



Metro

**CIVIL RIGHTS
Civil Rights Policy**

(CIV 5)

POLICY STATEMENT

The Los Angeles County Metropolitan Transportation Authority (LACMTA) is committed to ensuring that no person is excluded from participation in, or denied the benefits of its service on the basis of race, color or national origin under Title VI of the Civil Rights Act of 1964. In addition to Title VI of the Civil Rights Act of 1964, LACMTA also prohibits discrimination based on religion, sex, age (40 and over), physical disability (including HIV and AIDS), ancestry, mental disability, medical conditions (including cancer), marital status, sexual orientation, gender identity, gender expression, military and veteran status, genetic information or any other basis protected by federal or state statutes.

PURPOSE

This policy ensures that LACMTA programs (including fares, routing, scheduling, and quality of transportation services) are operated without regard to race, color, national origin, religion, sex, age (40 and over), physical disability (including HIV and AIDS), ancestry, mental disability, medical conditions (including cancer), marital status, sexual orientation, gender identity, gender expression, military and veteran status, genetic information or any other basis protected by federal or state statutes. Frequency of service, age and quality of LACMTA vehicles assigned to routes, quality of LACMTA stations and location of routes will be determined solely on the basis of operational requirements. This policy will be updated annually.

APPLICATION

This policy applies to all LACMTA employees, applicants, contractors and customers.


APPROVED: County Counsel or N/A


Department Head


ADOPTED: CEO

Effective Date: 5/27/20



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1.0 GENERAL

LACMTA is committed to ensuring that no person is excluded from participation in its services, or subject to denial of LACMTA benefits on the basis of race, color, national origin, religion, sex, age (40 and over), physical disability (including HIV and AIDS), ancestry, mental disability, medical conditions (including cancer), marital status, sexual orientation, gender identity, gender expression, military and veteran status, genetic information or any other basis protected by federal or state statutes (protected classes). LACMTA is also committed to promoting environmental justice. LACMTA will accomplish its goals by:

- ensuring that the level and quality of transportation service is provided without regard to a patron's belonging to a protected class(es);
- promoting full and fair participation by all potentially affected populations in transportation decision making;
- preventing denial, reduction or delay in the benefits of LACMTA programs and activities on the basis of an individual's protected class.
- preventing denial, reduction, or delay of benefits related to programs and activities affecting minority and low-income populations; and
- providing meaningful access to LACMTA services, programs, and activities by persons with limited English proficiency (LEP).

2.0 PROCEDURES

Any person who believes they may have been discriminated against on the basis of their belonging to a protected class may file a written complaint with LACMTA's Office of Civil Rights (OCR).

Persons with limited English proficiency, or who need assistance writing a complaint, may contact the Metro Customer Relations Department, located on the Plaza Level, One Gateway Plaza, Los Angeles, CA 90012, or call 323.466.3876 (323.GO.METRO).

2.1 Reporting

The complaint must be filed in writing within 180 days from the date of the alleged discrimination and include complainant's name and signature. Written complaints may be sent to LACMTA, One Gateway Plaza, Office of Civil Rights 99-19-2, Los Angeles, CA 90012; or an online Civil Rights Complaint Form (Attachment 1) may be accessed at LACMTA's website at <https://www.metro.net/CivilRightsComplaintForm>. Once completed, the complaint should be forwarded to LACMTA Customer Relations.

Any LACMTA employee who becomes aware of a discrimination complaint should immediately contact the OCR for handling.



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In addition to, or in lieu of utilizing the civil rights complaint process at LACMTA, a Complainant may file a complaint pertaining to race, color or national origin with the Federal Transit Administration (FTA), Office of Civil Rights, Attention: Complaint Team, East Building, 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590.

2.2 Reviewing

The OCR will review all written complaints to determine whether the matter is within its jurisdiction, based on the following: whether Complainant has alleged discriminatory treatment or harassment based on their belonging to a protected class.

If the OCR determines it has jurisdiction, an investigator will be assigned to conduct an investigation. If the Complainant has provided OCR with a mailing address, email address or other such method of communication, he/she will receive an acknowledgement letter informing him/her that the complaint will be investigated by the OCR. All complaints will be investigated promptly and handled in a confidential manner. However, information learned in the course of investigations may be disclosed on a need-to-know basis.

If jurisdiction is found not to exist in the OCR, but does exist in another department, the complaint will be forwarded to the appropriate department for resolution. The OCR will be notified of the steps taken to resolve the complaint.

2.3 Investigation Process

The investigator will take the followings steps to investigate the alleged discriminatory act:

- Identifying, requesting and reviewing all relevant documents, practices and procedures to determine appropriate resolution.
- Identifying and interviewing persons with knowledge of the alleged discrimination, such as the Complainant; witnesses; others identified by the Complainant; people who may have been subject to similar activity; and others with relevant information.

The investigation process and final investigative report is generally completed within 120 days. If no policy violation is found and the Complainant wants to appeal the decision, they may appeal directly to LACMTA, Chief, Office of Civil Rights, One Gateway Plaza, 99-19-2, Los Angeles, CA 90012.



