

**WORLEY HIGHWAY DISTRICT
RESOLUTION 2009-08
Complaint Procedure**

WHEREAS, the commissioners of the **WORLEY HIGHWAY DISTRICT** hereby will comply to the Discrimination Complaint Procedures 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 Civil Rights Restoration Act of 1987. as amended, may file a complaint with the Worley Highway District, under the order of Discrimination Complaint Procedure- See "Exhibit A"

BE IT FURTHER RESOLVED, that on this 29th day of ^{September} ~~October~~, 2009, the board of Worley Highway District Commissioners by motion hereby adopt this said Resolution 2009-08 to enforce a Title VI Complaint Procedure, in which the following roll call vote was held.

Chairman James Mangan	<u>aye</u>
Commissioner Tom A. Feely	<u>aye</u>
Commissioner George Miller	<u>aye</u>
Motion was unanimously carried.	

James Mangan Date: 29-September-2009
James Mangan, Chairman of the Board
Sub District 1

Tom A. Feely Date: 9-29-2009
Tom A. Feely, Commissioner
Sub District 2

George Miller Date: 9-29-09
George Miller, Commissioner
Sub District 3

Attest:

Carol Richel Date: 9/29/09
Carol Richel, Clerk/Treasurer
Worley Highway District

Worley Highway District Discrimination Complaint Procedure “Exhibit A”

Any person who believes that he or she, individually, as a member of any specific class, 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 **Worley Highway District**. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the Worley Highway District’s Title VI Coordinator for review and action.

In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:

- a) The date of alleged act of discrimination; or
- b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In case, the **Worley Highway District** or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant’s representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the **Worley Highway District**, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the Sponsor’s investigative procedures as outlined below.

Please Note This Exception to the Procedures Below: All complaints regarding accessibility for the disabled must be forwarded directly to the Idaho Transportation Department (ITD) for investigation.

Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as to ITD and/or the US Department of Transportation (USDOT).

The **Worley Highway District** will advise ITD within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ITD:

- a) Name, address, and phone number of the complainant.
- b) Name(s) and address(es) of alleged discriminating official(s).
- c) Basis of complaint (i.e., race, color, national origin or sex)
- d) Date of alleged discriminatory act(s).
- e) Date of complaint received by the Worley Highway District.

- f) A statement of the complaint.
- g) Other agencies (state, local or Federal) where the complaint has been filed.
- h) An explanation of the actions the **Worley Highway District** has taken or proposed to resolve the issue rose in the complaint.

Within 60 days, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Worley Highway District's authorized representative. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint, the Worley Highway District's authorized representative will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ITD, or USDOT, if they are dissatisfied with the final decision rendered by the Worley Highway District. The Title VI Coordinator will also provide ITD with a copy of this decision and summary of findings upon completion of the investigation.

Contacts for the different Title VI administrative jurisdictions are as follows:

Worley Highway District
Kevin Howard
6887 W. Kidd Island Road
Coeur d'Alene, ID 83814
208-664-0483
kevinhoward@worleyhwy.com

Idaho Transportation Department
Equal Employment Opportunity Office – External Programs
Karen Sparkman, EEO Manager, Title VI & ADA Coordinator
PO Box 7149
Boise, ID 83707-1129
208-334-8852
Karen.sparkman@itd.idaho.gov

Federal Highway Administration
Idaho Division Office
Peter Hartman, Division Administrator
3050 Lakeharbor Lane, Suite 126
Boise, ID 83703
208-334-9180