

VVTA PRACTICE TO NOTIFY BENEFICIARIES OF PROTECTION UNDER TITLE VI

VVTA operates all of its programs without regard to race, color, and national origin. If any member of the public requires additional information on VVTA's nondiscrimination obligations please contact VVTA Administration at 760.948.3262 (TDD) 760.948.3990.

Any member of the public wishing to file discrimination complaint against VVTA may do so in writing to: Discrimination Complaint at VVTA 17150 Smoketree St., Hesperia, CA 92345 or by email at www.vvta.org, or by phone at 760.948.3262 (TDD) 760.948.3990 or in person at VVTA Administration 17150 Smoketree St., Hesperia, CA.

Employment Policies and Practices

8.0 EQUAL EMPLOYMENT OPPORTUNITY-NON DISCRIMINATION

It is the policy of VVTA to provide equal employment opportunity to all job applicants and all employees and shall comply with applicable Federal and State laws governing fair employment practice and equal opportunity. VVTA recruits, hires, trains, and promotes employees without regard to race, religion, color, creed, national origin, ancestry, political opinion, physical or mental disability, medical condition, marital status, sex or gender (including sexual harassment, pregnancy, childbirth or related medical conditions), age (40 and older), sexual orientation, gender identity, veteran status, genetic characteristics, or other legally protectable class as defined in Title VII and the California Fair Employment and Housing Act ("FEHA"), and any other applicable provisions of federal and/or state law.

VVTA will comply with the provisions of the Americans With Disabilities Act (ADA) and FEHA with respect to persons with disabilities.

This policy applies to all employment terms and conditions, including recruitment, hiring, promotions, compensation decisions, benefits, discipline, separations, and training.

Section 8.1 Complaint Reporting Procedures:

1. Any employee who contends that he/she has been subjected to unlawful discrimination, harassment or retaliation in violation of federal or state law, may use the internal complaint procedure set forth in section 15.0, Grievance Procedure.
2. Employees can raise concerns and make reports without fear of reprisal.
3. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including dismissal from employment.
4. Nothing herein is intended to modify the at-will status of all employees of VVTA.

9.0 AFFIRMATIVE ACTION PLAN

In compliance with VVTA Resolution 3109, which commits the Victor Valley Transit Authority to a policy of Affirmative Action in accordance with the Equal Opportunity Act of 1972, it is the continuing policy of the Victor Valley Transit Authority to seek and employ qualified persons in all job classifications in a manner in which will ensure equal employment opportunity, and to administer all personnel actions in a manner which will not discriminate against any person in any policy, practice or procedure on the basis of race, color, national origin, religion, age, physical or mental disability, marital status or sex. Nor will sexual harassment, in any form, be tolerated.

VVTA also endeavors to comply with Proposition 209 as it amends the California Constitution to prohibit public entities from using race, sex, color, ethnicity, or natural origin as a criteria for either discriminating against or granting preferential treatment to any individual or groups in the operation of the State's system of public employment, public education or public contracting.

VVTA will continue to require its Operations Contractor to base all decisions on employment and promotion so as to further the principle of equal employment opportunity by imposing only valid requirements for such opportunities.

Finally, VVTA will continue to ensure that all personnel actions with regard to selection, promotions, terminations, compensation, benefits, transfers, layoffs and training shall be administered to further the principle of equal employment opportunity. A copy of VVTA's comprehensive affirmative action plan is available to all employees upon request.

VICTOR VALLEY TRANSIT AUTHORITY

TITLE VI COMPLAINT PROCESS

This chapter describes how the Victor Valley Transit Authority (VVTA) will respond to complaints of discrimination under Title VI that are filed with VVTA against a recipient or subrecipient of FTA funds. VVTA will promptly investigate all complaints filed under Title VI in accordance with Department of Transportation (DOT) regulations at 49 CFR Section 21.11(b) and 21.11(c). VVTA may delay its investigation if the complainant and the party complained against agree to postpone the investigation pending settlement negotiations.

1. RIGHT TO FILE A COMPLAINT. Any person who believes himself or any specific class of persons to be subjected to discrimination prohibited by Title VI may by himself or by a representative file a written complaint with the VVTA. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by VVTA.
2. COMPLAINT ACCEPTANCE. Once a complaint has been accepted by VVTA for investigation, VVTA will notify the recipient or subrecipient that it has been subject to a Title VI complaint and ask the agency to respond in writing to the complainant's allegations. Once the complainant agrees to release the complaint to the recipient or subrecipient, VVTA will provide the agency with the complaint. If the complainant does not agree to release the complaint to the recipient or subrecipient, VVTA may choose to close the complaint. VVTA strives to complete a Title VI complaint investigation within 180 days of the date that VVTA accepts the complaint for investigation.
3. INVESTIGATIONS. VVTA will make a prompt investigation whenever a compliance review, report, complaint or any other information indicates a possible failure to comply with this part. The investigation will include, where appropriate, a review of the pertinent practices and policies of the recipient, the circumstances under which the possible noncompliance with this part occurred, and other factors relevant to a determination as to whether the recipient has failed to comply with Title VI.
4. LETTERS OF FINDING AND RESOLUTION. After the investigation has been completed VVTA's Representatives will transmit to the complainant and the grantee one of the following three letters based on its findings:
 - a. A letter of resolution that explains the steps the recipient or subrecipient has taken or promises to take to come into compliance with Title VI.
 - b. A letter of finding that is issued when the recipient or subrecipient is not found to be in noncompliance with Title VI. This letter will include an explanation of why the recipient or subrecipient was not found to be in non-compliance, and provide notification of the complainant's appeal rights. If applicable, the letter can include a list of procedural violations or concerns, which can put the recipient or subrecipient on notice

that certain practices are questionable and that without corrective steps, a future violation finding is possible.

- c. A letter of finding that is issued when the recipient or subrecipient is found to be in noncompliance. This letter will include each violation referenced as to the applicable regulations, a brief description of proposed remedies, notice of the time limit on the conciliation process, the consequences of failure to achieve voluntary compliance, and an offer of assistance to the recipient or subrecipient in devising a remedial plan for compliance, if appropriate.
5. APPEALS PROCESS. The letters of finding and resolution will offer the complainant and the recipient or subrecipient the opportunity to provide additional information that would lead VVTA to reconsider its conclusions. In general, VVTA requests that the parties in the complaint provide this additional information within 60 days of the date the VVTA letter of finding was transmitted. After reviewing this information, VVTA's Representatives will respond either by issuing a revised letter of resolution or finding to the appealing party, or by informing the appealing party that the original letter of resolution or finding remains in force. VVTA strives to transmit these letters within 30 to 60 days of receiving the appeal.