

Eastern Sierra Transit Authority’s Title VI Notice to the Public

ESTA hereby gives public notice that it is the policy of the Eastern Sierra Transit Authority to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which ESTA receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with ESTA. Any such complaint must be in writing and filed with ESTA’s Administration Manager within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, call ESTA at 760.872.1901.

List of Locations Where Title VI Notice Is Posted

Eastern Sierra Transit Authority’s Title VI notice to the public is currently posted at the following locations:

| Location Name | Address | City |
|--------------------|--------------------|-------------------|
| Bishop Office | 703 Airport Road | Bishop, CA |
| Mammoth Office | 210 Commerce | Mammoth Lakes, CA |
| Stops and Vehicles | Inyo & Mono County | |

The Title VI notice and program information is also provided on Eastern Sierra Transit Authority’s website at:
www.estransit.com

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Title VI Complaint Procedures

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program or activity administered by ESTA or its subrecipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Administration Manager may be utilized for resolution, at any stage of the process. The Administration Manager will make every effort to pursue a resolution to the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with ESTA's Administration Manager. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements.
 - a. Complaint shall be in writing and signed by the complainant(s).
 - b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
 - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident.
 - d. Allegations received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. The complainant is required to mail a signed, original copy of the fax or e-mail transmittal for ESTA to be able to process it.
 - e. Allegations received by telephone will be reduced to writing and provided to complainant for confirmation or revision before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign, and return to ESTA for processing.
2. Upon receipt of the complaint, the Administration Manager will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint.
3. In order to be accepted, a complaint must meet the following criteria: The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.

- a. The allegation(s) must involve a covered basis such as race, color, or national origin.
- b. The allegation(s) must involve a program or activity of a Federal-aid recipient, subrecipient, or contractor.
- c. The complainant(s) must accept reasonable resolution based on ESTA's administrative authority (reasonability to be determined by ESTA).
4. 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 cannot be located after reasonable attempts.
5. Once ESTA decides to accept the complaint for investigation, the complainant will be notified in writing of such determination within five calendar days. The complaint will receive a case number and will then be logged into ESTA's records identifying its basis and alleged harm, and the race, color, and national origin sex, age, genetic information, veteran status or retaliation of the complainant.
6. In cases where ESTA assumes the investigation of the complaint, ESTA will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days from the date of ESTA's written notification of acceptance of the complaint to furnish his/her response to the allegations.
7. In cases where ESTA assumes the investigation of the complaint, within 40 calendar days of the acceptance of the complaint, ESTA's Administration Manager will prepare an investigative report for review by the ESTA Board of Directors and the Executive 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 sent to ESTA's Counsel for review. After 10 days, Counsel will render a recommendation.
9. Any comments or recommendations from the Counsel will be reviewed by ESTA's Administration Manager. The Administration Manager will discuss the report and recommendations with the Executive Director within 10 calendar days. The report will be modified as needed and made final for its release.
10. ESTA's final investigative report and a copy of the complaint will be forwarded to the Federal Transit Administration, Region IX, within 60 calendar days of the acceptance of the complaint.
11. ESTA will notify the parties of its final decision.
12. If complainant is not satisfied with the results of the investigation of the alleged discrimination and practices the complainant will be advised of the right to appeal to the Federal Transit Administration, Office of Civil Rights Region IX, 201 Mission Street (Suite 1560) San Francisco, CA 94105. The complainant has 180 days after ESTA's final resolution to appeal to FTA. Unless the facts not previously considered come to light, reconsideration of appeal to ESTA will not be available.

Eastern Sierra Transit Authority Title VI Complaint Form

TITLE VI COMPLAINT FORM

| | | |
|--|--------------------------------------|---|
| Section I: Please write legibly | | |
| 1. Name: | | |
| 2. Address: | | |
| 3. Telephone: | | 3.a. Secondary Phone (<i>Optional</i>): |
| 4. Email Address: | | |
| 5. Accessible Format Requirements? | <input type="checkbox"/> Large Print | <input type="checkbox"/> Audio Tape |
| | <input type="checkbox"/> TDD | <input type="checkbox"/> Other |
| Section II: | | |
| 6. Are you filing this complaint on your own behalf? | YES* | NO |
| *If you answered "yes" to #6, go to Section III. | | |
| 7. If you answered "no" to #6, what is the name of the person for whom you are filing this complaint? Name: | | |
| 8. What is your relationship with this individual: | | |
| 9. Please explain why you have filed for a third party: | | |
| 10. Please confirm that you have obtained permission of the aggrieved party to file on their behalf. | YES | NO |
| Section III: | | |
| 11. I believe the discrimination I experienced was based on (<i>check all that apply</i>): | | |
| <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin | | |
| 12. Date of alleged discrimination: (<i>mm/dd/yyyy</i>) | | |
| 13. Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. | | |

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|--|-----|--------|
| Section IV: | | |
| 14. Have you previously filed a Title VI complaint with Eastern Sierra Transit Authority? | YES | NO |
| Section V: | | |
| 15. Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? [] YES* [] NO If yes, check all that apply: [] Federal Agency _____ [] State Agency _____ [] Federal Court _____ [] Local Agency _____ [] State Court _____ | | |
| 16. If you answered "yes" to #15, provide information about a contact person at the agency/court where the complaint was filed. | | |
| Name: | | |
| Title: | | |
| Agency: | | |
| Address: | | |
| Telephone: | | Email: |
| Section VI: | | |
| Name of Transit Agency complaint is against: | | |
| Contact Person: | | |
| Telephone: | | |

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date are required below to complete form:

Signature _____
Date _____

Submit form and any additional information to:

Karie Bentley, Administration Manager
EASTERN SIERRA TRANSIT AUTHORITY
P.O. Box 1357
Bishop, CA 93515
Phone: 760.872.1901 x 15
Fax: 760.784-9566
Email: kbentley@estransit.com