

## ***City of Phoenix and Valley Metro Title VI Complaint Procedures***

Any person who believes that he or she has been excluded from participation in, been denied the benefits of, or otherwise subjected to unlawful discrimination under any city of Phoenix and/or Valley Metro service, program or activity, and believes the discrimination is based upon race, color or national origin, may file a formal complaint with either agency. This anti-discrimination protection also extends to the activities and programs of third party contractors. Any such complaint must be filed within 180 days of the alleged discriminatory act, or the latest occurrence.

Passengers using federally funded public transportation are entitled to equal access, seating and treatment. Under Title VI of the Civil Rights Act of 1964 (as amended) and related statutes, the city of Phoenix and Valley Metro must ensure that no person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any federally funded program, activity or service it administers.

### **How to File a Complaint**

To submit a complaint online, visit the Title VI pages: [Phoenix Transit](#); [Valley Metro](#)

To submit a claim by mail, email or in person, please use the following resources:

#### **CITY OF PHOENIX**

Phoenix Public Transit Department  
ATTN: Civil Rights Coordinator  
302 N. First Ave., Suite 900  
Phoenix, Ariz. 85003  
Email: [PHXTransitEO@phoenix.gov](mailto:PHXTransitEO@phoenix.gov)  
Phone: 602-262-7242

#### **VALLEY METRO**

Regional Public Transportation Authority  
4600 E. Washington St., Suite 101  
Phoenix, Arizona 85034  
Email: [csr@valleymetro.org](mailto:csr@valleymetro.org)  
Phone: (602) 253-5000  
TTY: (602) 251-2039

Individuals may also file complaints directly with the Federal Transit Administration (FTA).

Federal Transit Administration  
Attention: Title VI Coordinator  
East Building, 5th Floor –TCR  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Complaints received will be assigned to the appropriate staff member(s) for investigation in accordance with federal standards (28 CFR Part 35 and FTA Circular 4702.1B). After the complaint is processed, staff will respond to the complainant and, if warranted by the investigation, take appropriate action. The city of Phoenix, as the designated recipient of federal funds for this region, is responsible for monitoring this process.

## Complaint Procedures

Any person who believes she or he have been discriminated against on the basis of race, color, or national origin by Valley Metro or our transit service provider may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form or by calling Valley Metro's Customer Service. All complaints are logged into Valley Metro's Customer Assistance System (CAS) and will be investigated according to federal standards.

Staff from Phoenix and/or Valley Metro have 30 days to investigate each complaint. If more information is needed to resolve the case, the complainant will be contacted.

Following the investigation of the complaint, the complainant will receive either a closure letter, or a letter of finding.

**Closure Letter:** would state that there was not a Title VI violation, and the case will be closed.

**Letter of Finding:** would state that there was a Title VI violation and explain what corrective action will be taken to remedy the situation.

A complainant can appeal the decision within 60 days of receiving the letter. All appeals must be submitted to the agency where the complaint was submitted.

### **TRACKING**

*What happens to the complaint once it is submitted?*

- When a complaint is submitted it is logged by staff.
- Staff then sends the complaint to the cities/transit provider for investigation and documentation within 24 hours.
- The complaint is returned to the agency to ensure the information is complete. Each cities' administrator audits the complaints to ensure it meets Title VI guidelines.
- The administrator reviews an outstanding weekly report identifying outstanding complaints. During the review process the administrator will send out notifications to

the agency and a copy to the relevant city to remind the entity that the complaint is not yet resolved or closed out. This process is reinitiated each week to ensure timely compliance.

- The administrator audits all completed Title VI complaints to check for accuracy and has complaint reopened by Customer Service administrator and sent back if not completed accurately.

## **INVESTIGATING**

**STEP ONE:** *Summary of the complaint by staff*

**STEP TWO:** *Statement of issues*

List every issue derived from the complaint summary. Include questions raised by each issue:

- Who?
- What?
- When?
- Where?
- How?

Add new issues that surface during investigation. The final list of issues becomes outline for investigation.

**STEP THREE:** *Respondent's reply to each issue*

- Obtain information from each respondent, listen to each tape, review each document.
- All staff will document information collected in the customer contact (respondent area).
- After all respondent information is documented, complete the documentation (remaining steps).
- Determine the action taken.
- Follow up with the customer.

Note: "Respondent" is not confined to the transit vehicle operator. "Respondent" is defined as **any** source of information that can contribute to the investigation, such as:

- Operator (Interview/History)
- Radio/Dispatch/OCC reports
- GPS tracking software and programs
- Maintenance (Staff/Records)
- City Transit staff
- Witnesses
- Complainant (Interview/History)
- Spotter reports
- Video (camera) and/or audio recordings
- Courtesy cards

- Incident reports (supervisor, transit police, fare/security inspectors)
- Other transit employees
- Route history

**STEP FOUR:** *Findings of fact*

Investigate every “issue” (stated in the “statement of issues noted in step two). Separate facts from opinions.

**STEP FIVE:** *Citations of pertinent regulations and rules*

Develop list of all regulations, rules, policies, and procedures that apply to the investigation

- Title VI requirements
- Company rules and procedures
- Valley Metro policies and service standards

**STEP SIX:** *Conclusions of law*

- Compare each fact from “findings of fact” to the list of regulations, rules, etc.
- Make decision on whether violation(s) occurred
- List of violations becomes “conclusions of law”

**STEP SEVEN:** *Description of remedy for each violation*

- Specific corrective actions for each violation found
- Include plans for follow-up checks
- Do not conclude report with “no action taken”
- If no violations found, conclude the report in a positive manner
- Review policies and procedures
- Review Title VI provisions

Response to Customer includes a detailed summary of conversation with customer, which is sent to the complainant.

**Action Taken**

- Must include specific corrective action for each violation found
- Include a follow-up action plan
- If no violations found, note policies, procedures, etc. reviewed with operator
- Never state “no action taken”