



South Jersey Transportation Planning Organization

*Serving Atlantic, Cape May, Cumberland,
and Salem Counties since 1993.*

Leonard Desiderio, *Chairman*

Benjamin H. Laury, *Vice Chairman*

817 East Landis Avenue, 2nd Floor
Vineland, New Jersey 08360

www.sjtpo.org
(856) 794-1941
(856) 794-2549 (fax)

Jennifer Marandino, P.E.
Executive Director

John W. Risley, *Secretary/Treasurer*

Title VI Complaint Procedure

Purpose

The SJTPO Title VI Complaint Procedure specifies the process SJTPO employs to investigate complaints while ensuring due process for Complainants and respondents. The process does not preclude SJTPO from attempting to resolve complaints informally. This procedure applies to all external complaints relating to any program or activity administered by SJTPO and/or its subrecipients, consultants, and contractors, filed under Title VI of the Civil Rights Act of 1964 (including its DBE and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination on the basis of race, color, disability, sex, age, or national origin. 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 ADA of 1990. These procedures are part of an administrative process that does not provide for remedies, including punitive damages or compensatory remuneration, for the Complainant. Intimidation or retaliation of any kind is prohibited by law.

Process

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 a right to file a complaint. Complaints need to be filed within 180 calendar days of the 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 the latest instance of the conduct.

Complaints shall be in writing and signed by the Complainant or the Complainant's representative. If complaints are received by telephone or in person, an SJTPO employee or other authorized representative shall formally interview the person to provide the basis for the written complaint. If necessary, an authorized person will assist the Complainant in writing the complaint. The complaint form can be made available in alternative languages or formats upon request. Please call (856) 794-1941 for more information.

Generally, the written complaint should include the following information:

- name, address, telephone number, and e-mail of the Complainant;
- basis of the complaint (e.g., race, color, national origin, sex, age, disability, retaliation);
- date(s) on which the alleged discrimination occurred; and agency or agencies where the discrimination(s) occurred;
- name(s) and position(s) of the person(s) who discriminated against the Complainant;
- a detailed description of the circumstances of the incident that led 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 to the complaint of

As the investigation progresses, additional information may be required. Although this process does not preclude SJTPO from attempting to resolve complaints informally, the decision to do so always rests with the Complainant, who may withdraw from the informal process at any time.

If a complaint is filed against SJTPO, the Organization will acknowledge receipt of the complaint by notifying the Complainant and immediately transmitting the complaint to the proper state and federal agency (e.g., Federal Highway Administration, Federal Transit Administration, New Jersey Department of Transportation) for investigation and disposition pursuant to that agency's Title VI complaint procedure. Complaints against SJTPO may also be sent directly to a federal agency. If a complaint is filed with an agency that lacks jurisdiction over the specific basis of discrimination, it will be forwarded to an agency that does.

Complaints against SJTPO subrecipients, consultants, and contractors will be investigated directly by the Organization as follows:

- Within 10 days, the designated SJTPO Title VI coordinator will acknowledge receipt of the complaint to the Complainant, and notify the appropriate state and/or federal agency that a Title VI complaint has been received by the Organization;
- Within 60 days, an SJTPO employee will conduct and complete an investigation and, based on the information obtained, will render a recommendation for action in a report of findings to the SJTPO Executive Director. This report will include the nature of the complaint, remedy sought, and a summary of the investigative findings and activities. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report findings;
- Within 90 days of receipt of the complaint, an SJTPO employee 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 appeal rights with state and federal agencies, if he/she is dissatisfied with the final decision rendered by SJTPO.

SJTPO will maintain a log of all complaints received by the Organization.

Complainants may submit complaints against SJTPO, to the SJTPO, or may submit directly to the following federal agencies:

Civil Rights Specialist

Federal Highway Administration – New Jersey Division
840 Bear Tavern Road, Suite 202, West Trenton, NJ 08628
(609) 637-4200

Title VI Manager

New Jersey Department of Transportation
Division of Civil Rights/Affirmative Action
P.O. Box 600, 1035 Parkway Avenue, Trenton, NJ 08625-0600
(609) 530-2336

Title VI Program Coordinator

Federal Transit Administration
Office of Civil Rights
East Building, 5th Floor – TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
(202) 366-4043

Title VI Program Coordinator

Federal Highway Administration
Office of Civil Rights
1200 New Jersey Avenue, SE 8th Floor, E81-314, Washington, DC 20590
(202) 366-0693

U.S. Department of Justice

Office of Justice Programs Office for Civil Rights

810 7th Street, NW, Washington, DC 20531

(202) 307-0690