

Whatcom Council of Governments

Title VI / ADA Complaint Procedures

Federal law prohibits discrimination on the basis of race, color or national origin in any of WCOG's programs, services, or activities. This prohibition applies to WCOG contractors, consultants, and anyone else who acts on behalf of WCOG.

Complaints related to federal-aid programs may be filed with WCOG and will be forwarded to the Washington State Department of Transportation – Office of Equity and Civil Rights. If you need assistance to file your complaint or need interpretation services, contact WCOG's Title VI Coordinator, Melissa Fanucci, at 360-685-8385 or at titlevi@wcog.org.

Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any of WCOG's programs, services, or activities is eligible to file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated in a discrimination investigation.

How do you file a complaint?

Complaints must be filed no later than 180 days from the last date of the alleged discrimination. Contact WCOG's Title VI Coordinator, Melissa Fanucci, at 360-685-8385 or at titlevi@wcog.org if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, contact WCOG's Title VI Coordinator, Melissa Fanucci, at 360-685-8385 or at titlevi@wcog.org.

Complaints should be in writing, signed, and may be filed by mail, in person or email. If a complainant phones WCOG with allegations, the allegations of the complaint will be transcribed as provided by phone and then the written complaint will be sent to the complainant for correction and signature to the mailing address and/or email address provided to WCOG.

What information should be included in the complaint?

A complaint should contain the following information:

1. The complainant's contact information, including, if available: full name, mailing address, phone number (and best time to call), and email address (if available).
2. The basis of the complaint (e.g., race, color, national origin).
3. The names of specific person(s) and/or agencies/organizations alleged to have discriminated.
4. A description of the alleged discriminatory actions, including sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives federal financial assistance.
5. The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.

All Title VI complaints are logged. The Complaint Log must contain the following information for each complaint field:

- Name and address of person filing the complaint
- Date of complaint
- Basis of complaint
- Disposition of complaint
- Status of complaint

The Complaint Log and associated complaint documentation will be retained by WCOG for a minimum of six years after the end of the calendar year in which the case is closed.

Once logged, WCOG will forward complaints to WSDOT's Office of Equal Opportunity for processing.

What happens after a complaint is filed?

If a complaint is forwarded to another agency by WCOG, the complainant will be provided the name and contact information of the employee handling the complaint at the other agency.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

Federal agencies will render final decisions in all cases, including those investigated by WSDOT. There are no administrative appeal forums in Title VI complaints. Once a federal agency issues its final decision, a complaint is closed.

There is no prohibition against a complainant filing a Title VI complaint simultaneously with WCOG, WSDOT, the U.S. Federal Highway Administration, the U.S. Federal Transit Administration, and the US. Department of Justice.

WCOG will not investigate a discrimination complaint against itself. Any complaint alleging discrimination by WCOG, which is received by WCOG, will be forwarded to the WSDOT Office of Equity and Civil Rights within 10 calendar days of receipt of allegation. WCOG will forward the complaint to:

Washington State Department of Transportation
Office of Equity and Civil Rights
PO Box 47314, Olympia, WA 98504
Email: TitleVI@wsdot.wa.gov

The 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. A Title VI complaint may be filed with any of the following offices:

Whatcom Council of Governments
Attn: Title VI Coordinator
314 E. Champion St., Bellingham, WA 98225
TitleVI@wcog.org
(360) 685-8385

Washington State Department of Transportation
Office of Equity and Civil Rights
PO Box 473, Olympia, WA 98504-7314
TitleVI@wsdot.wa.gov
(800) 259-9143

Federal Highway Administration
Office of Civil Rights
8th Floor E81-105, 1200 New Jersey Avenue, SE, Washington, DC 20590
CivilRights.FHWA@dot.gov
Federal Transit Administration
Office of Civil Rights, Attn: Complaint Team
East Building, 5th Floor - TCR
1200 New Jersey Avenue, SE, Washington, DC 20590
FTACivilRightsCommunications@dot.gov

United States Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW Washington DC, 20530-0001
(855) 856-1247