

Northern Middlesex Metropolitan Planning Organization (NMMPO)

Title VI Complaint Process

Overview

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin for programs and activities receiving federal financial assistance. As a sub-recipient of the Massachusetts Executive Office of Transportation and Public Works (EOTPW), the NMMPO has adopted a Title VI complaint procedure as part of its Title VI Program.

The purpose of Title VI is to prevent the denial, reduction or delay of benefits to minority and low income populations, to ensure full and fair participation by affected populations in transportation decisions, and to ensure that policies and programs of the MPO avoid disproportionately negative effects on minority and low income populations.

Any person who believes that he or she, individually or as a member of any specific class of persons, has been subjected to discrimination by the NMMPO's programs or activities on the basis of race, color, or national origin may file a complaint.

Filing of Complaints

Complainants, or their representative, may file a written complaint with the Secretary of the Executive Office of Transportation and Public Works (EOTPW) in his/her capacity as chair of the NMMPO, within one hundred and eighty (180) days from the date of the alleged discriminatory act.

All complaints must include the following information:

- Name, address, and phone number of the Complainant
- Name, address, phone number and relationship of Representative to Complainant, (if applicable)
- Basis of complaint (i.e., race, color, national origin)
- Date of alleged discriminatory act(s)
- Date complaint received by the MPO
- A statement of the complaint, including specific details, relevant facts and documentation

Processing of Complaints

The follow process shall be followed upon receipt of a written complaint:

- Within seven (7) calendar days, the Chair of the NMMPO will advise the members of the NMMPO of receipt of the complaint and outline the specific allegations that are alleged to have occurred.

- Within fourteen (14) calendar days, the NMMPO Chair shall acknowledge receipt of the complaint and inform the Complainant of the investigation process.
- Within sixty (60) calendar days, the NMMPO Chair shall conduct an investigation of the allegation(s). The purpose of an investigation is to determine whether there is a reason to believe that a failure to comply with Title VI of the Civil Rights Act of 1964 has occurred. In addition, the NMMPO Chair shall render a recommendation for action in a report of findings to the NMMPO.
- Within ninety (90) calendar days, the NMMPO Chair shall 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 file an appeal with the EOTPW's Civil Rights Director within 30 days of the NMMPO decision.

The NMCOG will maintain a log of all complaints received by the MPO.

Resolution

If a probable cause of a discriminatory practice based on race, color, or national origin is found to exist, the MPO shall develop a Remedial Action Plan. The Remedial Action Plan shall include: a list of all corrective actions accepted by the MPO; a description of how the corrective action will be implemented; and a written assurance that the MPO will implement the accepted corrective action in the manner discussed in the plan.

Where attempts to resolve the complaint fail, the complainant shall be notified in writing of his or her right to submit the complaint to the U.S. Secretary of Transportation as cited in Circular FTA C 4702.1A Chapter VII – Title VI Discrimination Complaints.

