



Jacksonville Human Rights Commission  
117 W. Duval Street, Suite 350  
Jacksonville, FL 32202

## **City of Jacksonville TITLE VI POLICY AND COMPLAINT PROCEDURES**

### **A. POLICY**

“No person in the City of Jacksonville (the “City”) shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance pursuant to the requirements of Title VI of the 1964 Civil Rights Act.”

It is the policy of the City that in the operation of any federally assisted program, it shall not, on the basis of race, color, or national origin, either directly or through contractual means:

- Deny program services, aids, or benefits;
- Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

The City further recognizes that in certain circumstances, a failure to ensure that persons with limited English proficiency (“LEP”) can effectively participate in or benefit from federally assisted programs and activities may result in the denial of program services, aids or benefits. To that end, it is the policy of City to ensure that whenever and wherever possible efforts will be made to ensure that information about the City’s programs and services are provided in a manner that is conducive to the full participation of all persons living in this jurisdiction. These efforts shall include, but are not limited to:

- Identifying City employees who are fluent in languages other than English and can act as translators if necessary;
- Publishing notices and announcements, based on an analysis of the City’s Population Demographics from the Bureau of Census, in Spanish and Tagalog (Filipino) in order to ensure that the two largest groups of individuals who speak a language other than English at home have written access to information about the City’s programs, services and activities; and
- Maintaining the capacity, through the City’s Call Center (630-CITY), for LEP persons to access telephonic or video translations of other requested languages through contracted vendors.

## B. COMPLAINTS

The Executive Director of the Jacksonville Human Rights Commission (the “JHRC”) serves as the City’s Title VI Nondiscrimination Compliance Officer and serves as the conduit between the complainant and the City department/division or agency against whom the complaint is filed. Any individual who believes that he or she has been discriminated against in any federally assisted program, service or activity provided by the City shall have the ability to file a formal complaint, have the complaint responded to, and to request an appeal if they are dissatisfied with the resolution of their complaint. The procedures to be followed in filing a formal complaint shall be available and accessible to the general public.

The JHRC will provide the department/division or agency with the necessary technical assistance as needed and will make attempts to assist the department/division or agency in reaching an amicable resolution of the complaint. However, the JHRC shall have no authority to direct the department/division or agency as to the manner it ultimately decides to respond to the complaint.

### 1. Filing a Complaint

This complaint procedure shall serve as the City’s mechanism to respond to complaints of discrimination on the basis of race, color, or national origin in the delivery of the City’s federally assisted programs, services and activities. This procedure **does not apply** to complaints of discrimination in employment.

- (a) Any individual who feels they have been discriminated against shall submit a complaint in writing addressed to:

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- (b) A signed, written complaint should be filed with the JHRC within 180 days of the date of the alleged discrimination using the Title VI Complaint form. You are not required to use this form; a letter with the same information is sufficient which should contain/describe:

- Your name, address, and telephone number;
- Your complaint must be signed;
- If you are filing on behalf of another person, include your name, address, telephone number, and your relationship to that person (e.g., friend, attorney, parent, etc.);
- The name and address of the City department/division or agency you believe discriminated against you;
- How, why, and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Include names of individuals whom you allege discriminated against you, if you know them; Include the most recent date of the discrimination;

- The basis on which you believe these discriminatory actions were taken against you, such as race/ethnicity, color, national origin, or because of your Limited English Proficiency; and
  - The names of any person, if known, whom the JHRC may contact for additional information to support or clarify your allegations.
- (c) Should the complainant be unable or unwilling to complain to the City, the written complaint may be submitted directly to FDOT at the following address:

Florida Department of Transportation  
Equal Opportunity Office  
ATTN: Title VI Complaint Processing  
605 Suwannee Street MS 65  
Tallahassee, FL 32399

