

**Title VI Nondiscrimination Plan
For CDOT FHWA Subrecipient**

RIO BLANCO COUNTY ROAD & BRIDGE DEPARTMENT

May 21, 2019

Prepared by: Jenifer L. Morlan, Rio Blanco County Road & Bridge Dept. Office Administrator

I. Non-Discrimination Policy Statement

It is the policy of the Rio Blanco County Road & Bridge Department (RBC R & B) that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of RBC R & B as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of RBC R & B including its contractors and anyone who acts on behalf of RBC R & B. This policy also applies to the operations of any department or agency to which RBC R & B extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

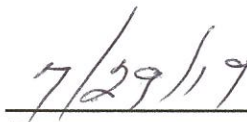
Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

Additional resources can be found at CDOT's Title VI page for FHWA Sub-recipients located at <https://www.coloradodot.info/business/civilrights/accessibility/titlevi/title-vi-subrecipients>



David P. Morlan, Director
Rio Blanco County Road & Bridge Dept.



Date

II. Organization, Staffing, and Structure

David P. Morlan, Rio Blanco County Road & Bridge Department Director, is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all RBC R & B employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21.

RBC R & B has assigned to the position of Office Administrator to perform the duties of the Title VI Coordinator and ensure implementation of the department's Title VI program. The position of Title VI Coordinator is located within the Rio Blanco County Road & Bridge Dept.

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and annual reports on the agency's behalf;
- Developing procedures for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log, and reporting to CDOT.
- Developing procedures for the collection and analysis of statistical data.
- Developing a program to conduct Title VI reviews of program areas;
- Conducting annual Title VI assessments of pertinent program areas;
- Developing Title VI information for dissemination;
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

Rio Blanco County Organizational Chart:

Board of County Commissioners – Road & Bridge Department Director – Road & Bridge Coordinator – Office Administrator

III. Primary Program Area Descriptions & Review Procedures

The Rio Blanco County Road & Bridge Department engages in the following program areas:

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
<i>Road Maintenance</i>	Maintaining County Roads by Road & Bridge employees to ensure the safety of the traveling public	To ensure equal access to Road Maintenance Services and equal consideration of the interest of minority populations.	Monitor complaints and evaluate whether discrimination is a factor. Resolve deficiencies when non-compliance occurs.
<i>Construction Projects</i>	Contracted construction and maintenance projects	To ensure equal treatment of minorities throughout the contract procurement and performance process.	Ensure project notices contain a statement regarding RBC R & B's commitment to compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Monitor prime and subcontractors and evaluate whether discrimination is occurring by visiting job sites and observing. Resolve deficiencies when non-compliance occurs.

IV. Title VI Complaint Procedures

Rio Blanco County will provide the following form on its website, rbc.us/293/Road-Bridge, Nondiscrimination Policy Page:

Discrimination Complaint Procedure for Rio Blanco County Road & Bridge Department (RBC R & B)

Federal law prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in any RBC R & B program or activity. This prohibition applies to all branches of RBC R & B, its contractors, consultants, and anyone else who acts on behalf of RBC R & B.

Federal law requires that RBC R & B investigate, track, and report discrimination complaints. Complaints must be filed in writing and will be investigated within sixty days of submission. If you need assistance to file your complaint or need interpretation services, please contact Jenifer Morlan, RBC R & B's Title VI Coordinator.

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 RBC R & B program or activity because of their race, color, national origin, age, sex, or disability may 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 a discrimination investigation.

How do you file a complaint?

Complaints must be filed in writing within 180 days from the last date of the alleged discrimination. However, contact Jenifer Morlan, Title VI Coordinator, 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, please contact Jenifer Morlan, Title VI Coordinator.

Complaints may be submitted via mail, email, fax or in person to:
Jenifer Morlan, Title VI Coordinator
(970) 878-9590, jeni.morlan@rbc.us

Complaints may also be filed directly with the following agencies:

Colorado Department of Transportation
Civil Rights & Business Resource Center
4201 East Arkansas Ave., Room 150
Denver, CO 80222
dot_civilrights@state.co.us
Phone: (800) 925-3427
Fax: (303) 952-7088
dot_civilrights@state.co.us

Federal Highway Administration, Colorado Division
12300 West Dakota Avenue, Suite 180
Lakewood, Colorado 80228
Phone: (720) 963-3000
Fax: (720) 963-3001

What happens after a complaint is filed?

