

## **Title VI and ADA Complaint and Incident Procedures**

It is the policy of WHW, also known as Women Helping Women to employ its best efforts to ensure that all programs, services, activities and benefits are implemented without discrimination. WHW follows complaint investigation and format procedures which are in keeping with Title VI and ADA requirements. This is the WHW procedure for processing, tracking and investigating complaints alleging discrimination on the basis of race, color, national origin or disability.



Any person who believes that he or she, individually or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, national origin or disability may file a written complaint with WHW, the State of California Public Inquiry and Response Bureau, the Federal Transit Administration (FTA) and/or the Secretary of Transportation. Further, WHW prohibits intimidation, coercion or engagement in other discriminatory conduct against anyone because he or she has filed a complaint to secure rights protected by Title VI or ADA.

A signed complaint must be filed within 180 days after the date of the alleged discrimination, unless the time for filing is extended by the State or the Secretary of Transportation. WHW encourages complaints to be initially filed with WHW for resolution. However, in those cases where the complainant is dissatisfied with the resolution by WHW, the same complaint may be submitted to the State of California public Inquiry and Response Bureau, the Federal Transit Authority or the Secretary of Transportation for investigation. WHW will notify and provide a copy of all complaints to the appropriate agencies for review. Unless otherwise permitted, the final determination of all the Title VI or ADA complaints affecting programs administered by the FTA will be made by the Office of the Secretary, Department of Transportation (DOT).

Signed written complaints maybe submitted to WHW directly or the agencies identified below:

Trina Fleming, Chief Executive Officer  
WHW  
2803 McGaw Avenue  
Irvine, CA 92614

State of California Public Inquiry and  
Response Bureau  
774 P Street, MS 20-23  
Sacramento, CA 96814

Federal Transit Administration Region IX  
Civil Rights Officer  
201 Mission Street, Suite 1650  
San Francisco, CA 94105-1839  
<http://www.fta.dot.gov/about/region9.html>

Federal Transit Administration  
Office of Civil Rights  
Title VI Program Coordinator  
East Building, 5<sup>th</sup> Floor-TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590  
[http://www.fta.dot.gov/civilrights/12328\\_5104.html](http://www.fta.dot.gov/civilrights/12328_5104.html)

The complaint information should include the date of the alleged act of discrimination, when the complainant(s) became aware of the alleged action of discrimination; or the date on which that conduct was discounted or the latest instance of conduct.

Complainants should present a detailed description of the issue(s), including the name(s) and job title(s) of those individual(s) perceived as parties in the complaint.

Information for filing a Title VI or ADA complaint can be accessed by contacting WHW at (949) 631-2333. E-mail inquiries or initial complaints can be sent directly to WHW at [info@whw.org](mailto:info@whw.org).

### **Complaint Format:**

- All complaints should be in writing and signed by the complainant or his/her representative before action can be taken. Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination.
- In cases where the complainant is unable or incapable of providing a written statement but wishes WHW or another agency to investigate alleged discrimination, a verbal complaint of discrimination may be made. The complainant will be interviewed by an appropriate official authorized to receive complaints. If necessary, the official will assist the complainant in converting verbal complaints to writing. Translation services will be provided to all complainants, as necessary. All complaints must, however, be signed by the complainant or his/her representative.
- WHW will provide the complainant or his/her representative with a written acknowledgment that WHW has received the complaint within ten working days.

## Tracking Complaints:

- The following complaint information will be tracked on a WHW Title VI and ADA Complaint and Incident Report log by the Chief Executive Officer:
  1. Date the complaint was received by WHW
  2. Date an acknowledgment letter was sent to the complainant
  3. Complainant Name
  4. Protected category (race, color, national origin, disabled)
  5. Program/Activity/Service
  6. Summary of the allegation
  7. Was the complaint investigated – yes/no
  8. Action Taken
  9. The response letter was sent to the complainant - action taken
  10. Status of the complaint

## Determination of Investigative Merit:

WHW will begin an investigation within fifteen (15) working days of receipt of a valid complaint. A complaint shall be regarded as meriting investigation unless:

- It clearly appears on its face to be frivolous or trivial.
- Within the time allotted for making the determination of jurisdiction and investigative merit, the party complained against voluntarily concedes noncompliance and agrees to take appropriate remedial action.
- Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint; or
- Other good cause for not investigating the complaint exists (e.g. respondent is presently under investigation by another Federal agency).

## Request for Additional Information from Complainant and/or Respondent:

In the event that the complainant or respondent has not submitted sufficient information to make a determination of jurisdiction or investigative merit, WHW may request additional information from either party. This request shall be made within 15 working days of the receipt of the complaint and will require that the party submit the information within 60 working days from the date of the original request. Failure of the complainant to submit additional information within the designated time frame may be considered good cause for a determination of no investigative merit. Failure of respondent to submit additional information within the designated time frame may be considered good cause for a determination of noncompliance.

## **Investigative Report:**

WHW will complete an investigation within ninety (90) days of receipt of the complaint. If additional time for the investigation is needed, the complainant will be contacted. A written report will be prepared by the responsible investigator at the conclusion of the investigation. The investigative report will include the following:

- Summary of the complaint, including a statement of the issues raised by the complainant and the respondent's reply to each of the allegations, citations of relevant Federal, State, and Local Laws, rules, regulations, and guidelines, etc.
- Description of the investigation, including a list of the persons contacted by the investigator and a summary of the interviews conducted; and a statement of the investigator's findings and recommendations. A closing letter will be provided to the complainant.

## **WHW Timeline Requirements:**

Signed complaint filed with the Chief Program Officer	180 days
WHW written acknowledgement from date of receipt	10 days
Begin investigation	15 days
Request for additional information from complainant(s)	15 days
Submit additional information	60 days
Complete investigation	90 days

## **Recordkeeping Requirements:**

WHW's Chief Executive Officer will ensure that all records relating to the WHW Title VI and ADA Complaint Process are maintained with the department records for seven years as of the date of the complaint.

Records will be available for compliance review audits.

## **Key WHW Leadership:**

Trina Fleming – WHW Chief Executive Officer  
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949-200-8651

Yumiko Whitaker – WHW Chief Development Officer  
[yumikow@whw.org](mailto:yumikow@whw.org)  
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