



Pinellas County Title VI Policy and Grievance Procedure

"No person in Pinellas County shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance pursuant to the requirements of Title VI of the 1964 Civil Rights Act."

1. Policy:

a. It is the policy of Pinellas County that in the operation of any federally assisted program, it shall not, on the basis of race, color, or national origin, either directly or through contractual means:

- Deny program services, aids, or benefits;
- Provide a different service, aid, or benefit, or provide them in a manner different than they are provided to others; or
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

b. Pinellas County further recognizes that in certain circumstances, a failure to ensure that persons with limited English proficiency (LEP) can effectively participate in or benefit from federally assisted programs and activities may result in the denial of program services, aids or benefits. To that end, it is the policy of Pinellas County government to ensure that whenever and wherever possible efforts will be made to ensure that information about the County's programs and services are provided in a manner that is conducive to the full participation of all persons living in this jurisdiction. These efforts shall include, but are not limited to:

- Identifying county employees who are fluent in languages in addition to English to act as translators whenever this is necessary;
- Publishing notices and announcements, based on an analysis of Pinellas County Population Demographics from the Bureau of Census, in Spanish and Vietnamese in order to ensure that the two largest groups of individuals who speak a language other than English at home have written access to the information about our programs; and
- Maintaining the capacity, through the Pinellas County Office of Human Rights, to access to telephonic or video translations of other requested languages, through contracted vendors.

2. Grievances:

Any individual who believes that they have been the victim of unlawful discrimination in violation of Title VI of the 1964 Civil Rights Act as described above may file a grievance with the Pinellas County Office of Human Rights located at 400 South Fort Harrison Avenue, 5th Floor- Clearwater, Florida 33756.

a. Filing a Grievance:

This grievance procedure shall serve as the County's mechanism to respond to complaints of discrimination on the basis of race, color, or national origin, in the delivery of Pinellas County federally assisted programs and services. This procedure does not apply to complaints of discrimination in employment.

b. Procedure

Any individual who believes that they have been discriminated against in the provision of a program or service operated by Pinellas County Government shall have the ability to file a formal grievance, have the grievance responded to, and have the right to request an appeal if they are dissatisfied with the resolution of their grievance. The procedures to be followed in filing a formal grievance shall be available and accessible to the general public.

The Director of Pinellas County's Office of Human Rights serves as the ADA coordinator and ADA Officer for Pinellas County Government. The Pinellas County Office of Human Rights ("OHR"), and its Director, are located in the County Office Annex, 400 South Fort Harrison Avenue, 5th Floor, Clearwater, Florida 33756.

This office is also responsible for coordinating the County's Title VI Grievance procedure and it will serve as the conduit between the grievant and the department against whom the grievance is made. The OHR will provide the department/division with the necessary technical assistance needed in reaching resolution of the grievance. The OHR will make all attempts to assist the department in reaching an amicable resolution to the grievance; however, the Office of Human Rights shall have no authority to direct the department in the manner in which the department ultimately decides to respond to the grievance.

Any individual who feels they have been discriminated against in any federally assisted program or service provided by Pinellas County Government, under the provisions of Title VI of the 1964 Civil Rights Act, shall submit a grievance in writing addressed to: Director - Pinellas County Office of Human Rights.

A signed, written complaint should be filed with the Office of Human Rights, within 180 days of the date of the alleged discrimination. It should contain/describe:

- Your name, address, and telephone number;
- Your complaint must be signed;
- If you are filing on behalf of another person, include your name, address, telephone number, and your relation to that person (e.g., friend, attorney, parent, etc.);
- The name and address of the Pinellas County agency, division, or department you believe discriminated against you;
- How, why, and when you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination. Include names of individuals whom you allege discriminated against you, if you know them; and
- The names of any persons, if known, that the Office of Human Rights could contact for additional information to support or clarify your allegations.

Within five (5) days of receipt of the grievance, the Office of Human Rights shall:

1) Inform the department/division of the grievance; transmit a copy of the grievance to the department/division with general instructions as to the format which the department should follow in their response, and a date by which the department/division shall return a response to the Office of Human Rights. The Office of Human Rights in consultation with the Office of the County Attorney will review the response with the department/division prior to final preparation of the response to the grievant.

