

INTERMODAL CIVIL RIGHTS

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2015 OREGON PUBLIC TRANSIT CONFERENCE

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Intermodal Civil Rights**



Intermodal Civil Rights

- **The ODOT Office of Civil Rights is responsible for ensuring that the Civil Rights protections afforded by law and regulation are enforced for all USDOT programs and recipients.**
- **This includes projects funded by the Federal Transit Administration, and the Federal Rail Administration.**

TOPICS

- **Americans with Disabilities Act**
- **Title VI of the Civil Rights Act of 1964**
- **Equal Employment Opportunity**
- **Disadvantaged Business Enterprise**

Americans with Disabilities Act

- Civil rights law that ensures that people with disabilities have the same rights and responsibilities as everyone else.
- **ADA regulations apply regardless of Federal funding**
- Paratransit plan and service required for fixed route providers.
- **Accessible Path of Travel**
- Reasonable Accommodation - *fair and sensible; not extreme or excessive; possessing sound judgment.*

Title VI Circular 4702.1B

Circular applies to all grantees:

- **Transit Agencies**
- **MPOs**
- **State DOTs**
- **Subrecipients**

All subrecipients must submit Title VI Program every three years (ODOT Intermodal Civil Rights)

Must be approved by governing body – documentation required

Title VI cont. . . .

- **Eight elements:**
- **Notice of Rights (policy statement) – published & translated**
- **Complaint procedure and form – published & translated**
- **List of Title VI investigations, complaints or lawsuits**
- **Public Participation Plan -**
- **LEP Plan**
- **Racial Break-down of Non-elected Advisory Councils**
- **Narrative Describing Subrecipient Monitoring**
- **Governing Body resolution or meeting minutes documenting approval.**

Provide Meaningful Access to LEP Persons

Reasonable Steps to ensure meaningful access to:

- **Benefits**
- **Services**
- **Information**
- **Other Important Activities**

Four Factor Analysis

1. **Number or proportion of LEP persons eligible to be served**
2. **Frequency of contact with the program or activity**
3. **Importance of the program**
4. **Resources available to the subrecipient for LEP outreach**

Determination of Site or Location of Facilities

- Not about every construction project
- “Facilities” includes but not limited to:
 - Storage facilities
 - Maintenance facilities
 - Operation centers, etc.
- “Facilities” does not include:
 - Bus shelters
 - Transit stations
 - Power substations, etc.

Equity

Service/Fare Equity

- **Service Equity and Fare analysis are part of your Title VI program if you are a transit provider with 50 or more fixed route vehicles during peak service in a large (200,000) urban area.**

Equal Employment Opportunity

- Prohibits discrimination on the basis of:
- Race
- Color
- Sex (including pregnancy)
- National Origin

EEO Plan Threshold Requirements:

- 50 or more transit-related employees, and;
- Receives capital or operating assistance in excess of 1 million, or,
- Receives planning assistance in excess of \$250,000.

Disadvantaged Business Enterprise, 49 CFR Part 26

- **Subrecipients of FTA funding from ODOT must make reasonable efforts to use businesses that have been *certified* as Disadvantaged Business Enterprises (DBE's).**
- **FTA Subrecipients must complete and submit a semiannual report on all federally-funded projects to the IMCR.**
- **Intermodal Civil Rights has established an 8% race-neutral goal for FFY**

Resources

- <http://www.fta.dot.gov/civilrights/12885.html>
- Sherrin.k.coleman@odot.state.or.us
- www.fta.dot.gov/documents/LEP_Handbook.doc
- www.fta.dot.gov/documents/Title_VI_Overview.ppt
- www.fta.dot.gov/12874_16290.html
- www.fta.dot.gov/documents/Title_VI_PublicBoardoutreach_11.07.12_ER.pdf