Title VI complaints must be investigated within sixty days. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also request relevant information such as books, records, electronic information, and other sources of information from all involved parties. You may specify if there is a particular individual or individuals that you feel should not investigate your complaint due to conflict of interest or other reasons.

In some cases, complaints will be forwarded to either the Colorado Department of Transportation or the Federal Highway Administration for investigation. If your complaint is forwarded to one of these agencies, you will be provided the name and contact information of the employee handling your complaint.

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.

Where did the discrimination occur?

Dates and times discrimination occurred?

Were there any other witnesses to the discrimination?

Name	Organization/Title	Work Telephone	Home Telephone

How would you like to see this situation resolved?

Have you filed your complaint, grievance, or lawsuit with any other agency or court?

Who _____ When _____
Status (pending, resolved, etc.) _____ Result, if known _____
Complaint number, if known _____

Do you have an attorney in this matter?

Name _____ Phone _____
Address _____ City _____ Zip _____

Signed _____ Date _____

VI. Data Collection

Program Area	Type of Data Collected & Process for Collecting	Intended Outcome of Data Analysis (i.e. Title VI Purpose for Collecting the Data)
<i>Road Maintenance</i>	<p>Rio Blanco County demographic data, obtained from State of Colorado Department of Local Affairs website: https://demography.dola.colorado.gov/population/data/race-estimate/#county-race-by-age-estimates Rio Blanco County LEP data from: http://www.lep.gov/demog_data/demog_data.html</p>	Title VI Purpose for Collecting the Data
<i>Construction Projects</i>	<p>Rio Blanco County demographic data, obtained from State of Colorado Department of Local Affairs website: https://demography.dola.colorado.gov/population/data/race-estimate/#county-race-by-age-estimates Rio Blanco County LEP data from: http://www.lep.gov/demog_data/demog_data.html</p>	Title VI Purpose for Collecting the Data

VII. Public Participation

- The Rio Blanco County Road & Bridge Department identifies minority populations for outreach by:

Accessing data through the website:

<https://demography.dola.colorado.gov/population/data/race-estimate/#county-race-by-age-estimates>

Current estimates:

2017 COMPARISON OF RACIAL DEMOGRAPHICS				
RACE ESTIMATES	RIO BLANCO COUNTY		STATE OF COLORADO	
	COUNT	PERCENT	COUNT	PERCENT
American Indian non Hispanic	54	0.85%	53,972	0.96%
Asian non Hispanic	50	0.79%	210,388	3.75%
Black non Hispanic	51	0.81%	237,934	4.24%
Hispanic	719	11.38%	1,277,372	22.78%
White non Hispanic	5,442	86.16%	3,828,468	68.27%
Total Estimated Population	6,316	100%	5,608,134	100%

According to:
<https://demography.dola.colorado.gov/population/data/race-estimate/>
 2017, All Ages, All Races, Males & Females combined.

- Outreach and communication with minority populations regarding their non-discrimination rights is done through the Rio Blanco County website: www.rbc.us/293/Road-Bridge, Nondiscrimination Policy page.
- Rio Blanco County's Limited English Proficient (LEP) population is very low (less than 5%). Upon request, translation services will be provided.
- The Rio Blanco County Road & Bridge Department welcomes input from minority populations for decision making within its Road Maintenance and Construction Projects programs. This input could be by phone, in person, or email.

VIII. Notice of Rights

Rio Blanco County will publish the following Notice on the Rio Blanco County Road & Bridge website:

Your Rights Against Discrimination under Title VI of the Civil Rights Act of 1964

Rio Blanco County Road & Bridge Department operates its programs and services without regard to race, color, national origin, sex, age, and disability. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Rio Blanco County Road & Bridge Department program or activity because of their race, color, national origin, age, sex, or disability may file a discrimination complaint with Rio Blanco County Road & Bridge Department or the Colorado Department of Transportation.

To file a Title VI discrimination complaint, contact:

Jenifer Morlan, Rio Blanco County Road & Bridge
Office Administrator and Title VI Coordinator
570 Second St.
Meeker, CO 81641
(970) 878-9590
Jeni.morlan@rbc.us

Colorado Department of Transportation
Civil Rights & Business Resource Center
4201 East Arkansas Avenue, Room 150
Denver, CO 80222
(303)757-9234
dot_civilrights@state.co.us