



Josephine County, Oregon

COMPLAINT FORM

Use this form when reporting any incident and/or making a complaint. Please file with the Board of Commissioners, 500 NW 6th St, Dept 6, Grants Pass, OR 97526

Please fill in this form completely, including your signature at the end of the form. Your concerns are taken seriously and will be acted upon in a timely manner.

Name _____
Address _____
City _____ Zip _____
Daytime Phone _____

| |
|------------------|
| Topic of Concern |
|------------------|

Date of Incident _____ Time of Incident _____ (a.m./p.m.)

Where did incident take place _____

Witnesses: _____

Do you believe you were discriminated against (*to be considered a Title VI complaint*) for the following reasons:

Race National Origin Color Other: _____

Description of how the incident took place. Be very descriptive. List names and events leading up to the incident and a full description of the problem. (Attach additional pages if needed.)

If this complaint is regarding a difference/conflict with an individual, what actions have already been taken to resolve the issue. (Attach additional pages if needed.)

I verify that everything contained in the foregoing complaint is true and correct to the best of my knowledge and belief.

(signature) (date)

This form is subject to public record laws and shall be made available to the public upon request.

Attachment I

Josephine County Administrative Policies & Procedures

Adopted: August 27, 2008
Effective: August 27, 2008
Revised: June 7, 2011

Chapter G
Risk Management
Policy G - 14

SUBJECT: Nondiscrimination under Title VI of the Civil Rights Act of 1964

1.0 Purpose

The purpose of this policy is to set forth the County's policy on compliance with Title VI of the Civil Rights Act of 1964, as set forth in 49 CFR Part 21.

2.0 General Policy

No person shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any County program or activity.

3.0 Policy Guidelines/Procedures

3.1 Specific discriminatory actions prohibited:

- A. Josephine County, its officers, agents, employees, and volunteers may not, directly or through contractual or other arrangements, on the grounds of race, color, or national origin:
- 1) Deny a person any service or other benefit provided by the County;
 - 2) Provide any service or other benefit to a person which is different, or is provided in a different manner, from that provided to others under the County program;
 - 3) Subject a person to segregation or separate treatment in any matter related to the receipt of any service or benefit provided by the County;
 - 4) Restrict a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service or other benefit provided by the County;
 - 5) Treat a person differently from others in determining whether the person satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition that persons must meet in order to be provided any service or other benefit provided by the County;
 - 6) Deny a person an opportunity to participate in a County program through the provision of services or otherwise or afford the person an opportunity to do so which is different from that afforded others under the program: or

- 7) Deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of a County program.
- B. In determining the site or location of any County facilities or programs, the County may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination on the grounds of race, color, or national origin.
 - C. Any person who is, or seeks to be, a patron of any County public bus or vehicle shall be given the same access, seating, and other treatment with regard to the use of such bus or vehicle as other persons without regard to their race, color, or national origin. No person shall be discriminated against with regard to the routing, scheduling, or quality of service of transportation services furnished by the County on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to transit routes, quality of stations serving different routes, and location of routes may not be determined on the basis of a person's race, color, or national origin.
 - D. No person who is, or seeks to be, an employee of the County shall be treated less favorably than any other employee or applicant with regard to hiring, dismissal, advancement, wages, or any other conditions and benefits of employment, on the basis of race, color, or national origin. The County shall not, directly or through contractual or other arrangements, subject a person to discrimination on the grounds of race, color, or national origin in its employment practices (including recruitment or recruitment advertising, hiring, firing, upgrading, promotion, demotion, transfer, layoff termination, rates of pay or other forms of compensation or benefits, selection for training or apprenticeship, use of facilities, and treatment of employees).

3.2 Assurances

- A. Every application for Federal financial assistance to which 49 CFR Part 21 applies shall contain or be accompanied by an assurance that the program will be conducted in compliance with all requirements of Title VI of the Civil Rights Act of 1964. County Program managers shall submit annual assurances to the appropriate agency.

3.3 Compliance

- A. **Compliance reports.** County Program Managers shall maintain complete, accurate compliance records and submit them to the appropriate federal agency as required for grant administration. Unless otherwise required by the particular grant, compliance records shall include:
 - I. Racial and ethnic data showing the extent to which members of minority groups are beneficiaries of County programs receiving Federal financial assistance.

A list of any active investigations conducted by any federal agencies, including the date of the investigation, a summary of the allegation, the status of the investigation, and any action taken by the County in response to the investigation.

- a. A list of any lawsuits or complaints against the County that allege discrimination on the basis of race, color, or national origin, including the date the lawsuit or complaint was filed, a summary of the allegations, the status of the lawsuit or complaint, and actions taken by the County in responses to the lawsuit or complaint.
- B. Subrecipients. If the County extends Federal financial assistance to any sub-recipient, each sub-recipient shall submit such compliance reports to the County as necessary to enable the County to carry out its obligations under this policy.
- C. Access to Information. The County and all sub-recipients shall permit access by the appropriate federal agency and its agents, during normal business hours, to its books, records, accounts, and other sources of information, and its facilities as may be pertinent to ascertain compliance with this policy. If any information required by the County or a subrecipient is in the exclusive possession of any other agency, institution, or person, and such agency, institution, or person fails or refuses to furnish this information, then the County or sub-recipient shall so certify in its report and shall set forth what efforts it has made to obtain the information.
- D. Information to Public. The County shall provide notices and information to the public to apprise them of the protections against discrimination assured under Title VI of the Civil Rights Act of 1964.
 - 1. Transit Program: Josephine County Transit shall make available such information to the public on the County's web site, on signs posted on all buses and in the Transit Program office, and on bus schedules and brochures.

