

Russell R. McMurry, P.E., Commissioner



GEORGIA DEPARTMENT OF TRANSPORTATION

One Georgia Center, 600 West Peachtree Street, NW  
Atlanta, Georgia 30308  
Telephone: (404) 631-1000

October 26, 2015

**City of Union City**

6524 Landrum Lane

Union City, GA 30291

Attn: Cedric Clark, Public Services Director

RE: Title VI Audit

The Title VI on-site audit was conducted on April 21, 2015 by the Georgia Department of Transportation's (GDOT) Office of Equal Employment Opportunity's (EEO) Title VI/ Environmental Justice Specialist, Adoraau Jouett. The GDOT office has completed its review of your county in accordance with the Required Provisions of Title VI of the 1964 Civil Rights Act.

It is our determination that the *City of Union City* has accomplished all of the objectives of Title VI, corrected all deficiencies and provided Equal Employment Opportunity as required. Therefore, the GDOT EEO office will report to the Federal Highway Administration (FHWA) that your city has been found ***In Compliance*** with the EEO provisions of this specific act.

Our determination is subject to review by the Federal Highway Administration and/or the Department of Justice Office. Any questions concerning this notice should be addressed to: Adoraau Jouett, Georgia Department of Transportation, Office of Equal Employment Opportunity, 600 West Peachtree Street, 7<sup>th</sup> Floor, Atlanta, GA 30308. Ms. Jouett may be contacted by phone at (404) 631-1497 or via e-mail [ajouett@dot.ga.gov](mailto:ajouett@dot.ga.gov)

Sincerely,

*Adoraau Jouett*

Adoraau Jouett  
Title VI/ Environmental Justice Specialist

Cc. Henry Johnson, EEO Assistant Administrator





THE CITY OF  
**UNION CITY**  
GEORGIA

## **Notice to Public**

### **Title VI Notice to the Public**

U.S. Department of Justice regulations, 28 Code of Federal Regulations, Section 42.405, Public Dissemination of Title VI Information, require recipients of Federal financial assistance to publish or broadcast program information in the news media. Advertisements must state that the program is an equal opportunity program and/or indicate that Federal law prohibits discrimination. Additionally, reasonable steps shall be taken to publish information in languages understood by the population eligible to be served or likely to be directly affected by the program. Following is the public notice used by the City of Union City.

The City of Union City hereby gives public notice that it is the policy of the Department to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. It is our policy that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from the participation in, be denied the benefits of or be otherwise subjected to discrimination under any of our programs or activities.

Any person who believes they have been subjected to unlawful discriminatory practice under Title VI has a right to file a formal complaint. The complaint must be filed in writing or in person with the City of Union City, Title VI/ Environmental Justice Specialist, within one hundred-eighty (180) days from the date of the alleged discriminatory act or upon notice of the discriminatory act. Title VI Discrimination Complaint Forms may be obtained from the Equal Opportunity Division by calling (404) 631-1497. If information is needed in another language please contact (404) 631-1497.



THE CITY OF  
**UNION CITY**  
GEORGIA

**NONDISCRIMINATION AGREEMENT**

**The City of Union City**

The \_\_\_\_\_, (hereinafter referred to as the "Recipient") hereby agrees to comply with the following Federal Statutes, U.S. Department of Transportation and Federal Highway Administration Regulations, and the policies and procedures promulgated by the City of Union City, as a condition to receipt of Federal funds.

**Title VI of the Civil Rights Act of 1964**

Title VI of the Civil Rights Act of 1964, as amended, provides that no person shall on the ground of race, color, national origin, sex, age, and handicap/disability, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Civil Rights Restoration Act of 1987 amended Title VI to specify that entire institutions receiving Federal funds—whether schools and colleges, government entities, or private employers—must comply with Federal civil rights laws, rather than just the particular programs or activities that receive the funds.

Nondiscrimination programs require that Federal-aid recipients, sub-recipient, and contractors prevent discrimination and ensure nondiscrimination in all of their programs and activities, whether those programs and activities are federally-funded or not. If a unit of a State or local government is extended Federal-aid and distributes such aid to another governmental entity, all of the operations of the recipient and sub-recipient are covered. Corporations, partnerships, or other private organizations or sole proprietorships are covered in their entirety if such entity received Federal financial assistance (FHWA Notice N 4720.6, September 2, 1992).

