

COMPLAINT PROCEDURES

Any person who believes they, or a specific class of people, were subjected to discrimination based on race, color, or national origin in programs or activities of a Federal-aid recipient may file a complaint. According to USDOT regulations, 49 CFR Part 21.11(b), a complaint must be filed within 180 days of the alleged discrimination unless the investigating agency extends the filing deadline.

Any formal Title VI complaint will be forwarded to FHWA or the appropriate federal agency within 10 calendar days. If a subrecipient receives a complaint, it must be sent to ITD, which will then forward it to FHWA.

If FHWA determines a Title VI complaint against a subrecipient can be investigated by ITD, FHWA may delegate the task of investigating the complaint to ITD, who will conduct the investigation and forward the Report of Investigation to FHWA for review and final disposition.

The disposition of all Title VI complaints will be undertaken by FHWA, through either informal resolution or issuance of a Letter of Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to FHWA.

Complaints alleging violations of Title VI can be filed in writing directly with one of the following agencies:

Office of Civil Rights Program Manager/Title VI Coordinator

Email: Civilrights@itd.idaho.gov

Phone: (208) 334-8884

Federal Highway Administration Idaho Division, 3050 Lakeharbor Ln, Boise, ID 83703

Federal Coordination and Compliance Section, Civil Rights Division, U.S. Department of Justice, 950 Pennsylvania Avenue, Washington, D.C. 20530

Federal Highway Administration, Office of Civil Rights, HCR-20, Room E81-320, 1200 New Jersey Avenue, SE, Washington DC 20590

Additional information regarding the Title VI complaint process is available to the public via ITD's Civil Rights website. Complaint and investigation files are confidential and will only be disclosed to appropriate personnel and federal authorities in accordance with Federal and State laws.

ITD will maintain a log of all Title VI complaints received by the Civil Rights Program Manager for a minimum of five (5) years. The log shall include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response to the complaint.

ITD COMPLAINT PROCESS

The Civil Rights Program shall coordinate the overall administration of the Title VI program, plan, and assurances.

If an individual believes they or any other program beneficiaries have been subjected to unequal treatment or discrimination in receiving benefits and/or services or on the grounds of race, color, national origin, sex, or disability, they may exercise their right to file a complaint with the ITD Office of Civil Rights.

Complainants can submit their complaints to various federal operating administrations or to ITD. They can choose to email, call, write, or use an online form submitted directly to ITD's OCR.

Every effort will be made to resolve complaints informally at the district, subrecipients, contractor, and policy levels. The Title VI Coordinator will provide support in the investigative process and track all Title VI complaints received, along with their associated outcomes. The Title VI/Nondiscrimination Coordinator will collaborate with all parties to support and provide any necessary training.

If the complaint is against a contractor or its subrecipient(s), ITD will have fifteen (15) business days from the receipt of the complaint to advise the appropriate state or federal agency (e.g., Office of Federal Contract Compliance Programs (OFCCP) for Federal contract compliance issues) of the receipt of a complaint and the status of the investigation.

If there is not a resolution satisfactory to all parties concerned in the complaint, the party not satisfied is advised of their right to appeal according to 49 CFR Part 21. The complainant must file the appeal in writing no later than 180 calendar days after the date of the alleged discrimination unless the Secretary of Transportation extends the filing period:

U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-314
Washington, DC 20590

A complainant may file a complaint with the Secretary, U.S. Department of Transportation, or the appropriate Operating Administration (FHWA, FTA, FAA, FMCSA) before, during, or after the complaint is filed with ITD.

MODALITY CONTACT INFORMATION

US Department of Transportation, Federal Highway Administration, Idaho Division

3050 Lakeharbor Lane, #126

Boise, ID 83703

Phone: (208) 334-1843

Website: <https://www.fhwa.dot.gov/iddiv/>

US Department of Transportation, Federal Aviation Administration

800 Independence Avenue, SW Washington, DC 20591

Phone: 1-866-TELL-FAA (1-866-835-5322)

Website: <http://www.faa.gov/>

US Department of Transportation, Federal Motor Carrier Safety Administration

1200 New Jersey Ave. SE Washington, DC 20590

Phone: 202-366-8810

Website: <https://www.fmcsa.dot.gov/>

US Department of Transportation, Federal Transit Administration

1200 New Jersey Avenue, SE Washington, DC 20590

Phone: 202-366-4043

Website: <https://www.transit.dot.gov/>

US Department of Transportation, National Highway Traffic Safety Administration

1200 New Jersey Ave. SE, Washington, DC 20590

Phone: 1-888-327-4236

TTY: 1-800-424-9153

Website: <http://www.nhtsa.gov/>