

Discrimination Complaint Procedures

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color, or national origin. Subsequently, Title II of the Americans with Disabilities Act of 1990 (ADA)/Section 504 of the Rehabilitation Act of 1973 (Section 504), and associated statutes prohibits discrimination based on disability. As a recipient of federal assistance, the SPC has adopted a Discrimination Complaint Procedure and form as part of its Title VI Plan.

Any person who believes she or he, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been discriminated against on the basis of race, color, national origin, or disability status by the Southwestern Pennsylvania Commission (hereinafter referred to as "SPC") may file a complaint by completing and submitting the agency's Discrimination Complaint Form. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the SPC Title VI Coordinator for review and action. SPC investigates complaints received no more than 180 days after the alleged incident. SPC will process complaints that are complete.

1. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a. The date of the alleged act of discrimination; or
 - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued. In this case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.
2. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints should set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the recipient, the person shall be interviewed by the Civil Rights/Title VI Coordinator. If necessary, the Civil Rights/Title VI Coordinator will assist the person in putting the complaint in writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.
3. Within 10 days, the SPC Civil Rights/Title VI Coordinator will acknowledge receipt of the allegation in writing; inform the complainant of action taken or proposed action to process the allegation; advise the respondent of their rights under related statutes; and, advise the complainant of their right to appeal a decision through SPC's Executive Committee.
4. In accordance with SPC's grantee relationship with the Pennsylvania Department of Transportation (PennDOT) SPC is required to inform PennDOT of all Civil Rights related complaints within 10 days of receipt. The letter will be sent to the PennDOT Central Office, Civil Rights Division, with a copy to the FHWA Pennsylvania Division Office and will generally include the following information:
 - a. Name, address, and phone number of the complainant.
 - b. Name(s) and address(es) of alleged discriminating official(s).
 - c. Basis of complaint (i.e., race, color, national origin).
 - d. Date of alleged discriminatory act(s).

- e. Date of complaint received by the recipient.
 - f. A statement of the complaint.
 - g. Other agencies (state, local or federal) where the complaint has been filed.
 - h. An explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.
5. Within 60 days, the SPC Civil Rights/Title VI Coordinator will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Executive Director. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
 6. Within 90 days of receipt of the complaint, the SPC Civil Rights/Title VI Coordinator will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her right to appeal with SPC's Executive Committee. SPC's Civil Rights/Title VI Coordinator will also provide the PennDOT Civil Rights Central Office with a copy of the determination and report findings.
 7. Upon appeal, SPC's Executive Committee, consisting of 17 members, will investigate and issue an independent decision on the complaint. The decision on appeal will be issued within 60 days after receipt of the appeal. This letter will contain complete information on how and where file an appeal of the SPC Executive Committee's finding.
 8. In accordance with federal law, the SPC will require that applicants of federal assistance notify the SPC of any law suits filed against the applicant or sub-recipients of federal assistance or alleging discrimination; and a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.
 9. The SPC will collect demographic data on staff, committees, and program areas in accordance with 23 CFR, 49 CFR and SPC's established procedures and guidelines.
 10. SPC will retain Discrimination Complaint Forms and a log of all complaints filed with or investigated by SPC.
 11. Records of complaints and related data will be made available by request in accordance with the Pennsylvania Freedom of Information Act.

Please provide the information on the following page(s) in order to process your complaint. Assistance is available upon request. You can reach the SPC Civil Rights/Title VI Coordinator at (412) 391-5590, or you can send email to: TitleVI-Coordinator@spcregion.org. This complaint may also be mailed or delivered to:

Southwestern Pennsylvania Commission
Civil Rights/Title VI Coordinator
42 21st Street, Suite 101
Pittsburgh, Pennsylvania 15222-4422



www.spcregion.org

DISCRIMINATION COMPLAINT FORM

Name		Phone		Name of Person(s) That Discriminated Against You			
Address (Street No., P.O. Box, Etc.)				Location		Position of Person (If Known)	
City		State	Zip	City		State	Zip
Discrimination Because of: <input type="checkbox"/> Race/Color* <input type="checkbox"/> Sex <input type="checkbox"/> Disability** <input type="checkbox"/> Age <input type="checkbox"/> National Origin* <input type="checkbox"/> Retaliation <input type="checkbox"/> Religion				Date(s) of Alleged Incident(s)			

Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also, attach any written material pertaining to your case.

Signature	Date
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Please submit this form to the following agency:

Southwestern Pennsylvania Commission
 Title VI Coordinator
 42 21st Street, Suite 101
 Pittsburgh, PA 15222
 Phone: 412.391.5590

* indicates is specific to Title VI of the Civil Rights Act of 1964 **indicates is specific to Americans with Disabilities Act of 1990

Appeal Process

If the Complainant does not agree with the decision by the Respondent and cannot come to an informal agreement, the Complainant can directly file an appeal with the Southwestern Pennsylvania Commission Executive Committee:

Southwestern Pennsylvania Commission
ATTN: Chair, Executive Committee
21st Street, Suite 101
Pittsburgh, PA 15222

The SPC's Executive Committee, consisting of 14 members, will investigate and issue an independent decision on the complaint. The decision on appeal will be issued within 60 days after receipt of the appeal. This letter will contain complete information on how and where file an appeal of the SPC Executive Committee's finding.