**Assurances 49 CFR Part 21.7**

The CITY OF UNION CITY, HEREBY GIVES ASSURANCES:

That no person shall on the grounds of race, color, national origin, sex, age, and handicap/disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the recipient regardless of whether those programs and activities are federally-funded or not. Activities and programs which the recipient hereby agrees to carry out in compliance with Title VI and related statutes include but are not limited to:

**LIST ALL MAJOR PROGRAMS AND ACTIVITIES OF THE RECIPIENT**

1. That it will promptly take any measures necessary to effectuate this agreement.
2. That each program, activity, and facility as defined at 49 CFR 21.23(b) and (e), and the Civil Rights Restoration Act of 1987 will be (with regard to a program or activity) conducted, or will be (with regard to a facility) operated in compliance with the nondiscriminatory requirements imposed by, or pursuant to, this agreement.
3. That these assurances are given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the recipient by the Federal Highway Administration and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, and successors in interest. The person or persons whose signatures appear below are authorized to sign these assurances on behalf of the Recipient.
4. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and in adapted form all proposals for negotiated agreements.
5. The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, City of Union City, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 23 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age, handicap/disabled in consideration for an award.
6. That the Recipient shall insert the clauses of Appendix A of this agreement in every contract subject to the Act and the Regulations.
7. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this agreement.

#### **IMPLEMENTATION PROCEDURES 23 CFR PART 200**

This agreement shall serve as the recipient's Title VI plan pursuant to 23 CFR 200 and the Title VI Implementation Guide.

For the purpose of this agreement, "Federal Assistance" shall include:

1. Grants and loans of Federal funds;
2. The grant or donation of Federal property and interest in property;
3. The detail of Federal personnel;
4. The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
5. Any Federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

The recipient shall:

1. Issue a policy statement, signed by the head of the recipient, which expresses its commitment to the nondiscrimination provisions of Title VI. The policy statement shall be circulated throughout the recipient's organization and to the general public. Such information shall be published where appropriate in languages other than English.
2. Take affirmative action to correct any deficiencies found by the Federal Highway Administration within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this agreement. The head of the recipient shall be held responsible for implementing Title VI requirements.
3. Establish a civil rights unit and designate a coordinator who has a responsible position in the organization and easy access to the head of the recipient. This unit shall contain a Title VI Equal Employment Opportunity Coordinator or a Title VI Specialist, who shall be responsible for initiating and monitoring Title VI activities and preparing required reports.
4. Adequately staff the civil rights unit to effectively implement the civil rights requirements.
5. Process complaints of discrimination consistent with the provisions contained in this agreement, investigations shall be conducted by civil rights personnel training in discrimination complaint investigations. Identify each complainant by race, color, national origin, sex, age, handicap/disability; the nature of the complaint, the date the complaint was filed, the date the investigation was completed, the disposition, the date of the disposition, and other pertinent information. A copy of the complaint, together with a copy of the recipient's report of investigation, will be forwarded to the Division Office of Civil Rights within 60 days of the date the complaint was received by the recipient.
6. Collect statistical data (race, color, national origin, sex, age, handicap/disability) of participation in, and beneficiaries of the programs and activities conducted by the recipient.
7. Conduct Title VI reviews of the recipient and sub-recipient contractor program areas and activities. Revise where applicable, policies, procedures and directives to include Title VI requirements.
8. Conduct training programs on Title VI and related statutes.
9. Prepare a yearly report of Title VI accomplishments for the past year and goals for the next year.

*a. Accomplishment Report*

List major accomplishments made regarding Title VI activities, include instances where Title VI issues were identified and discrimination was prevented. Indicate activities and efforts the Title VI Specialist and program area personnel have undertaken in monitoring Title VI. Include a description of the scope and conclusions of any special reviews conducted by the Title VI Specialist. List any major problem(s) identified and corrected action taken. Include a summary and status report on any Title VI complaints filed with the recipient.

*b. Annual Work Plan*

Outline Title VI monitoring and review activities planned for the coming year; state by which each activity will be accomplished and target date for completion.

#### **DISCRIMINATION COMPLAINT PROCEDURE**

1. Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a complaint with the recipient. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the recipient's Title VI Specialist for review and action.

