



Title VI Complaint Instructions and Procedures

The Luzerne County Transportation Authority is committed to providing safe, convenient, reliable and courteous transportation for our customers. The LCTA grants all individuals equal access to all its transportation services. It is the intent of the LCTA, that all individuals are aware of their rights to such access. This Title VI Program document and associated Title VI posters are designed to serve as an educational tool for individuals, so that they may understand one of the civil rights laws that protect their benefit of LCTA public transportation programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964.

How do I file a complaint?

If you believe that you have received discriminatory treatment by the LCTA on the basis of your race, color or national origin, you have the right to file a Title VI complaint with the LCTA Title VI Officer. All Title VI complaint(s) must be filed no later than 180 calendar days from the date of the alleged incident.

The easiest and most convenient way to file a Title VI complaint is to simply call (570) 283-1683. A LCTA Customer Service Representative will mail you a Title VI Complaint Form, and/or refer the information to the Title VI Officer for investigation, tracking, and resolution. All Title VI and related statute complaints are considered formal-there is no informal process. All Title VI complaints must be in writing and signed by the complainant on the form provided. All Title VI complaints must include the complainant's name, address and phone number, and be detailed to specify all issues and circumstances of the alleged discrimination. Allegations must be based on factual evidence of issues involving race, color, or national origin.

The Title VI Complaint Form must be used to submit written complaint information to the LCTA. The Title VI Complaint Form is available in both the English and Spanish languages, and other languages/formats upon request.

Written Title VI complaints may also be delivered in person to the LCTA administrative offices on weekdays between the hours of 9:00 a.m. and 5:00 p.m. The completed Title VI complaint form should be mailed to or dropped off at the following address:

Luzerne County Transportation Authority
Attention: Mr. Joe Roselle, Title VI Officer
315 Northampton St.
Kingston, PA 18704

NOTE: The LCTA encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original signed copy of the complaint must be mailed to the Title VI Officer as soon as possible, but no later than 180 days from the alleged date of the incident.

Verbal complaints will be accepted and transcribed by a LCTA Customer Service Representative or the LCTA Title VI Officer. However, the complaint form must be signed by the complainant. To make a verbal complaint, call (570) 283-1683.

Complaints may also be filed with external entities such as the Federal Transit Administration (FTA) at:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Officer
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Please review information on the respective agency (FTA/LCTA) website for details on filing a Title VI complaint.

Should a complaint be filed with the LCTA and an external entity simultaneously, the external complaint shall supersede the LCTA complaint process, and the LCTA's complaint procedures will be suspended pending the external entity's findings.

All complaints alleging discrimination based on race, color, or national origin in a service or benefit provided by the LCTA will be directly addressed by the LCTA Title VI Officer. The LCTA shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in the English language. Additionally, the LCTA shall make every effort to address all complaints in an expeditious and thorough manner.

What happens to the complaint after it is submitted?

Upon receiving the formal written complaint, the LCTA Title VI Officer will determine its jurisdiction, acceptability, the need for additional information, and the investigative merit of the complaint. In some situations, the LCTA Title VI Officer may request an independent outside agency to conduct the investigation.

If additional information is needed, the LCTA Title VI Officer will contact the complainant or their representative in writing. The LCTA Title VI Officer will provide appropriate assistance to complainants, including those persons with disabilities, or those who are limited in their ability to communicate in the English language. Failure of the complainant to provide the requested information by a certain date may result in the administrative closure of the complaint.

Once the LCTA Title VI Officer decides their course of action, the complainant will be notified in writing of such determination within five (5) business days. The complaint will be logged into the records of the Title VI Officer, and the basis for the allegation identified including race, color, or national origin.

A letter acknowledging receipt of complaint will be mailed within five (5) business days to the complainant. Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

Investigations

All Title VI complaints alleging discrimination based on race, color or national origin will be documented, and an investigation will be initiated within five (5) business days of receiving the complaint. Within five (5) business days of receipt of the formal complaint, the LCTA Title VI Officer will notify the complainant and begin an investigation (unless the complaint is filed with an external entity first or simultaneously). The investigations will address complaints against any LCTA department(s).

In cases where the LCTA assumes investigation of the complaint, the LCTA Title VI Officer will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days upon receipt, to furnish the LCTA Title VI Officer with his/her response to the allegations.

Within sixty (60) business days of receipt of the complaint, the LCTA Title VI Officer will prepare a written investigative report. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.

The investigation may include discussion(s) of the complaint with all affected parties to determine the problem. The complainant may be represented by an attorney or other representative of his/her own choosing and may bring witnesses and present testimony and evidence in the course of the investigation.

The recommendation shall be reviewed with the LCTA solicitor or outside legal counsel. The LCTA solicitor may discuss the report and recommendations with the Title VI Officer and other appropriate LCTA staff. The report will be modified as needed and made final for its release to the parties involved.

The investigation will be conducted and completed within sixty (60) business days of the receipt of the formal complaint. Based upon all the information received, an investigation report will be written by the LCTA Title VI Officer for submittal to both the LCTA Executive Director and LCTA Board of Directors.

Once the investigative report becomes final, briefings will be scheduled with each party within fifteen (15) days. Both the complainant and the respondent shall receive a copy of the investigative report during the briefings and will be notified of their respective appeal rights.

How will the complainant be notified of the outcome of the complaint?

The LCTA Title VI Officer will send a final written response letter notifying complainant that the complaint is substantiated (see Exhibit G) to the complainant. The complainant will receive a letter stating that final decision by the end of the sixty (60) business day time limit.

In the letter notifying complainant that the complaint is not substantiated (see Exhibit H), the complainant is also advised of his or her right to: 1) appeal within seven (7) calendar days of receipt of the final written decision from LCTA; and/or 2) file a complaint externally with the Federal Transit Administration Office of Civil Rights. All Title VI complaints will be responded to within sixty (60) business days of receipt. The complainant has 180 calendar days after the appropriate LCTA final resolution to appeal to USDOT/FTA.

Once sufficient information for investigating the complaint is received by the LCTA, a written response will be drafted and subject to review by the LCTA solicitor. If appropriate, the LCTA solicitor may administratively close the complaint. In this case, the LCTA will notify the complainant of the action within the sixty (60) business day time limit.

Record Keeping

The LCTA Title VI Officer will maintain permanent records, which include, but are not limited to:

- Signed acknowledgements of receipt from employees indicating the opportunity to obtain receipt and distribution of the LCTA Title VI Program.
- Records of correspondence, to and from, complainants.
- Copies of Title VI complaints, lawsuits, investigations, and related documentation.

An annual *Log of Complaints* will be maintained by the LCTA Title VI Officer. The log of complaints and investigations will contain the following information for each complaint filed:

- The name and address of the person filing the complaint.
- The date of the complaint.
- The basis of the complaint.
- Associated documents and/or attachments.
- The disposition of the complaint.

Language Assistance Resources

If information is needed in an alternative format or another language, please contact LCTA Customer Service at (570) 283-1683.

Si necesita información en un formato alternativo u otro idioma, comuníquese con el Servicio de Atención al Cliente de LCTA al (570) 283-1683.