

Part B

City of Las Cruces - Roadrunner Transit Title VI Program Complaint Procedures

The City of Las Cruces Roadrunner Transit is committed to a policy of non-discrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation services. Any person who believes that he or she has been subjected to discrimination under Title VI based on race, color or national origin may file a Title VI complaint with the City of Las Cruces Roadrunner Transit or the Federal Transit Administration (FTA). All complaints received by the City of Las Cruces will be referred to the City of Las Cruces Compliance Administrator for review and action.

To have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:

1. The date of alleged act of discrimination; or
2. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the City of Las Cruces may extend the time for filing or waive the time limit in the interest of justice, if the City specifies in writing the reason for so doing.

Complaints must be in writing and signed by the complainant and/or the complainant's representative before action can be taken. Complaint shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination. If a person makes a verbal complaint of discrimination to an officer or employee of the City of Las Cruces, the person shall be referred to and interviewed by the Compliance Administrator. If necessary, the Compliance Administrator will assist the person in converting the verbal complaint to writing and submit the written version of the complaint to the person for signature. The City of Las Cruces' representative will assist those with limited English proficiency (LEP) in filing a complaint. The complaint shall then be handled according to the City of Las Cruces' investigative procedures.

Within five (5) business days, the Compliance Administrator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation and advise the complainant of other avenues of redress available, such as submitting the complaint to the FTA.

The Compliance Administrator will advise FTA within ten (10) business days of receipt of the allegations. Generally, the following information will be included in every notification to the FTA:

1. Name, address and phone number of the complainant
2. Name(s) and address(es) of alleged discriminating official(s)
3. Basis of complaint (i.e. race, color or national origin)
4. Date of alleged discriminatory act(s)
5. Date complaint received by recipient
6. A statement of the complaint
7. Other agencies (state, local or Federal) where the complaint has been filed
8. An explanation of actions the City of Las Cruces has taken, or proposed, to resolve the issue stated in the complaint

Within forty-five (45) days, the Compliance Administrator will investigate the allegation and, based on the information obtained, will render a recommendation for action in a written report of findings to be reviewed by the City of Las Cruces Attorney. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within fourteen (14) business days of receipt of the report from the City of Las Cruces Compliance Administrator, the City of Las Cruces Attorney will review the report and issue a written determination as to whether discriminatory practice has occurred.

Within five (5) business days of the City of Las Cruces Attorney's written determination, the City of Las Cruces City Manager will forward the determination of the respondent's Department Director for appropriate action, if necessary. The City of Las Cruces City Manager shall forward a copy of the determination, along with the report to the City of Las Cruces Compliance Administrator who will also provide FTA with a copy of this decision and summary of finding upon completion of the investigation. The City of Las Cruces City Manager will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with FTA if they are dissatisfied with the final decision rendered by the City of Las Cruces.

Title VI contacts are:

City of Las Cruces
Attn: Compliance Administrator
700 N. Main St.
Las Cruces, NM 88001

Federal Transit Administration Office of Civil Rights
Attn: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590