to, allegations of:

- Failing to provide comparable services;
- Policies and practices that act as arbitrary and unnecessary barriers to equal opportunity;
- Denied opportunity for equitably participation;
- Provision of fewer services or benefits and/or inferior services or benefits to members of a protected group;
- Differential exposure of protected groups to environmental hazards;
- Patterns of disparate treatment;
- Disproportionate adverse effects on social and economic parameters (e.g. access to services, healthcare facilities, employment opportunities and community cohesion).

This procedure explains each stage of the complaint processing process for formal and informal Title VI charges. It communicates the rights and responsibilities of the complainant and states the responsibilities of HAMPO.

Informal charges and formal complaints should be filed within 180 calendar days of the event which forms the basis of the claim; of if the concern is an ongoing one, the charge/complaint should be filed within 180 calendar days of the last occurrence.

This procedure does not preclude the right of any Complainant to file complaints directly with the Federal Transportation Administration (FTA), Federal Highway Administration (FHWA), or to seek private legal representation.

The time required to process investigations will vary depending on the complexity of the issue; however, every effort will be made to ensure a speedy resolution of all complaints within 60 calendar days.

The option of informal mediation meeting(s) between the affected parties may be utilized for