2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days:
  - The date of the alleged act of discrimination; or
  - Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

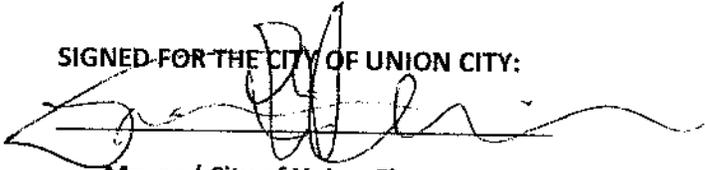
3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to any officer or employee of the recipient, the person shall be interviewed by the Title VI Specialist. If necessary, the Title VI Specialist will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.
4. Within 10 days, the Title VI Specialist will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as the Federal Highway Administration and the Department of Transportation.
5. Generally, the following information will be included in every notification to the Office of Civil Rights:
  - (a) Name, address, and phone number of the complainant
  - (b) Names and address(es) of alleged discriminating official(s)
  - (c) Basis of complaint (i.e., race, color, national origin, sex, age, disability/handicap).
  - (d) Date of alleged discriminatory act(s).
  - (e) Date of complaint received by the recipient
  - (f) A statement of complaint.
  - (g) Other agencies (state, local or Federal) where the complaint has been filed.
  - (h) An explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.
6. Within 60 days, the Title VI Specialist will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the head of the recipient. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report findings.
7. Within 90 days of receipt of the complaint, the head of the recipient will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with the City of Union City, or the Federal Highway Administration, if they are dissatisfied with final decision rendered by the City.

## **SANCTIONS**

In the event the recipient fails or refuses to comply with the terms of this agreement, the Federal Highway Administration may take any or all of the following sanction:

- a. Cancel, terminate, or suspend this agreement in whole or in part.
- b. Refrain from extending any further assistance to the recipient under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the recipient.
- c. Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the recipient.
- d. Refer the case to the Department of Justice for appropriate legal proceedings.

SIGNED FOR THE CITY OF UNION CITY:



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Mayor / City of Union City

10-19-15

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Date

SIGNED FOR THE RECIPIENT

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Authorized Official

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Date



THE CITY OF  
**UNION CITY**  
GEORGIA

CITY OF UNION CITY

Title VI Self-Survey: \_\_\_\_\_ (Year)

Survey Date: \_\_\_\_\_ Local Government: \_\_\_\_\_

Name of Program/Grant: \_\_\_\_\_

**Summary of Complaints:**

Number of complaints for the past year: \_\_\_\_\_

Number of complaints voluntarily resolved: \_\_\_\_\_

Number of complaints currently unresolved: \_\_\_\_\_

Attach a summary of any type of complaint and provide:

- Name of complainant
- Race
- Charge
- Findings
- Corrective Action
- Identify any policy/procedure changes required as a result of the complaint
- Provide the date history (date complaint received through resolution)

**Distribution of Title VI Information:**

Are new employees made aware of Title VI responsibilities pertaining to their specific duties?

Yes \_\_\_\_\_ No \_\_\_\_\_

Do new employees receive this information via employee orientation?

Yes \_\_\_\_\_ No \_\_\_\_\_

Is Title VI information provided to all employees and program applicants?

Yes \_\_\_\_\_ No \_\_\_\_\_

Is Title VI information prominently displayed in the organization and on any program materials distributed?

Yes \_\_\_\_\_ No \_\_\_\_\_

Identify any improvements you plan to implement before the next self-survey to better support Title VI communication to employees and program applicants.

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Identify any problems encountered with Title VI compliance.

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Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Return to:     The City of Union City  
                  Public Services Division  
                  5047 Union Street  
                  Union City, GA 30291  
                  PHONE: (770) 306-6855  
                  FAX:     (770) 306-3469

ATTENTION: Danielle Bostic  
                  Title VI - Coordinator

## City of Union City / Title VI Assurances

The **Title VI Coordinator** (hereinafter referred to as the "Recipient"), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d—42 USC 2000d—4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its Federal Aid Highway Program.

1. That the Recipient agrees that each "program" and each "facility" as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with Federal Aid Highway and in adapted form in all proposals for negotiated agreements:

"The Georgia Department of Transportation in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d—42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award."

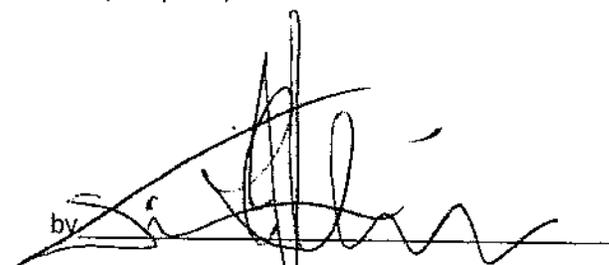
3. That the Recipient shall insert the clauses of Appendix A of this Assurance in every contract subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient received federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal Aid Highway Program.
8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program, as are found by the State Secretary of Transportation or the official to whom s/he delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

10-19-15  
Date

\_\_\_\_\_  
(Recipient)

by   
(Signature of Authorized Official)

Attachments: Appendices A, B and C.

