

City of Clovis
Clovis Area Transit system
Title VI / ADA Complaint Procedures

The City of Clovis/Clovis Area Transit System (CATS) is committed to a policy of nondiscrimination in the provision of public transportation service. If you believe that you have been subjected to discrimination due to your race, color, national origin, or disability, or have been subjected to discrimination due to your race, color, national origin, or disability, or have a complaint about the accessibility of CATS' service, you can file a complaint. Please provide all facts and circumstances surrounding your issue or complaint so we can fully investigate the incident.

How do you file a complaint?

You can call the City of Clovis Human Resource Director at 575-763-9652 or use the accompanying form.

You may file a signed, dated and written complaint no more than 180 days from the date of alleged incident. The complaint should include:

- Your name, address and telephone number. (See question 1 of the complaint form).
- How, why, and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information. (See questions 6, 7, 8, 9, 10, and 11 of the complaint form).
- The names of any persons, if known, whom the director should contact for clarity of your allegations (See question 11 of the complaint form).

Please mail, email, or return your completed form to:

City of Clovis
Human Resource Director
P.O. Box 760
321 Connelly
Clovis, NM 88102
amoquin@cityofclovis.org

Do you need complaint assistance?

If you are unable to complete a written complaint due to a disability or if information is needed in another language we can assist you. Please contact us at 575-763-9652.

How will your complaint be handled?

CATS investigates complaints received no more than 180 days after the alleged incident. Complaints that are complete will be processed. Once a completed complaint is received, the City will review it to determine if it has jurisdiction. The complainant will receive a letter acknowledging receipt of the complaint and whether the City has jurisdiction to investigate the complaint.

The City will generally complete an investigation within 90 days from receipt of a complaint. If more information is needed to resolve the case, the City may contact you. Unless a longer period is specified by the City, you will have ten (10) days from the date of the request to send

in the required information. If this information is not received, the City may administratively close the case. A case may also be administratively closed if you no longer wish to pursue it.

After the investigation is complete, the City will send you a letter summarizing the results of the investigation, stating the findings, and advising of any corrective action to taken as a result of the investigation. If you disagree with the City's determination, you may request reconsideration by submitting a request in writing to the City within seven (7) days after the date of the letter, stating with specificity the basis for the reconsideration. The City will notify you of the decision either to accept or reject the request for reconsideration within ten (10)days. In cases where reconsideration is granted, the City will issue a determination letter to the complainant upon completion of the reconsideration review.

Do I have other options for filing a complaint?

We encourage that you file the complaint with us. However, you may file a complaint with the New Mexico Department of Transportation or the Federal Transit Administration:

Title VI Coordinator
NM Department of Transportation
1590 Pacheco Street, Suite A-10
Santa Fe, NM 87505
(505) 470-9668
www.dot.nm.us

Federal Transit Administration
Office of Civil Rights
1200 New Jersey Avenue SE
Washington, DC 20590
(202) 366-4043
www.transit.dot.us

How do I obtain more information?

If you need more information on the City of Clovis/CATS' nondiscrimination obligations or complaint procedure, please contact us at (575) 763-9652.

**City of Clovis/Clovis Area Transit System
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 No

*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 No

Section III

I believe the discrimination I experienced was based on (check all that apply):

Race

Color

National Origin

Other

Date of Alleged Discrimination (Month, Day, Year):

Date:

Explain, as clearly as possible, what 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 Clovis Area Transit System? 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:

Andre Moquin, HR Director
321 Connelly or PO Box 760
Clovis, New Mexico 88102

TITLE VI COMPLAINT INVESTIGATIONS

An investigation by the HR Director 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 HR Director 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 NMDOT's Transit & Rail Division. 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 City's HR Director 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, or the additional 60 days granted; 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 shall be notified of all appeal rights pursuant to 49 CFR 21.

TITLE VI COMPLAINT LOG

The City of Clovis HR Director 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.