

## **City of Covington Title VI Complaint and Hearing Procedure - 2025**

The complainant calls or comes in with a complaint. The complaint should include the name, address, phone number, and signature of the complainant. A formal complaint should describe the alleged discriminatory act that violates Title VI in detail. The complaint must be filed within 180 calendar days of the alleged incident.

Complaints filed against the City of Covington: Log and forward to the Tennessee Department of Transportation (TDOT) or the agency having jurisdiction within 3 business days.

Complaints filed against contractors, sub-contractors, etc. of the sub-recipient: processed and investigated by the City of Covington.

### **GUIDELINES FOR PROCESSING COMPLAINTS:**

1. Maintain a log of all complaints and appeals.
2. Forward and initial report to TDOT within seven (7) working days.
3. A copy of the complaint will also be forwarded to the alleged discriminatory sub-contractor official, including the name and telephone number of the Title VI officer assigned to investigate the complaint.
4. The investigating officer will initiate the investigation by first contacting the complainant by telephone within three (3) workdays of receiving the assignment to set up the interview.
  - a. The complainant will be informed that they have a right to have a witness or representative present during the interview.
  - b. Submit any documentation he/she perceives as relevant to proving his/her complaint.
5. The alleged discriminatory sub-contractor official will be given the opportunity to respond to all aspects of the complainant's allegations.
6. The investigating officer will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
7. The investigating officer will contact the complainant at the conclusion of the investigation, but prior to writing the final report, and give the complainant an opportunity to give a rebuttal statement only at the end of the investigation process.
8. The investigation will be completed, and a final report will be sent to TDOT, the alleged discriminatory sub-contractor, and the complainant within sixty (60) calendar days of the date the complaint was received. The final report will include the following:
  - a. the written complaint containing the allegation, basis, and date of filing
  - b. summarized statements taken from witnesses
  - c. finding of facts

d. opinion (based on all evidence in the record) that the incident is substantiated or unsubstantiated

e. remedial action(s) for substantiated cases

9. If corrective action(s) is recommended, the alleged discriminatory sub-contractor will be given thirty (30) calendar days to inform the Title VI officer of the actions taken for compliance.

10. Corrective actions can be in the form of actions to be taken at a future date after the initial thirty (30) days with the projected time period(s) in which action will be completed. All corrective actions must be made within sixty (60) days from the date of the actual recommendation.

11. If the recommended corrective action(s) have not been taken within the thirty (30) day time period allowed, the sub-contractor will be found to be in noncompliance with the Title VI and implementing rules and regulations, and a referral will be made to TDOT for enforcement action.

12. Appeals Procedures:

a. The complainant has the right to appeal all written reports to FHW A.

b. This appeal must be made in writing to the TDOT Title VI Director within fourteen (14) days of receipt of the Sub-Recipient's final report.

c. The appeal must specifically cite the portion(s) of the finding with which the complainant disagrees and his/her reason(s) for disagreement.

d. The TDOT Title VI Director will forward this appeal within seven (7) days to the FHWA for review.

e. The FHWA review of the findings will be based on the entire record.

f. The FHWA must complete the appeal review thirty (30) calendar days after the receipt of the appeal.

g. The FHWA will forward their written findings to the complainant and the TDOT Commissioner/Civil Rights Office.