The text below, in its entirety, is in all contracts entered into by GDOT. All of the text including the final section, entitled "Incorporation of Provisions," should be included in any contract entered into by any GDOT contractor.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "Contractor"), agree as follows:

### 1. Compliance with Regulations

The Contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter referred to as DOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

### 2. Nondiscrimination

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

### 3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.

### 4. Information and Reports

The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the **(Recipient)** or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the **(Recipient)**, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

## 5. Sanctions for Noncompliance

In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the *(Recipient)* shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a. Withholding of payments to the Contractor under the contract until the Contractor complies; and/or
- b. Cancellation, termination, or suspension of the contract, in whole or in part.

## 6. Incorporation of Provisions

The Contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The Contractor shall take such action with respect to any subcontractor or procurement as the *(Recipient)* or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the *(Recipient)* enter into such litigation to protect the interests of the state and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.



THE CITY OF  
**UNION CITY**  
GEORGIA

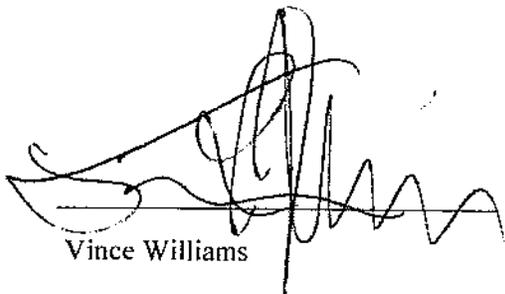
**TITLE VI POLICY STATEMENT**

The City of Union City is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. The City of Union City assures that no person shall on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964, 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. The City of Union City further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether or not those programs and activities are federally funded. In addition, Union City will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

As provided under Section 162a of the Federal-Aid Highway Act of 1973 (section 324, title 23 U.S.C.), The City of Union City shall not discriminate on the ground of sex and Union City shall submit a certification to the FHWA indicating that the requirements of section 162a of the Federal-Aid Highway Act of 1973 have been added to its assurances.

When the City of Union City distributes federal aid funds to another governmental entity, Union City will include Title VI language in all written agreements and will monitor for compliance.

The City of Union City's Public Services Division is responsible for initiating and monitoring Title VI activities, preparing required reports and other Union City responsibilities as required by 23 Code of Federal Regulation (CFR) 200 and 49 Code of Federal Regulation 21.



Vince Williams

Mayor of the City of Union City

10-19-15

Date



# THE CITY OF UNION CITY GEORGIA

## **Nondiscrimination Complaint Procedures for Federally Assisted Programs or Activities**

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 [including its Disadvantaged Business Enterprises (DBE) and Equal Employment Opportunity (EEO) components],

Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any program or activity administered by the City of Union City or its sub-recipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

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. These procedures are part of an administrative process that does not provide for remedies include punitive damages or compensatory remuneration for the complainant.

However, 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 Title VI Coordinator may be utilized for resolution, at any stage of the process. The Title VI Coordinator will make every effort to pursue a resolution to the complaint. During initial interviews with the complainant and the respondent information regarding specifically requested relief and settlement opportunities will be discussed and noted.

### **Procedures**

1. Any individual, group of individuals, or entity that believes they have been subjected to Discrimination prohibited by Title VI nondiscrimination provisions may file a written complaint with Union City's Title VI Coordinator, the Federal Highway Administration, Civil Rights Specialist, in the Atlanta Georgia Regional Office or with the Department of Justice. Complaints filed against Union City shall be forwarded to the Federal Highway Administration, Civil Rights Specialist for investigation and adjudication. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant and must meet the following requirements:
  - a. Complaint shall be in writing and signed by the complainant(s) or his representative.
  - b. Include complainant's name, address and telephone number, date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct). Should a third party write and sign the complaint on behalf of complainant, include that person's name, address, telephone number and his/her relationship to complainant. If complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the Title VI Coordinator will assist the complainant in converting the verbal allegations to writing.
  - c. Provide the name of the alleged discriminatory institution, official, job title and a description of the issues, including names of witnesses or anyone who can clarify the circumstances surrounding your complaint.

