



**Title VI
Non Discrimination
Policy and Procedures**

July 2015



RTA

**REGIONAL
TRANSIT AUTHORITY**
OF SOUTHEAST MICHIGAN

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I. INTRODUCTION

A new Regional Transit Authority (the “RTA”) for Southeast Michigan was created through state legislation on December 19, 2012 (MI P.A. 387, 2012). The RTA service area is comprised of the counties of Macomb, Oakland, Washtenaw, and Wayne. It is governed by a ten member board with two representatives from each of the participating counties, one representative from the City of Detroit, and one non-voting member appointed by the governor who serves as the chair. The purpose of the RTA is to coordinate the activities of the existing transit agencies within its jurisdiction and secure funding to improve and enhance public transportation within the four county area and the city of Detroit.

II. NON-DISCRIMINATION POLICY STATEMENT

The Regional Transit Authority of Southeast Michigan (RTA) assures that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The RTA further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. Furthermore, the RTA will not exclude persons based on age, religion, disability, or sexual orientation. More specifically, the RTA assures that efforts will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low income populations. Additionally, the RTA will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency (LEP). In the event the RTA distributes federal-aid funds to another governmental entity, the RTA will include Title VI language in all written agreements and will monitor for compliance. The RTA’s Title VI Officer is responsible for initiating and monitoring Title VI activities, preparing required reports, and other RTA responsibilities as required by 23 Code of Federal Regulation (CFR) 200 and 49 Code of Federal Regulation 21. Complaints of discrimination under Title VI will be promptly addressed by the RTA Title VI Officer.

Michael G. Ford
Chief Executive Officer

Date _____

Paul Hillegonds
Chairman of the Board of Directors

Date _____

III. GOVERNANCE, BOARDS, AND COMMITTEES

RTA Officers

The RTA is governed by a ten member board with two representatives from each of the participating counties, one representative from the City of Detroit, and one non-voting member appointed by the governor who serves as the chair.

RTA Committees

The RTA committees include the Executive and Policy Committee, Finance and Budget Committee, and Planning and Service Coordination Committee. The purpose of these committees is to set the direction of the RTA through policy making, budget considerations, and coordination of existing transit services.

Additionally, the RTA has developed advisory committees to assist in the decision making and development of the organization. The Public Transportation Provider's Advisory Council consists of each transit provider that falls under the jurisdiction of the RTA. Their purpose is to discuss opportunities for coordination and evaluate the impacts of decisions being made by the RTA on their respective organizations,

The Citizens Advisory Committee was formed to ensure that the public is represented across the jurisdiction of the RTA and that advocates for ADA, elderly, faith-based, business, civic leadership and transit riders would have the opportunity to provide input to the RTA as a decision-making body.

IV. RTA TITLE VI ASSURANCES

Pursuant to the requirements of Section 22(a) of the Federal Highway Act of 1968, RTA, desiring to avail itself to the benefits of Chapter 1, Title 23, United States Code, and as a condition to obtaining the approval of the State of Michigan for all programs for projects as provided for in Title 23, United States Code, Section 105(a), hereby gives its assurance that employment in connection with all proposed projects approved, will be provided without regard to race, color, religion, sex, age, or national origin.

More specifically, and without limiting the above general assurance, the RTA, gives the following specific assurances:

1. The RTA will establish an equal opportunity program in furtherance of the above general assurance, which shall include a system to ascertain whether contractors and sub-contractors are complying with their equal employment opportunity contract obligations and the degree to which such compliance is producing substantial progress on the various project sites in terms of minority group employment.
2. The RTA's transportation program shall include effective procedures to assure that discrimination on the grounds of race, color, religion, disability, sex, age, or national origin will not be permitted on any project and if discrimination exists at the time this assurance is made it will be corrected promptly.
3. The RTA will, on its own initiative, take affirmative action, including the imposition of contract sanctions and the initiation of appropriate legal proceedings under any applicable state or federal law to achieve equal employment opportunity on federal-aid highway projects and will actively cooperate with the Federal Highway Administration in all investigations and enforcement actions undertaken by the Federal Highway Administration.
4. The RTA hereby agrees that its own employment policies and practices with regard to the RTA employees, any part of whose compensation is reimbursed from Federal funds, will be without regard to race, color, religion, disability, sex, age, or national origin.
5. The RTA shall include the advertised specifications notification of the specific equal employment opportunity responsibilities of the successful bidder as those responsibilities are currently defined and required by the Federal Highway Administration. See Appendix B for standard contracting language concerning non-discrimination.