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2.4 Subsequent Complaints and Amended Charges

Any subsequent complaint or amended charge should be filed utilizing the Civil Rights Complaint Form. Amended charges can also be submitted via email or other written format. The OCR will review each subsequent complaint or amendment to determine whether the subsequent complaint should stand on its own, or be incorporated into the original complaint and investigation.

2.5 Completion of Investigation

Upon completion of the investigation, the Investigator prepares a final investigative report for the Director, EEO & Investigations with a copy provided to the Chief of OCR and County Counsel. All principal parties receive written notification of the investigative findings.

2.6 Implementation of Remedial Actions

If a policy violation exists, appropriate remedial steps will be taken immediately.

3.0 DEFINITION OF TERMS

Title VI – Title VI of the 1964 Civil Rights Act prohibits discrimination on the basis of race, color, or national origin by recipients of federal financial assistance.

Equal Access – Requirement of non-discrimination in transit services with regard to race, color, or national origin in accordance with Title VI of the 1964 Civil Rights Act, as amended. LACMTA also prohibits discrimination based on religion, sex, age (40 and over), physical disability (including HIV and AIDS), ancestry, mental disability, medical conditions (including cancer), marital status, sexual orientation, gender identity, gender expression, military and veteran status, genetic information or any other basis protected by federal or state statutes.

Discrimination – Any act or failure to act, whether intentional or unintentional, which has the purpose or effect of limiting, excluding, or denying a person transit services or benefits because of race, color, national origin, religion, sex, age (40 and over), physical disability (including HIV and AIDS), ancestry, mental disability, medical conditions (including cancer), marital status, sexual orientation, gender identity, gender expression, military and veteran status, genetic information or any other basis protected by federal or state statutes.

Environmental Justice – Efforts made to prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects.



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4.0 RESPONSIBILITIES

The Office of Civil Rights (OCR) maintains a log of all complaints received. The log includes the date the complaint was filed; a summary of the allegations; the status of the complaint; and actions taken by LACMTA to resolve the complaint.

5.0 FLOWCHART

Not Applicable

6.0 REFERENCES

- Title VI of the 1964 Civil Rights Act
- FTA Circular 40702.1B
- Unruh Civil Rights Act of 1959

7.0 ATTACHMENTS

1. Civil Rights Complaint Form

8.0 PROCEDURE HISTORY

- | | |
|----------|--|
| 03/01/08 | Policy memo. |
| 01/08/09 | Policy updated and revised into GEN 5 format template with the purpose of recognizing the importance of LACMTA's obligation regarding non-discrimination. Entire Procedure section revamped and streamlined to reflect current practices. |
| 05/06/10 | Policy updated to reflect administrative changes. |
| 02/10/11 | Revised to include protected classes sex, age and disability. |
| 11/30/11 | Policy renamed from Title VI Statement of Policy to Civil Rights Policy. Policy revised to reflect administrative changes. Updated § 6.0 References. Under References: added the Unruh Civil Rights Act of 1959 and removed the Limited English Proficiency Outreach Plan. |
| 10/17/12 | Added more protected classifications; changed responsibility from EEO Manager to the Manager of Civil Rights Programs; expanded the investigation process from 90 to 120 days; updated FTA Circular reference; added Environmental Justice definition; added complaint form attachment |



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- 08/01/13 Subsuming the Non-Discrimination in Providing Services (EO6) policy due to duplication.
- 12/05/13 Annual review: changed policy call letters from EO to CIV; added additional protections.
- 12/15/14 Annual review: non-substantive changes.
- 04/21/16 Annual review: non-substantive changes; updated titles and department name
- 04/24/17 Annual review: updated FTA's Office of Civil Rights address, and titles; the Chief Civil Rights Officer receives a copy of the final investigative report.
- 04/05/18 Annual review: updated the complaint form hyperlink.
- 04/22/19 Annual review: updated the complaint form hyperlink.
- 03/30/20 Annual review: non-substantive changes; updated titles and OCR mailing address



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Civil Rights Complaint Form

Title VI of the 1964 Civil Rights Act and related nondiscrimination statutes and regulations require that no person in the United States shall, on the ground 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. In addition to Title VI, Metro also prohibits discrimination based on sex, age, disability, religion, medical condition, marital status, or sexual orientation.

The following information is necessary to assist us in processing your complaint. Should you require assistance in completing this form, please let us know.

Complete and return this form to: Metro Customer Relations, Los Angeles County Metropolitan Transportation Authority, 1 Gateway Plaza, Los Angeles, CA 90012.

1. Complainant's Name: _____
2. Address: _____
3. City: _____ State: _____ Zip Code: _____
4. Telephone No.: (home/cell) _____ (other) _____
5. Email address: _____
6. Person discriminated against (if someone other than the complainant):
Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
7. Which of the following best describes the reason you believe the discrimination took place? Was it because of your:
a. Race c. National Origin e. Age
b. Color d. Sex f. Disability



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g. Religion h. Medical Condition i. Marital Status

j. Sexual Orientation k. Other _____

8. What date did the alleged discrimination take place? _____

9. In your own words, describe the alleged discrimination. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

10. 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 each box that applies:

Federal agency Federal court State agency

State court Local agency

11. Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

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

Complainant's Signature

Date