



## City of Tempe Complaint Procedure

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 as they relate to any Federal Highway Administration program or activity administered by the City of Tempe, its subrecipients, consultants and contractors. In addition to these procedures, complainants reserve the right to file formal complaints with other state or federal agencies or take legal action for complaints alleging discrimination.

Required procedures for FHWA Title VI Complaints filed against the City of Tempe, the City of Tempe's subrecipients, contractors or consultants:

1. Any person, specific class of persons or entity that believes they have been subjected to discrimination on an FHWA-related activity or program as prohibited by the legal provisions of Title VI on the basis of race, color, national origin, can file a formal complaint with the City of Tempe. A copy of the Complaint Form may be accessed electronically at: <https://www.tempe.gov/city-hall/strategic-management-and-diversity/ada-accessibility/title-vi>.
2. The complaint must be filed within 180 days of the alleged discrimination and include the date the alleged discrimination became known to the complainant or the last date of the incident.
3. Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. However, the complainant may call the City of Tempe and provide the allegations by telephone for transcription. Once transcribed the City of Tempe will send the written complaint to the complainant for correction and signature.
4. A complaint should contain at least the following information:
  - a. A written explanation of what has happened;
  - b. A way to contact the complainant;
  - c. The basis of the complaint (e.g. race, color, national origin);
  - d. The identification of a specific person/people and the respondent (e.g., agency/organization) alleged to have discriminated;



- e. Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal Highway Administration financial assistance; and is a consultant, contractor or subrecipient of the City of Tempe and
  - f. The date(s) of the alleged discriminatory act(s).
5. Upon receipt of a completed complaint, the City of Tempe will forward all FHWA Title VI complaints to Arizona Department of Transportation (ADOT) Civil Rights Office (CRO) within 72 hours.
  6. ADOT CRO will forward all FHWA Title VI complaints to the FHWA Division Office.
  7. All Title VI complaints received by the FHWA Division Office will be forwarded to the FHWA Office of Civil Rights for processing and potential investigation.
  8. If the FHWA Office of Civil Rights determines a Title VI complaint against a subrecipient can be investigated by ADOT CRO, the FHWA Office of Civil Rights may delegate the task of investigating the complaint to ADOT CRO. ADOT CRO will conduct the investigation and forward the Report of Investigation to the FHWA Office of Civil Rights for review and final disposition.
  9. The disposition of all Title VI complaints will be undertaken by the FHWA Office of Civil Rights, through either (1) informal resolution or (2) issuance of a Letter of Finding for compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to the FHWA Division Office.
  10. The complainant may also file a discrimination related complaint on an FHWA program or activity directly with ADOT or with the Federal Highway Administration by contract the agencies at:

ADOT Civil Rights Office  
206 S. 17<sup>th</sup> Avenue, Mail Drop 155A  
Phoenix, AZ 85007  
Email: [civilrightsoffice@azdot.gov](mailto:civilrightsoffice@azdot.gov)  
602.712.8946  
602.239.6257 FAX

Federal Highway Administration  
U.S. Department of Transportation  
Office of Civil Rights  
1200 New Jersey Avenue, SE  
8<sup>th</sup> Floor E81-105  
Washington, DC 20590  
Email: [CivilRights.FHWA@dot.gov](mailto:CivilRights.FHWA@dot.gov)  
202.366.0693  
202.366.1599 FAX