- d. Complaints received by fax or e-mail will be acknowledged and processed, once the identity(ies) of the complainant(s) and the intent to proceed with the complaint have been established. Otherwise, Title VI complaints may be mailed or hand delivered to the City of Union City's EEO Office for processing.
  - e. Allegations received by telephone will be reduced to writing and provided to the complainant for additional information and/or revision. A Title VI complaint form will subsequently be forwarded to the complainant for him/her to complete, sign, and return to the Title VI Coordinator for processing.
2. Within five (5) days of receipt of the complaint, the Title VI Coordinator will mail an acknowledgement letter to complainant and forward a copy of the letter and the complaint to FHWA HCR. A determination of Union City's jurisdiction, need for additional information, as well as the investigative merit of the complaint will be made by the FHWA HCR. Federal Highway Administration's Headquarter Civil Rights Office shall assign a control number and adjudicate the case upon receipt of the completed investigative file. Complaints processed by Georgia DOT are bound by the time frames outlined in 23 CFR 200.9(b) (3).
3. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
  - c. The complainant cannot be located after reasonable attempts.
4. The complaint will be logged in and shall identify its basis and alleged harm along with the race, color, national origin, and gender of the complainant.
5. In cases where Union City assumes the investigation of the complaint, the Title VI Coordinator will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days to submit his/her response to the allegations to the Title VI Coordinator.
6. Within 60 calendar days of the acceptance of the complaint, the Title VI Investigator will prepare an investigative report inclusive of a narrative description of the incident, all evidentiary support documentation from each party, identification of persons interviewed, findings, and recommendations for disposition for review by the EEO Assistant Administrator before submitting the file to FHWA HCR.
7. Once review by the EEO Assistance Administrator is complete, the file will be submitted to FHWA HCR in Washington DC for adjudication. FHWA HCR will apprise all parties involved of its record of decision and appeal rights.
8. If the complainant is not satisfied with the results of the investigation, s/he shall be advised of their rights to appeal GDOT's opinion to the FHWA — Georgia Division Office, USDOT or USDOJ. Appeals must be filed within 180 days after Union City's final resolution. Unless new facts not previously considered come to light, reconsideration of Union City's opinion will not be available.



THE CITY OF  
**UNION CITY**  
GEORGIA

**TITLE VI**  
**Bill of Rights**

**IT'S THE LAW!**

Title VI is the right of all people to be protected from job/program discrimination that involves federal funds. It is mandated by federal, state and local legislation, presidential executive orders and court decisions. These laws prohibit employment and/or program discrimination on the basis of race, color, sex, religion, age, national origin, or disability.

**WHAT DOES TITLE VI COVER?** All aspects of a federal-aid recipient's company/organization. Federal-Aid Recipients are individuals who either directly or indirectly receive **federal assistance**. (i.e. Policies, compliance, ADA, Implementation, Selection, Training, Contract Selection, Transit systems, Access Procedures, Land Acquisition, Right-of-Way, Retention, Harassment, MBE/WBE Purchasing, MBE/WBE/DBE Participation, Contractors, Subcontractors, City of Union City, Consultants, MPOs, LPAs, employees of those working on behalf of Union City, DBEs, Protected groups).

-----**YOU**-----

Union City would like to thank you for your continued cooperation in this environmental survey. Pursuant to 49 CFR the Civil Rights Act of 1964 prohibits discrimination in federally funded programs under its Title VI regulations. In an effort to meet federal requirements and to better serve our customers, Union City would like to take a minute of your time and ask you to fill out the following four questions. Within this document you will also find a Bill of Rights for all persons, organizations and businesses affected by Union City projects. Please take a minute to read over your Bill of Rights and fill out the questionnaire and return the questionnaire to Nodja Williamson, Title VI /Coordinator, at 5047 Union Street, Union City, GA 30291. If you have any questions feel free to contact Ms. Williamson at the number listed on the bottom of the last page. **PLEASE BE ADVISED THAT THE COMPLETION OF THIS QUESTIONNAIRE IS STRICTLY VOLUNTARY AND COMPLETION IS NOT REQUIRED BY LAW.**

**Question 1**

Pursuant to 49 CFR, Union City is required to report all Title VI activities and impacts to FHWA. As a part of the data collection requirements, please provide the following information:

