

HOW CAN I FILE A DISCRIMINATION COMPLAINT?

Any person who believes he or she has been aggrieved by an unlawful discriminatory practice under Title VI may file a complaint with WSDOT OECR. Any such complaint must be in writing and filed with WSDOT OECR within 180 days of the alleged discriminatory occurrence.

For information on how to file a complaint, contact OECR by any of the following methods:

Attn: Complaint Investigations
Office of Equity and Civil Rights
MS 47314
310 Maple Park Ave SE
Olympia, WA 98504-7314
Phone: 360-705-7090
Fax: 360-705-6018 Email:
oecrcomplaints@wsdot.wa.gov

WHAT WILL WSDOT DO WITH MY COMPLAINT?

Once a complaint is filed, it will be reviewed by WSDOT OECR to determine whether it has jurisdiction to investigate the issues you have raised. Once jurisdiction is determined, WSDOT OECR will investigate your allegations under the guidelines provided in WSDOT's Title VI Plan. Retaliation is prohibited and will not be tolerated against any person who reports alleged discrimination, harassment or policy violations or participates as a witness in an investigation. The investigator will submit an independent and impartial report with respect to the established facts of the case. Efforts will be made to resolve complaints and correct any discrimination found.

WHERE CAN I GO FOR MORE INFORMATION?

Additional information regarding Title VI Program can be found at:

<http://www.wsdot.wa.gov/about/title-vi-limited-english-proficiency>

<http://www.lep.gov/>

Americans with Disabilities Act (ADA) Information: This material can be made available in an alternate format by emailing the Office of Equity and Civil Rights at wsdotada@wsdot.wa.gov or by calling toll free, 855-362-4ADA(4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

Title VI Notice to Public: It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, national origin including limited English proficiency, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equity and Civil Rights (OECR). For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OECR's Title VI Coordinator at (360) 705-7090.

Title VI Program

Office of Equity and Civil Rights



MISSION

The Washington State Department of Transportation's (WSDOT) mission is to keep people and business moving by operating the state transportation systems vital to our taxpayers and communities. All the work WSDOT performs is intended to assist the transportation needs of all the people of Washington regardless of race, color, or national origin.

In keeping with this policy, WSDOT will ensure that all components of Title VI of the Civil Rights Act of 1964 and related requirements are enforced.

WHAT IS TITLE VI?

Title VI is a component of the Civil Rights Act of 1964. Section 601 of Title VI states:

"No person in the United States shall, on the grounds 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." (42 U.S.C. Sec 2000d)

Title VI encompasses all agency external civil rights programs, such as the Disadvantaged Business Enterprises (DBE) Program, the Equal Employment Opportunity (EEO) Program, the Small Business Program (SBE), and the On the-Job Training (OJT) Program. However, two programs specifically tied to Title VI are Environmental Justice (EJ) and Limited English Proficiency (LEP).

ENVIRONMENTAL JUSTICE

Executive Order 12898, (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, of 1994) states:

"Each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human

health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”

There are three fundamental Environmental Justice principles:

- To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects
- To ensure the full and fair participation of all potentially affected communities in the transportation decision-making process
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations

LIMITED ENGLISH PROFICIENCY

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), provides:

“...improve access to federally conducted and Federally assisted programs and activities for persons who, as a result of national origin, are limited in their English Proficiency...”

This Executive Order is directed at implementing the protections afforded by Title VI of the Civil Rights Act of 1964 and related regulations. It prohibits recipients of federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals who are LEP. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English.

LEP individuals are those individuals who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English, as a result of national origin. These individuals may be entitled to language assistance with respect to a particular type of service, benefit or encounter.

WHAT DOES THIS MEAN?

It is illegal for any Washington State Department of Transportation (WSDOT) division or contractor/ subrecipient affiliated with WSDOT to withhold or refuse benefits, services, or funding based on race, color, or national origin.

WSDOT’s Title VI Program’s primary goal is to ensure all management, staff, contractors, local agencies, and service

beneficiaries are aware of the provisions of Title VI and the responsibilities associated with Title VI Civil Rights Act of 1964.

WSDOT’s Title VI Program is responsible for providing leadership, direction and policy to ensure compliance with the Title VI and EJ and LEP principles and to ensure that social impacts to communities and people are recognized and considered throughout the transportation planning and decision-making process

WSDOT prohibits all discriminatory practices which may result in:

- Denial to an individual of any service, financial aid, or benefit provided under the program to which he or she may be otherwise entitled
- Varying standards or requirements for participation
- Segregation or separate treatment in any part of the program
- Distinctions in quality, quantity, or manner in which the benefit is provided
- Discrimination in any activities conducted in a facility built in whole or part with federal funds.

To ensure compliance with Title VI, related statutes, and the Presidential Executive Orders on Environmental Justice and Limited English Proficiency, WSDOT will:

- Avoid or reduce harmful human health and environmental effects on minority and low-income populations
- Ensure the full and fair participation by all communities including low-income and minority populations in the transportation decision-making process
- Prevent the denial of reduction in or significant delay in the receipt of benefits by minority and low-income populations
- Provide language services to LEP individuals exposed to or impacted by WSDOT’s programs and/ or activities.

Additionally, any recipient, including, but not limited to Metropolitan Planning Organizations, Regional Transportation Planning Agencies, towns, cities, and counties, that receives federal financial aid bears a responsibility to administer its program and activities without regard to race, color, or national origin.

WHO BEARS RESPONSIBILITY TO COMPLY WITH TITLE VI?

As a recipient of federal funds, the entire WSDOT organization must comply with all the provisions of Title VI. WSDOT functional program areas directly responsible for ensuring compliance in its program activities are:

- Communications
- Construction
- Consultant Services
- Design / Location
- Education / Training
- Environmental
- Ferries
- Highways and Local Programs
- Maintenance
- Planning
- Public Transportation
- Purchasing
- Rail
- Real Estate Services
- Research and Library Services
- Right of Way
- Tolling

The WSDOT Office of Equity and Civil Rights (OECR) provides continuous leadership, guidance, and technical assistance to ensure ongoing compliance with Title VI and the Executive Orders on Environmental Justice and Limited English Proficiency.

Title VI Notice to the Public states that it is the WSDOT’s policy to assure that no person shall, on the grounds of race, color, and national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person, who believes his or her Title VI protection has been violated, may file a complaint with WSDOT OECR.