3.4 Meaningful Access to Limited English Proficient (LEP) Persons.

- A. The County shall provide meaningful access and information about the County's programs and services for individuals who are Limited English Proficient (LEP) as required under Title VI of the Civil Rights Act of 1964.
 - 1. Transit Program: The Transit Program shall provide assistance for persons who are Limited English Proficient as follows:
 - a. The Josephine County Transit's web site, bus schedules, and brochures shall be available in English and in Spanish.
 - b. All transit drivers and dispatchers shall carry "Basic Spanish for Transit Employees" from the Colorado DOT, and shall refer to this as needed.
 - c. The Josephine County Transit Program Manager shall conduct public outreach activities to ensure that Limited English Proficient riders have access to services as well as information they may need. If the Transit Program Manager identifies language groups other than Spanish who need

assistance in their language. then the Transit Program Manager shall arrange to provide appropriate instructions, in their language, on how to use the public transit system and any other information needed,

3.5 Manager Responsibility

Program Managers, Department Heads, and Elected Officials shall:

- A. Ensure that there are no barriers to service or accommodation that would prevent public usage or access to County programs and services;
- B. Train subordinates as to what constitutes discrimination and barriers to access;
- C. Take prompt and appropriate action to avoid and minimize the incidence of any form of discrimination;
- D. Notify the Title VI Complaint Coordinator, in writing, of the circumstances surrounding any reported allegations of discrimination no later than the next business day.

3.6 Complaints and Appeal Process

- A. **Title VI Complaint Coordinator:** The Title VI Complaint Coordinator for Josephine County shall be the County Risk Manager, or designee, who shall investigate and process complaints about violations of civil rights.
- B. **Complaints must be filed within 180 days of alleged discrimination.**
- B. **Contents of Complaint:** Complaints should contain:
 1. Name, address, telephone number of person making the complaint;
 2. A statement of what happened, when, and where;
 3. Names of any witnesses;
 4. A statement of the desired result or outcome.
- C. **Filing of Complaint.** Complaints may be filed by either employees or by members of the public.
 - 1) **By Employees:** Employees may take complaints from members of the public. Employees shall then forward the complaint to the Title VI Complaint Coordinator, who shall process and assist in responding to the Complaint.
 - 2) **By Members of the Public:** Any person who feels that he or she has been discriminated against, or whose accommodation request or access to programs or services has been denied, may file a complaint with the appropriate County Program Manager by mailing or submitting a written complaint to the Program

Manager, or by telephoning or emailing the appropriate department, division or program.

a) **Transit:** Complaints may made to:

Scott Chancey, Transit Program
Supervisor
201 River Heights Way
Grants Pass, OR 97527
(541) 474-5441
schancey@co.josephine.or.us

- D. **Investigation.** The Program Manager, with the assistance of the Title VI Complaint Coordinator and County Legal Counsel, shall investigate the complaint and shall make a written determination as to whether discrimination occurred or access was denied. The investigation of the complaint shall include, but not be limited to, details of the specific incident, frequency and dates of occurrences, and names and information of any witnesses.
- E. **Resolution of Complaint:** The complainant shall be notified of the resolution. The written report shall be confidential. The resolution of the complaint shall be public record.
- F. **Appeal.** If the complainant is not satisfied with the resolution of the complaint, the complainant may appeal. The appeal or request for review must be submitted to the Title VI Complaint Coordinator, in writing, within thirty (30) calendar days of the written resolution of the complaint. The appeal shall include the complainant's name, address, and telephone number, and include a statement of the reasons why the complainant believes the resolution of the complaint was inappropriate.
- 1) **Meeting:** The Board of Commissioners shall schedule a mutually agreed-upon time and place for a review meeting with the complainant and/or representatives within thirty (30) days of receipt of the request. At the meeting, the complainant may submit documents or other information to be included with the record and to be considered in the review process. A record of the review meeting shall be maintained by the Board of Commissioners for a period of three (3) years.
- 2) **Disposition:** After the meeting, the Board of Commissioners shall make a written disposition of the complaint in accordance with one of the following:
- i) **Sustained Complaints:** If the Complaint is substantiated, this policy prohibiting discrimination shall be reviewed with the appropriate employee. Appropriate disciplinary action and/or training shall be taken in accordance with appropriate disciplinary procedures.
- ii) **Unsustained Complaints:** If there is insufficient evidence to either prove or disprove the allegations, the complainant shall be informed of the reasons for this disposition.

- iii) **Unfounded Complaint:** If it is determined that an act reported pursuant to this policy did not in fact occur, a finding of unfounded shall be made.
- iv) **Exonerated Complaints:** If it is determined that an act reported pursuant to this policy did in fact occur, but was lawful and proper within the guidelines established herein, a finding of exonerated shall be made.

G. The rights provided under this policy are not exclusive and are in addition to any other rights and remedies provided by law. The right of a complainant to a prompt and equitable resolution of the complaint shall not be impaired by the pursuit of other remedies, such as filing a complaint with the appropriate federal agency, or the filing of a suit in state or federal court. The use of this procedure is not a prerequisite to the pursuit of other remedies.

3.7 **General**

- A. If any provision of this policy violates state or federal law, including but not limited to Title VI of the Civil Rights Act of 1964, 49 CFR Section 21, ORS 244.175, or ORS 659A.309, as amended, such state or federal law shall control.
- B. Employees shall contact their supervisor or the Human Resource Office if there are any questions as to the application of this policy.