How many individuals are in your household? 1 2 3 4 5 6 7 8 9 10

What is the Sex of each individual? Number of Females \_\_\_\_\_ Number of Males \_\_\_\_\_

What is the race of each individual: African American \_\_\_\_\_ White \_\_\_\_\_ Asian \_\_\_\_\_ Oriental \_\_\_\_\_ A m e r i c a n \_\_\_\_\_ Indian \_\_\_\_\_ Hispanic \_\_\_\_\_  
Asian Pacific \_\_\_\_\_ Native American \_\_\_\_\_ Alaskan \_\_\_\_\_

What is the annual income of your household? \$2,000 - \$10,000 \$11,000 - \$20,000 \$21,000 - \$30,000  
\$31,000 - \$40,000 \$41,000 - \$50,000 \$51,000 - \$100,000  
\$100,000 and over

Where is your property located? Suburbs \_\_\_\_\_ Rural \_\_\_\_\_ City \_\_\_\_\_

What is the population of your town? 10,000 or less 10,000 - 50,000 50,000 - 100,000 100,000 plus

Does anyone in your household have a disability? Y N If yes, please explain: \_\_\_\_\_

**Question 2**

Do you feel that the public involvement associated with this project affords you the opportunity to participate in the public involvement process? Y N If not, why?

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**Question 3**

Do you feel the needs of your household and/or business were taken into account? Y N If not, why?

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Please let us know if you have any concerns regarding the environmental surveys: (Use additional sheet if necessary)

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Signed Name (Optional): \_\_\_\_\_ Date: \_\_\_\_\_

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

Phone: (\_\_\_\_) \_\_\_\_\_

If you do not feel comfortable providing the above information, please consider providing the following:

Area Code: \_\_\_\_\_ Zip: \_\_\_\_\_

Union City District in which your affected property is located: \_\_\_\_\_

following are the rights of all persons affected by Union City projects. Union City is committed to ensuring these rights are observed.

It is Union City's policy to:

Commit to fair and equitable treatment to all persons, organizations and businesses in the development and construction of transportation projects. It is the policy of Union City to ensure compliance with Title VI of the Civil Rights Act of 1964; CFR part 21; and related statutes and regulations.

No person in the United States shall, on the grounds of race, color, sex, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Union City receives Federal assistance from the U.S. Department of Transportation, including the Federal Highway Administration.

All persons, organizations and businesses are entitled to:

Attend and participate in required public hearings for transportation projects; If property is being acquired, to equitable treatment that includes:

Accompanying the appraiser, when an appraisal is required, during his inspection of the needed property; Present a property documented appraisal of their own; Meet with the buyer of their property and having the project and the necessity of the taking explained; Having the offer presented and explained; Relocation assistance in locating and acquiring a suitable replacement property when applicable; Receiving eligible relocation benefits as required by law; and To equitable treatment during the project construction.

If you have any questions concerning your rights under Title VI please do not hesitate to call the Title VI Coordinator, at 770-306-6855 or write to: 5047 Union Street, Union City GA 30291. Again, thank you for your time.

“Union City will plan, build, maintain and operate a superior transportation system enhancing safety, mobility and economic growth.”



THE CITY OF  
**UNION CITY**  
GEORGIA

**TITLE VI PUBLIC INVOLVEMENT**

Title VI of the Civil Rights Act of 1964 requires the City of Union City to be sure that everyone in the affected project areas has a chance to be heard and to respond to transportation programs and activities that may affect their community.

To help with that, we ask that you voluntarily provide us information about your race, ethnicity and/or gender. You are not required to disclose the information requested in order to participate in this meeting.

The City of Union City's Hearing Coordinator and the Office of Equal Opportunity (OEO) will handle the information gathered as confidentially as possible. For further information regarding this process please contact the Title VI Coordinator by phone at 770-306-6855.

Please respond to the following questions:

Project Name	Date
Location of Public Meeting	

Name (Optional) (Please print)	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
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<p>General Ethnic Identification Categories (Check as many as apply)</p> <p> <input type="checkbox"/> African American    <input type="checkbox"/> American Indian/Alaskan Native    <input type="checkbox"/> Asian/Pacific Islander  <input type="checkbox"/> Caucasian    <input type="checkbox"/> Hispanic    <input type="checkbox"/> Other _____ </p>	
<p>Race and/or Color</p>	<p>National Origin</p>

After you have completed this form, please place it inside the designated box on the registration table.

**Thank you for your participation!**

Revised 7/2015