



Metro Area Public Transit System (MAPS)

Civil Rights Complaint Process

Updated 4/5/2021

Introduction:

The City of Joplin is responsible for ensuring that the Metro Area Public Transit System (MAPS) and the Sunshine Lamp Trolley properly implement several civil rights laws and programs, including Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990 (ADA), the Disadvantaged Business Enterprise (DBE) program, and the External Equal Employment Opportunity (EEO) program.

Any person who believes that he or she, individually, or as a member of any specific class of persons, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973, and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the City of Joplin, Human Resource Director, 602 S. Main, Joplin, MO 64801. Complainants have the right to complain directly to the appropriate state or federal agency, such as the Missouri Commission on Human Rights, Equal Employment Opportunity Commission and Federal Transit Administration (FTA) or to seek private counsel for complaints alleging discrimination, intimidation, or retaliation of any kind. Every effort will be made to obtain early resolution of complaints. The option of informal meeting(s) between the affected parties and the Human Resource Director may be utilized for resolutions.

PROCEDURE

1. The complaint must meet the following requirements:

- A. Complaint shall be in writing and signed by the complainant(s). In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Human Resource Director will interview the Complainant and assist the person in converting verbal complaints to writing. All complaints must, however, be signed by the Complainant or his/her representative.
- B. Include the date of the alleged act of discrimination, date when the Complainants became aware of the alleged act of discrimination; or the date on which that conduct was discontinued or the latest instance of conduct.
- C. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.
- D. Federal law requires complaints be filed within 180 calendar days of the alleged incident.

2. Upon receipt of the complaint, the Human Resource Director will determine jurisdiction, the acceptability of the complaint, the need for additional information, and will investigate the complaint accordingly.
3. The Complainant will be provided with a written acknowledgement that the City of Joplin has either accepted or rejected the complaint.
4. A complaint must meet the following criteria for acceptance:
 - A. The complaint must be filed within 180 days of the alleged occurrence.
 - B. The allegation must involve a covered basis such as race, color, or national origin.
 - C. The allegation must involve a City of Joplin service of a federal-aid recipient, sub-recipient or contractor.
5. A complaint may be dismissed for the following reasons:
 - A. The Complainant requests the withdrawal of the complaint.
 - B. The Complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - C. The Complainant can't be located after reasonable attempts have been made to locate Complainant.
6. Once the Human Resource Director decides to accept the complaint for investigation, the Complainant will be notified in writing of such determination. The complaint will receive a case number and will then be logged in a database identifying: Complainant's name, basis, alleged harm, race, color, and national origin of the Complainant.
7. In cases where the Human Resource Director assumes the investigation of the complaint, within 90 calendar days of the acceptance of the complaint, the Human Resource Director will prepare an investigative report for review by the City of Joplin Public Works Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
8. The investigative report and its findings will be reviewed by the Public Works Director and in some cases the investigative report and findings will be reviewed by the City of Joplin's Legal Counsel. The report will be modified as needed.
9. The Public Works Director/Legal Counsel will make a determination on the disposition of the complaint. If it is found that the City of Joplin is in noncompliance with Civil Rights regulations, remedial actions will be taken.

10. Notice of Public Works Director's determination will be mailed to the Complainant. Notice shall include information regarding appeal rights of Complainant and instructions for initiating such an appeal. Notice of appeals are as follows:

A. The City of Joplin will reconsider this determination, if new facts are revealed.

B. If Complainant is dissatisfied with the determination and/or resolution set forth by the City of Joplin, the same complaint may be submitted to the FTA for investigation.

Complainant will be advised to contact the Director, FTA Office of Civil Rights, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590 or call the FTA Assistance Line at 1-888-446-4511.

11. A copy of the complaint and the City of Joplin's investigation report/letter of finding and Final Remedial Action Plan, if appropriate, will be issued to FTA within 120 days of the receipt of the complaint.

12. A summary of the complaint and its resolution will be included as part of the Title VI, ADA, DBE, and EEO updates to the FTA.

RECORDKEEPING REQUIREMENT

Civil Rights complaint investigative reports will be retained for up to five years and records will be made available for compliance review audits.