

TITLE VI PUBLIC NOTICE OF RIGHTS / COMPLAINT PROCESS  
THE WAVE TRANSIT SYSTEM, MOBILE, ALABAMA (WTS)

**Public Notice of Rights**

The following statement shall be posted on site at the WTS office, on the WTS website ([www.thewavetransit.com](http://www.thewavetransit.com)); permanently displayed on public transit vehicles; and other appropriate materials made available to the public: ***(Documents will be translated into languages other than English & Spanish, upon request.)***

**Non-Discrimination - Your Rights under Title VI of the Civil Rights Act of 1964**

*The United States Department of Transportation (DOT) ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, or national origin in the provisions of benefits and services resulting from federally assisted programs and activities. Any person, who believes The Wave Transit System (WTS) has violated his /her Title VI protections, should contact the WTS at 251.344.6600. The Wave has also developed a policy to assist individuals who are Limited English Proficient (LEP). Translation services in order to assist LEP individuals shall be made available to WTS's customers upon request. WTS's Title VI policy, complaint procedures and LEP Plan shall be made available upon request by contacting The Wave Transit at the above-noted information. For federal Title VI information please contact the Federal Transit Administration (FTA), Region VI at 404.865.5600. Federal Title VI information, including filing complaints, can also be accessed on the FTA web site at: [www.fta.dot.gov](http://www.fta.dot.gov).*

**Title VI Information, Limited English Proficient (LEP) information and Complaint Process (for printed materials, website, and other mediums upon request)**

The Wave Transit System (WTS) grants all citizens equal access to all its transportation services. It is further the intent of the WTS that all citizens are aware of their rights to such access. This is designed to serve as an educational tool for citizens so that they may understand one of the civil rights laws that protect their benefit of the WTS programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964.

**What is Title VI?**

Title VI is a section of the Civil Rights Act of 1964 requiring that "No person in the United States shall on the grounds 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." Note that Title VI does not address gender discrimination. It only covers race, color, and national origin. Other Civil Rights laws prohibit gender discrimination.

**What is LEP?**

As part of Title VI requirements, the WTS has developed a Limited English Proficiency (LEP) Plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to WTS services as required by Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000). A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

**WTS's Complaint and Investigation Procedures**

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any program or activity administered by the WTS.

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These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the WTS may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

The following measures will be taken to resolve Civil Rights complaints:

- 1) A formal complaint must be filed within 180 days of the alleged occurrence, please note that we cannot accept a complaint about an incident that took place more than one hundred eighty (180) days prior to the filing of the complaint. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address, and telephone number; name of alleged discriminating official, basis of complaint (race, color, national origin, only, not based on sex, disability, age, religion etc.), and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.

The WTS strongly encourages the use of the attached **WTS Civil Rights Complaint Form** when filing official complaints.

The preferred method is to file your complaint in writing using **The Wave Transit System Civil Rights Complaint Form**, and sending it to:

The Wave Transit System  
Civil Rights Officer  
110 Beauregard Street, Suite 104  
Mobile AL 36602

- 2) In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Civil Rights Officer. Under these circumstances, the complainant will be interviewed, and the WTS Civil Rights Officer will assist the Complainant in converting the verbal allegations to writing.
- 3) When a complaint is received, the Civil Rights Officer will provide written acknowledgment to the Complainant, within ten (10) days by registered mail.
- 4) If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided sixty (60) business days to submit the required information. Failure to do so may be considered worthy cause for a determination of no investigative merit.
- 5) Within fifteen (15) business days from receipt of a complete complaint, the WTS will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the General Manager or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
  - a. If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.

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- b. If the complaint is to be investigated, the notification shall state the grounds of the WTS's jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- 6) When the WTS does not have sufficient jurisdiction, the General Manager or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
- 7) If the complaint has investigative merit, the General Manager or his/her authorized designee will instruct the Civil Rights Officer to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the General Manager within 60 days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed, and a finding with recommendations and conciliatory measures where appropriate. If the investigation is delayed for any reason, the Civil Rights Officer will notify the appropriate authorities, and an extension will be requested.
- 8) The General Manager or his/her authorized designee will issue letters of finding to the Complainant and Respondent within 90 days from receipt of the complaint.
- 9) Region IV Civil Right Officers do not manage the complaint process; In addition to The Wave Transit System Civil Rights Complaint Process, a complainant may file a Civil Rights complaint directly with the:

Federal Transit Administration Office of Civil Rights  
East Building, 5<sup>th</sup> Floor-TCR  
Attention: Complaint Team  
1200 New Jersey., SE  
Washington, DC 20590

Complainants have the right to complain directly to the appropriate Federal agency; however, they must do so within one hundred eighty (180) calendar days of the last alleged incident.

FTA Complaint procedures can also be found on the FTA web site at: [www.fta.dot.gov](http://www.fta.dot.gov). These procedures are also outlined in FTA Circular 4702.1B, Chapter IX.