Michael G. Ford
Chief Executive Officer

V. TITLE VI COMPLIANCE RESPONSIBILITIES

The Title VI Officer is responsible for ensuring implementation of the Title VI plan. The Officer will be responsible for the overall management of the day-to-day administration of the Title VI Plan. The current information for this individual is as follows:

Tiffany J. Gunter, Title VI Officer
Regional Transit Authority of Southeast Michigan
1001 Woodward Avenue, Suite 1400
Detroit, MI 48226
Phone: (313) 402-1020
Email: tgunter@rtamichigan.org

The Title VI Officer is responsible for Title VI compliance and is assigned the responsibility for implementing, monitoring, and ensuring RTA's compliance with the Title VI regulations. The Title VI responsibilities are as follows:

1. Process Title VI complaints received by RTA. Reference Complaint Procedures for additional information regarding complaints processing.
2. Review internal policies and practices and where applicable, incorporate procedures to ensure compliance with Title VI.
3. Conduct periodic training programs on Title VI for staff.
4. Develop Title VI information for dissemination to the general public and entities to which RTA distributes federal aid funds.
5. Identify, investigate, and eliminate discrimination when found to exist.

Responsibilities of Other Staff Members

In addition to the Title VI Officer, other staff members share responsibility for day-to-day administration of the Title VI program, including implementation of the plan and the Title VI compliance, program monitoring, reporting, and education within an applicable group, as described in the Program Groups section of this document.

VI. TITLE VI SELF MONITORING AND REVIEW PROCESS

RTA's Title VI plan implementation relies on a preventive team approach to Title VI compliance, meaning that staff are aware of the Title VI protections and are working proactively to ensure organizational compliance. RTA's CEO reviews and monitors the maintenance of data showing impacts of RTA programs and activities on protected groups; monitors and/or oversees the implementation of established decision-making criteria; monitors and annually reviews minority representation; oversees public involvement; and oversees data collection.

VII. PROGRAM GROUPS GENERAL PROGRAM ADMINISTRATION

A. Staffing

Staffing for the RTA will be minimal in the first two to three years. Program administration will be the responsibility of all staff, which will include the Chief Executive Officer, Chief Operating/Compliance Officer, Executive Assistant, Community Outreach Manager and Manager of Planning and Financial Analysis.

B. Title VI Complaint Procedures

The following pertains to Title VI complaints regarding the federally funded programs of the RTA. For Title VI complaints against other agencies, or if a person believes they have suffered housing or employment discrimination, please contact the appropriate agency. Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement 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. RTA has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1A, dated May 13, 2007. If a person believes that RTA's federally funded programs have violated their civil rights on the basis of race, color, or national origin they may file a written complaint by following the procedure outlined below:

1. *Submission of Complaint.*

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by RTA, may file a written complaint with RTA's Chief Executive Officer. A sample complaint form is available in hard copy that will be made available by the RTA Office Manager and is attached as Appendix A. Such complaints must be filed within 180 calendar days after the date the discrimination occurred. If a person could not reasonably be expected to know that the act was discriminatory within the 180 day period, they have 60 days after becoming aware to file a complaint. Note: Upon request, assistance in the preparation of any necessary written material will be provided to a person or persons who are unable to read or write. The complaint procedures will be posted on the RTA website: www.rtamichigan.org.

Signed complaints should be mailed to:
The Regional Transit Authority of Southeast Michigan
Chief Executive Officer
1001 Woodward Avenue, Suite 1400
Detroit, MI 48226

2. Referral to Review Staff.

Upon receipt of the complaint, RTA's Chief Executive Officer shall appoint one or more staff, as appropriate, to evaluate and investigate the complaint, in consultation with RTA legal counsel. If necessary, the Complainant shall meet with the staff to further explain his or her complaint. The staff shall complete their review no later than 45 calendar days after the receipt of the complaint. If more time is required, the Chief Executive Officer shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, staff shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. If the Chief Executive Officer concurs, he or she shall issue the written response to the Complainant. Additionally, the Executive and Policy Committee may recommend improvements to the processes relative to Title VI, as appropriate to the Board of Directors.

Note: If a Title VI complaint is received on a Michigan Department of Transportation (MDOT) related contract against RTA, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a complaint filed against RTA, the complaint and any pertinent information will be immediately forwarded to the MDOT, Office of Civil Rights Programs.

