

## Client Care

### CC-8000 TRANSPORTATION

#### CC-8070/ADA NONDISCRIMINATION COMPLIANCE

#### Notice to the Public:

The following notice shall be posted in each transportation vehicle, in the reception areas of each program site location operated by Share Your Care, Inc. and on the agency website. The notice shall be published in English and Spanish.

NMDOT operates its programs and services without regard to race, color, national origin, or disability in accordance with Title VI of the 1964 Civil Rights Act and the Americans with Disabilities Act of 1990. To find out more about our nondiscrimination obligations, to file a complaint or grievance, or to request this information in another language, please contact your site location Coordinator for help or Share Your Care, attention Executive Director, PO Box 35101 Albuquerque, NM 87176 or 1-505-298-1700 EXT 22.

El Departamento de Transporte del estado de Nuevo México) opera sus programas y servicios sin distinción de raza, color, origen nacional, discapacidad según el Título VI de la Ley de Derechos Civiles de 1964 y la Ley de Estadounidenses con Discapacidades de 1990. Para obtener más información sobre nuestra no discriminación, presentar una queja o agravio, o para solicitar esta información en otro idioma, comuníquese con el Coordinador de la ubicación de su sitio para obtener ayuda o Comparta su Atención, diríjase al Director Ejecutivo, PO Box 35101 Albuquerque, NM 87176 o 1-505-298-1700 EXT 22.

#### **Title VI Complaint Procedures**

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any NMDOT service, program or activity (whether Federally funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or limited English proficiency has the right to file a complaint.

#### **Title VI Complaint Reporting**

An individual, group of individuals or entity may file a formal Title VI complaint with NMDOT. Complaints shall be submitted to the NMDOT Title VI Coordinator (at the OEOP) in writing, signed



## OPERATIONS MANUAL CC-8070 TITLE VI/ADA NONDISCRIMINATION COMPLIANCE

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and dated, within 180 days of the alleged discriminatory act (or latest occurrence). The complaint should be submitted to the following address:

Attn: Title VI Coordinator  
Office of Equal Opportunity Programs  
1596 Pacheco Street  
Suite 107  
Santa Fe, NM 87505

The complaint should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail. Title VI complaints may also be filed directly with the United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) or the Federal Railroad Administration (FRA) within the 180 day period of the alleged discriminatory act (or latest occurrence).

The Title VI Coordinator will be responsible for notifying the respondent(s) of the complaint within five working days of receipt. A copy of the complaint will also be forwarded to the alleged discriminatory sub-contractor official. The Title VI Coordinator's name and telephone number shall be included. Additionally the Title VI Coordinator will forward a copy of the complaint to the NMDOT Office of General Counsel for review.

### **Title VI Complaint Investigations**

An investigation by the Title VI Coordinator or an otherwise qualified investigator will be initiated within 15 working days of receipt of the complaint.

The complainant should submit any documentation he/she perceives as relevant to proving his/her complaint.

The respondent will be given the opportunity to respond to all aspects of the complainant's allegations.

The Title VI Coordinator or qualified investigator will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.

Once the investigation is completed, a final report will be provided to the respondent, the complainant and the appropriate USDOT agency. The final report will include the following:

- The written complaint containing the allegations, basis, and date of filing;
- Summarized statements taken from witnesses;
- Findings of fact;
- Conclusions (based on all evidence in the record) that the complaint is substantiated or unsubstantiated;
- Action(s) the respondent must take to correct deficiencies and to ensure Title VI compliance (if applicable);
- If corrective action(s) is required the respondent will be given thirty calendar days to inform the Title VI Officer of the actions taken for compliance;
- The respondent may implement corrective actions after the initial thirty calendar days with projected time period(s) in which those actions are scheduled to be completed. All corrective actions must be implemented within sixty calendar days;
- If the corrective action(s) have not been completed within the initial thirty day time period allowed, the respondent will be found to be in noncompliance with Title VI and implementing rules and regulations, and a referral will be made to NMDOT for further action in regards to noncompliance.

The complainant and respondent shall be notified of all appeal rights pursuant to 49 CFR 21.



**Title VI Complaints Log**

The NMDOT Title VI Coordinator shall maintain a log of Title VI complaints received. The log shall include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response to the complaint.



# New Mexico Department of Transportation Title VI Complaint Form

Section I	
Name:	
Address:	
Telephone (Home/Cell):	Telephone (Work):
Email Address:	
Section II	
Are you filing this complaint on your own behalf: Yes <input type="checkbox"/> No <input type="checkbox"/>	
*If you answered "yes" to this question, go to Section III.	
If you answered "no" please enter the name and relationship of the person you are filing the complaint against:	Name:
	Relationship:
If you are filing a complaint as a third party, please explain why in the space below:	
Have you have obtained permission of the aggrieved party if you are filing on behalf of a third party: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Section III	
I believe the discrimination I experienced was based on (check all that apply): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin	
Date of Alleged Discrimination (Month, Day, Year):	Date:
Explain, as clearly as possible, that happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as the names and	

contact information of any witnesses. If more space is needed please attach additional sheets to this form:

#### Section IV

Have you previously filed a Title VI complaint with the New Mexico Department of Transportation (NMDOT)? Yes  No

#### Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes  No

If yes, please check and name all that apply:

- Federal Agency: \_\_\_\_\_
- Federal Court: \_\_\_\_\_
- State Agency: \_\_\_\_\_
- State Court: \_\_\_\_\_
- Local Agency: \_\_\_\_\_



Please provide information about a contact person at the agency/court where the complaint was filed.

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Section VI**

Name of agency complaint is against:

Contact person:

Title:

Telephone number:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Please submit this form in person at the address below, or mail form to: Damian Segura, NMDOT Title VI Coordinator, 1596 Pacheco St. Suite 107, Santa Fe, NM 87505