

# TITLE VI COMPLAINT PROCEDURES

## COMPLAINT PROCESSING AND INVESTIGATION PROCEDURE

The Title VI Coordinator has a file established for all Title VI complaints. All complaints are investigated by the Title VI Coordinator or legal counsel. A record of the investigation accompanies a copy of the original complaint in the case file. Additionally, any notification of legal action, as well as the results of any legal action, will be filed with the original complaint and investigation documents.

### Procedures

1. Upon receipt of a complaint regarding a violation of civil rights, a case folder is created with the name of the person filing the complaint and the date of the filing.
2. A copy of the complaint is placed in the case folder.
3. The case folder is filed within the Title VI file.
4. The original complaint is submitted to the Title VI Coordinator for an investigation.
5. Any additional correspondence from the person filing the complaint will be handled in the same manner with a copy being placed in their case folder.
6. Any correspondence from the third party claims adjuster or legal counsel pertaining to the claim will also be filed in the case folder.
7. If the third party claims adjuster determines it necessary, they will forward the claim to legal counsel.

## TITLE VI ADMINISTRATOR/OFFICER PROCEDURES

1. Direct complainant to the Title VI Complaint Form (if not previously provided). Forms are available for download from the website or as hard copies sent by mail or picked up by complainants at headquarters. If complainant is unable to complete a written form, City staff can fill one out on their behalf.
2. Once a Title VI Complaint Form is received, it is to be placed in the Title VI Complaint file. Make determination that the complaint is covered by Title VI and indicate that the form is completed and signed. Complaint form must be received within 180 days of alleged incident. If no investigation is initiated, clearly document the reason.
3. Inform complainant that a formal investigation is being conducted or that their complaint is not covered by Title VI. This must be done within 10 working days of receipt of the completed and signed Title VI Discrimination Complaint Form.
4. Research existing information and attempt to determine the employee who is the subject of the complaint. Determine who will be conducting investigation and see what is known already.
5. Inform investigator that there is a formal Title VI complaint and what additional information, documentation and investigation deadlines are involved. This should be done within 5 working days for receipt of the Title VI Complaint.
6. Investigators should conduct investigation as informed by the procedures and policies of City. This could include contact and interviews with any witnesses. Actions could include counseling and discipline for employees.
7. Draft Investigation Report.
8. Review Investigation Report with investigator. Discuss findings and/or recommendation for resolution.
9. Finalize Investigation Report.
10. If finding of violation of Title VI discrimination, recommend appropriate corrective action. If no finding of Title VI discrimination, explain why not.

Re: City of Millbrae VI Discrimination Complaint Form

Dear \_\_\_\_\_:

Title VI of the Civil Rights Act of 1964 requires that “No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

The City of Millbrae is committed to ensuring that no person shall be excluded from the equal distribution of its services and amenities because of race, color or national origin as protected by Title VI, as amended. If you believe you have been subjected to discrimination under Title VI, you may file a written complaint. Please complete the enclosed form to initiate a formal complaint and investigation process. Your completed form should be returned to us at:

City of Millbrae, Title VI Administrator  
621 Magnolia Avenue  
Millbrae, CA 94030

This form must be filed within 180 calendar days of the alleged discriminatory incident. After the form is submitted, you will be contacted within 10 business days of our receipt of the form. An investigator will be assigned to the complaint. If you or another person identified as the primary contact for the complaint does not get confirmation of receipt of the complaint form within 10 business days, please contact us at 650-259-2334.

# TITLE VI DISCRIMINATION COMPLAINT FORM

The City of Millbrae is committed to ensuring that no person shall be excluded from the equal distribution of its services and amenities because of race, color or national origin. Any person who believes they have been discriminated against based on one of these categories may file a complaint. Complaints must be filed within 180 calendar days of the incident.

Within 10 working days of receipt of your completed complaint form, the City will contact you to confirm receipt of your complaint form and begin an investigation (unless the complaint is filed with an external entity first or simultaneously). The investigation may include discussion(s) of the complaint with all affected parties to determine the nature of the problem. The investigation generally will be conducted and completed within 60 days of receipt of a complete complaint form. Based upon all information received, an investigation report will be submitted to the City's Title VI Coordinator. The complainant will receive a letter stating the City's final decision by the end of the 60-day time limit.

Please complete the information below and send to: City of Millbrae, Title VI Coordinator  
621 Magnolia Avenue  
Millbrae, CA 94030  
or: [alouis@ci.millbrae.ca.us](mailto:alouis@ci.millbrae.ca.us)

## **SECTION 1 - CONTACT INFORMATION**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone: (Home) \_\_\_\_\_ (Cell) \_\_\_\_\_ (Work) \_\_\_\_\_  
[Please note if any of the phone numbers are for a TDD or TTY.]  
E-mail: \_\_\_\_\_@\_\_\_\_\_

## **SECTION 2 – FILING FOR ANOTHER PERSON**

Are you filing this complaint on your own behalf?  Yes  No  
[If you answered "yes" to this question, go to Section 3.]  
If not, please supply the name and relationship of the person for whom you are filing the complaint:

\_\_\_\_\_  
Please explain why you have filed for a third party. \_\_\_\_\_

\_\_\_\_\_  
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.  Yes  No

## **SECTION 3 – DISCRIMINATION COMPLAINT**

Which of the following describes the reason you believe the discrimination took place? Was it because of your:

Race  Color  National Origin

Please describe the Race, Color or National Origin of the aggrieved party \_\_\_\_\_ Date \_\_\_\_\_ and time the alleged discrimination took place: Date \_\_\_\_/\_\_\_\_/\_\_\_\_ Time \_\_\_\_\_ a.m. / p.m.

Where did the alleged discrimination take place? Specific vehicle information is helpful (e.g. vehicle number).  
\_\_\_\_\_

Is there a person you can identify who discriminated against the aggrieved party?

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

In your own words, describe the alleged discrimination. Explain what happened and who you believe was responsible. Please use additional sheets if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 4 – PREVIOUS OR EXISTING COMPLAINTS AND LAWSUITS**

Have you previously filed a Title VI discrimination complaint with the City?

\_\_\_\_ Yes, for this incident      \_\_\_\_ Yes, for a different incident      \_\_\_\_ No

Have you filed this complaint with any other agencies or a court?

\_\_\_\_ Federal Agency      \_\_\_\_ State Agency      \_\_\_\_ Local Agency

\_\_\_\_ Federal court      \_\_\_\_ State court

\_\_\_\_ Other (please specify): \_\_\_\_\_

Have you filed a claim or lawsuit regarding this complaint?      Yes \_\_\_\_ If      No \_\_\_\_

yes, please provide a copy of the complaint form and note court where filed:

\_\_\_\_ Federal Court      \_\_\_\_ State Court

Please provide contact person information for the agency/court where the complaint was filed.

Name / Office: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number \_\_\_\_\_

**SECTION 5 – SIGNATURE**

Please sign below to attest to the truthfulness of the above. You may attach any written materials or other information that you think is relevant to your complaint.

\_\_\_\_\_

\_\_\_\_\_

Complainant's Signature

Date

**Note:** A complaint also may be filed with: Federal Highways Administration, Office of Civil Rights, East Building, 8th Floor E81-105, 1200 New Jersey Ave., SE, Washington, DC 20590.