3. Request for Reconsideration.

If the Complainant disagrees with the Chief Executive Officer's response, he or she may request reconsideration by submitting the request, in writing, to RTA's Chief Executive Officer within 10 calendar days after receipt of the response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by RTA's Chief Executive Officer. The Chief Executive Officer will notify the Complainant of his or her decision either to accept or reject the request for reconsideration within 10 calendar days.

4. Appeal.

If the request for reconsideration is denied, the Complainant may appeal RTA's Chief Executive Officer's response by submitting a written appeal to the RTA Board Chairperson no later than 10 calendar days after receipt of RTA's Chief Executive Officer's written decision rejecting reconsideration.

5. Submission of Complaint to the State of Michigan Department of Transportation.

If the Complainant is dissatisfied with the resolution of the complaint, he or she may also submit a written complaint within 60 days after the alleged date of discrimination to the State of Michigan for further investigation.

Michigan Department of Transportation
Office of Civil Rights
Van Wagoner Building
425 W. Ottawa Street

P.O. Box 30050
Lansing, MI 48909

A copy of the complaint form can be found in Appendix A.

C. Training Program

The RTA strives to further the goal of ongoing professional development; management assists in developing the professional skills of staff through various methods. The use of any of these methods is tied to the RTA's mission to ensure fiscal accountability, and include: 1) Cross-departmental team participation; 2) In-house and online training, Webinars, seminars, and conferences; 3) The RTA will assist staff in maintaining and/or advancing their professional skills for work-related courses; and 4) Enhanced work assignments.

D. Public Dissemination

A copy of the Title VI plan will be published on the RTA Web site (www.rtamichigan.org) for persons with Internet access to download and will be available upon request by calling (313) 402-1020. The plan will be translated for LEP persons upon request. All staff members and RTA Officers will receive a copy of the plan.

VIII. PUBLIC PARTICIPATION

The RTA is strongly committed to providing information to citizens regarding its Regional Master Transit planning efforts, corridor studies, and other quality of life public transportation issues that impact the transit region. The RTA also encourages citizens to participate in plan development and implementation. The RTA strives to ensure that adequate information is available for interested parties who want to evaluate and have an impact on RTA projects. The RTA will provide opportunities for meaningful public engagement and make presentations to local governments and citizen's groups to ensure that citizen views are heard on all projects

The RTA's public involvement activities revolve around five goals:

- **Educate** to raise awareness of the planning process, to communicate how and when to get involved, and to illustrate good government practices.
- **Encourage** specific individual actions to help carry out planning work.
- **Solicit** input/feedback from the public to influence planning work.
- **Continue** to improve through ongoing evaluation.
- **Establish a** trusted network of community and civic leaders and nurture an ongoing relationship as the RTA continues to grow and enhance transit infrastructure throughout the region.

Taken together, these activities provide members of the public with complete information, timely notice of meetings, full access to key decisions, and support for early and continuing involvement in every aspect of the planning and decision making process at the RTA. The RTA's *Public Participation Plan* details the specific ways in which the RTA works to achieve these public involvement goals.

IX. ENVIRONMENTAL JUSTICE

A critical step in the development of the Regional Master Transit Plan is identifying the location of the defined EJ populations. Minority populations are defined in the USDOT order as persons who are African-American, Asian-American, Native American, or of Hispanic descent. Low-income means persons whose household income is at or below the Department of Health and Human Services poverty guidelines. Based on regional totals developed by SEMCOG, minority persons make up 27 percent of the region's total population. In addition, 10 percent of households in the region are living at or below the poverty level.

For both minority populations and low-income households, 2010 U.S. Census block groups where the percentage population of either group meets or exceeds the regional average are identified as EJ block groups. SEMCOG indicates that region wide, 12 percent of total land area is home to a significant EJ population.

Because of the importance of public involvement, RTA will endeavor to meet with representatives from various EJ populations and encourage involvement in the planning process. RTA has an active general media strategy for using television, radio, cable television, and editorial boards to disseminate important messages. Specific actions taken by RTA to reach out to EJ populations include placing advertisements in various news publications reaching African-American, Asian-American, Native American, and Hispanic persons and low-income residents and focusing efforts to meet with and present information to these various groups. Information is also disseminated through transit providers, local block clubs, libraries, and various grass roots organizations.

X. PLAN IMPLEMENTATION

RTA will complete the requirement that all staff be trained and understand the significance of Title VI as it relates to the organization and their daily responsibilities. The Title VI web page will function as a resource for individuals seeking information. Staff will translate the Title VI brochure and complaint form in Spanish and Arabic (for publication on the web site) and develop a stand-alone LEP plan.