

# Weakley County Tennessee

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## Title VI Compliance Plan





## Weakley County Title VI Coordinator

PO Box 911 – Dresden, Tennessee 38225

Dustin Kemp, Coordinator

Weakley County, Tennessee

Title VI Assurance

Weakley County assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and as amended, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Tennessee Department of Transportation (TDOT).

Weakley County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs or activities are federally funded or not.

In the event Weakley County distributes Federal Assistance to a consultant, contractor or subcontractor and other participants, Weakley County will include Title VI language in all written agreements and will monitor the consultant, contractor or sub-contractor and other participants for compliance. The Weakley County Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 23 CFR 200 and 49 CFR 21.

As required by the contractual agreement, Weakley County will comply with the applicable laws and regulations relative to nondiscrimination in federally or state assisted programs of the Tennessee Department of Transportation (TDOT).

  
Administrative Head

9-19-2017  
Date

  
Title VI Coordinator

9/19/2017  
Date

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### **Weakley County, Tennessee Complaint & Hearing Procedure Example**

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 the Title VI in detail. The complaint must be filed within 180 calendar days of the alleged incident.

### **Complaints filed against Weakley County: Log and forward to the Title VI Coordinator having jurisdiction with 3 business days.**

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

1. Maintain a log of all complaints and appeals.
  2. Forward an initial report to TDOT with 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 an interview.
    - a. The complainant will be informed that they have the right to have a witness or representative present during the interview.
    - b. Submit any documentation he/she perceives as relevant to providing 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-contract, 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
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9. If corrective action(s) is recommended, the alleged discriminatory sub-contractor official 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 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 in non-compliance with Title VI and implementing rules and regulations, and referral will be made to TDOT for enforcement action.
  12. Appeals Procedures:
    - a. The complainant has the right to appeal all written reports to FHWA.
    - 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 receipt of the appeal.
    - g. The FHWA will forward their written findings to the complainant and the TDOT Commissioner/Civil Rights Office.
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### **LIMITED ENGLISH PROFICIENCY PROCEDURE**

#### COUNTY OF WEAKLEY, TENNESSEE

#### LIMITED ENGLISH PROFICIENCY (LEP) PROCEDURE

Weakley County does not discriminate against anyone with Limited English Proficiency (LEP), who participates in our programs and/or services. We have taken steps to ensure that all individuals will be able to communicate, either through written or oral language services, with all members of our staff. These steps are as follows:

1. Once Limited English Proficiency is determined, employees will use Avanza Language Services Corporation to assist the individual in determining his/her need.
2. If the need is non urgent or life threatening, employees will defer to their supervisors what steps need to be taken. The steps are, but not limited to, the following:
  - a. If the need is for a document to be translated, the supervisor will have the document translated as soon as possible, without jeopardizing his/her duties as a supervisor.
  - b. If the need is for oral language interpretive services, the supervisor will take appropriate actions to provide the assistance as soon as possible through Avanza Language Services Corporation without jeopardizing his/her duties as a supervisor.
  - c. The supervisor has the obligation to the safety of his/her employees as well as to the people of Weakley County to assist the needs of all persons. This includes not leaving his/her work place unless it is an emergency.

***Any person who thinks there has been discrimination against him/her because of LEP should contact Dustin Kemp, Title VI Coordinator.***

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## Weakley County Title VI Compliance Coordinator

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Dustin Kemp, Coordinator

Weakley County, Tennessee

Monitoring of Contractors/Consultants

Name of Contractor: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

This should be completed annually while the contract is active and submitted to Weakley County's Title VI Coordinator for review.

1. Are Title VI posters visible to staff? If yes, where?
2. Are all Physical Areas (i.e. restrooms, dining rooms, waiting rooms, etc) provided without regard to race, color, or national origin?
3. How is Title VI information disseminated to new/current employees?
4. Describe how certified Disadvantaged Business Enterprises (DBEs), other small, minority, and women-owned businesses are solicited to participate on contracts
5. What process has been established to track and monitor ethnicity and gender of all contractors awarded contracts/sub-contracts?
6. Provide documentation to show that contracts contain non-discrimination assurance language?
7. Provide complaint procedures and attach complaint log form
8. Provide Limited English Proficiency Communications Plan (ie, how do you communicate with persons that speak a language other than English?)

**The below Title VI Assurance is to Be Submitted on Company Letterhead:**

Contractor/Consultant Name assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and as amended, and the Civil Rights Restoration of 1987 (P.I. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Tennessee Department of Transportation (TDOT).

**DECLARATION OF RESPONDENT:** I declare that I have completed this form to the best of my knowledge and believe it to be true and correct.

\_\_\_\_\_  
Name of Authorized Official

\_\_\_\_\_  
Date

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Contract Monitoring Form

Owner's Ethnicity and Gender of Contactors and Sub-Contractors

Ethnicity	Male	Female
Black/African American		
American Indian and Alaskan Native		
Asian		
Caucasian		
Hispanic		
Native Hawaiian/ other Pacific Islander		
Other (please specify)		

Name of Company: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Type of Business: \_\_\_\_\_



