

County of Hawai'i Mass Transit Agency Title VI Procedure for Resolving Complaints

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the County of Hawai'i Mass Transit Agency (hereinafter referred to as "County") may file a Title VI complaint by completing and submitting the County of Hawai'i Mass Transit Agency Title VI Complaint Form.

The County of Hawai'i Mass Transit Agency investigates complaints received no more than 180 days after the alleged incident. The County will process complaints that are complete. Once the complaint is received, the County will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

Any customer, vendor, supplier, or member of the public who feels that he or she has been subjected to conduct that violates this policy may file a complaint with the Mass Transit Administrator in which the alleged discriminatory action originated. Complaints may also be filed with the County's Equal Opportunity Officer either in writing, setting out the details of the complaint, or by telephone. The Equal Opportunity Officer will follow up with the complainant and determine the appropriate venue for investigation of the complaint.

All complaints which allege illegal harassment are serious and shall be investigated immediately. Depending upon the circumstances of the complaint, the investigation will be conducted by the Mass Transit Administrator, the County Transportation Specialist, or the County's Equal Opportunity Officer. If, through investigation, the complaint is found to have merit, appropriate disciplinary action, which may include termination, will be taken against the offender. The disciplinary action/termination will be taken pursuant to the collective bargaining unit, if any, applicable to the offender.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 180 days after the date of the letter or the LOF to do so with the following agencies:

- The Federal Transit Administration Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590 if the complainant believes the occurrence of the discriminatory act is in violation of federal laws. Complainants must be filed **within 180 days of the alleged discriminatory act**.
- The Federal Equal Employment Opportunity Commission if the complainant believes the occurrence of the discriminatory act is in violation of federal laws. Complainants are reminded that the complaint to the federal Equal Employment Opportunity Commission must be filed within 180 days of the alleged discriminatory act or 300 days if the charge is also covered by a state or local anti-discrimination law.

This policy is consistent with the County of Hawai'i Anti-Discrimination and Harassment Policy and Anti-Discrimination and Harassment Procedure, last revised April 13, 2007.