- (d) Within ten (10) days of receipt of the complaint, the JHRC shall transmit a copy of the complaint to the department/division or agency with general instructions as to the format the department/division or agency should follow in its response, and the date by which the department/division or agency should return its response to the JHRC.
- (e) The department/division or agency shall have thirty (30) days from the receipt of a complaint from the JHRC to submit a response. The JHRC will attempt to clarify the facts of the complaint from the complainant's perspective and the perspective of the department/division or agency against whom the complaint is made.
- (f) All reasonable attempts should be made by the department/division or agency with the assistance of the JHRC to mediate and resolve the complaint. When a department/division or agency is able to resolve a written complaint informally, the department/division or agency will send the JHRC a written statement explaining the mutually agreeable solution. The statement should be signed by the complainant and a representative of the department/division or agency.
- (g) If the complaint cannot be resolved informally, the department/division or agency's response to the complaint shall be sent to the complainant in writing. This letter, addressed to the complainant and signed by a representative of the department/division or agency, shall be transmitted to the JHRC within the specified time period. The JHRC, in consultation with the Office of General Counsel, will review the response with the department/division or agency prior to final preparation of the response to the complainant.
- (h) The response shall be transmitted to the complainant by the JHRC with a cover letter informing the complainant of his/her ability to appeal the decision and the procedure which the complainant must follow to request an appeal. In no instance shall the department/division or agency mail its response directly to the complainant.

- (i) In the event that a complainant submits a written complaint directly to the department/division or agency, the department/division or agency should send a copy of the complaint to the JHRC within five (5) days. That action will constitute a filing by the complainant with the JHRC as required herein. The department/division or agency will have thirty (30) days from receipt of the written complaint to respond to the complainant through the JHRC.
- (j) The JHRC shall maintain files on complaints received along with all communications, recommendations, and other records pertinent to the complaint for a period of at least three (3) years. The establishment of this complaint procedure shall not preclude nor waive the complainant's right to seek redress under any alternative remedy available.

## **2. Appeals**

Any individual who is dissatisfied with the recommended resolution of his/her complaint may request an appeal, in writing to the JHRC, within fifteen (15) days from the date of the written recommended resolution offered by the department/division or agency.

(a) Upon receipt of a written request for an appeal, the JHRC shall:

- i. Notify the Chief Administrative Officer and request that a panel of three (3) senior managers of unaffected departments/divisions or agencies be appointed to hear the grievance. The Chief Administrative Officer shall designate one of the three panel members to serve as the chairperson;
- ii. Set a time and place for the hearing that is convenient to the complainant, the affected department/division or agency and the panel members, within twenty (20) days after the panel is appointed, if possible;
- iii. Instruct the department/division or agency against whom the complaint has been filed to prepare a package with all necessary information pertinent to the complaint for each panel member's review prior to the hearing.
- iv. Monitor and tape record the hearing.

(b) At the time of the hearing, both the complainant and the affected department/division or agency shall have an opportunity to present their positions to the panel. The panel members will also have the opportunity to pose questions to both parties. After the affected parties have made their presentations, and after all questions posed by the panel have been answered, the hearing shall be closed and the panel shall engage in deliberation.

(c) Within fourteen (14) days from the date of the hearing the panel shall issue its decision. The Chairperson shall prepare the decision of the panel. The Chairperson shall send the written decision to each panel member for review and signature prior to its submission to the affected parties. The decision of the panel is final and no further appeal shall be available within the administrative branch of City government.

## **C. CONTACTS:**

Jacksonville Human Rights Commission  
117 W. Duval Street, Suite 350  
Jacksonville, FL 32202  
Phone: (904) 630-4911  
TTY: (904) 630-4125  
Fax: (904) 630-4918

Individuals who are not satisfied with the resolution of a Title VI complaint utilizing the procedures outlined above may file a complaint with the following entities:

Florida Department of Transportation  
Equal Opportunity Office  
ATTN: Title VI Complaint Processing  
605 Suwannee Street MS 65  
Tallahassee, FL 32399.

U.S. Department of Transportation  
Department Office of Civil Rights (S-30)  
1200 New Jersey Ave, S.E.  
Washington, DC 20590  
Phone: (202) 366-4648  
TTY: (202) 366-9696  
Fax: (202) 366-5575

Or

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Office of the Assistant Attorney General, Main  
Washington, D.C. 20530  
Phone: (202) 514-4609