2) The department/division shall have thirty (30) days from the receipt of a grievance from the Office of Human Rights to respond to the grievance. Attempts will be made by the department/division to clarify the facts of the grievance. The actions taken by the department/division shall be conveyed to the grievant in writing. This letter, addressed to the grievant and signed by the Department/division, shall be transmitted to the Office of Human Rights within the specified time period. The response shall be transmitted to the grievant by the OHR with a cover letter informing the grievant of their ability to appeal the decision enclosed and the procedure which the grievant must follow in requesting an appeal. In no instance shall the department/division mail their response directly to the grievant.

3) In the event that a grievant submits a written grievance to the operating department/division, the department shall send a copy of the grievance to the Office of Human Rights within five (5) days. That action will constitute a filing by the grievant with the Office of Human Rights as required herein. The department will have thirty (30) days from receipt of the written grievance to respond to the grievant through the Office of Human Rights.

4) Where a department/division can solve a written grievance informally, the department/division will provide the Office of Human Rights a written statement explaining the mutually agreeable solution. It should be signed by the grievant and the department/division representative.

All reasonable attempts should be made by the department/division with the assistance of the Office of Human Rights to mediate and resolve the grievance. Any individual who is dissatisfied with the recommended resolution of their grievance may request an appeal. In requesting an appeal the individual shall, within fifteen (15) days from the date of the written recommended resolution offered by the county, submit in writing to the Office of Human Rights their request to appeal the decision and express their willingness to appear before an impartial panel to present their grievance.

Upon receipt of a written request for an appeal, the Office of Human Rights shall:

- 1) Notify the County Administrator/Constitutional Officer or Appropriate Appointing Authority and request that a panel of three (3) senior managers of unaffected County Departments/Divisions be appointed to hear the grievance. The County Administrator/Constitutional Officer or Appropriate Appointing Authority shall designate one of the three panel members to serve as chairperson;
- 2) Set a time and place for the hearing that is convenient to the grievant, the affected department/division and the panel members, within twenty (20) days after the panel is appointed, if possible;
- 3) Instruct the department/division, against whom the grievance has been filed, to prepare a package with all necessary information pertinent to the grievance for each panel member to review prior to the hearing.
- 4) Monitor and tape record the hearing.

At the time of the hearing both the grievant and the affected department shall have an opportunity to present their positions to the panel. The panel members will also have the opportunity to pose questions to both parties. After the affected parties have made their presentations, and after all questions posed by the panel have been answered, the hearing shall be closed and the panel shall engage in deliberation.

Within fourteen (14) days from the date of the hearing the panel shall issue its decision. The Chairperson shall prepare the decision of the panel. The Chairperson shall send the written decision to each panel member for review and signature prior to its submission to the affected parties. The decision of the panel

is final and no further appeal shall be available within the administrative branch of County Government.

The Office of Human Rights shall maintain files on grievances received along with all communications, recommendations, and other records pertinent to the grievance for a period of at least three (3) years. The establishment of this grievance procedure shall not preclude nor waive the grievant's right to seek redress under any alternative remedy available.

3. Notice to Federal Government

The Office of Human Rights shall advise any appropriate federal agency, department, bureau, or office of the filing of a complaint under this policy within fifteen (15) days. Any federal agency, department, bureau, or office so notified shall also be provided a plan of action taken pursuant to the complaint within fifteen days (15) of the Office of Human Rights' making a determination and undertaking any necessary plan of action.

Federal agencies, departments, bureaus, or offices to which such notices shall be provided as necessary includes, but is not limited to:

- The Federal Aviation Administration (FAA);
- The Department of Transportation (DOT);
- The Federal Emergency Management Administration (FEMA);
- The Department of Housing and Urban Development (HUD);
- The Department of Health and Human Services (HHS); and
- The Department of Justice (DOJ).

CONTACTS:

The Pinellas County Office of Human Rights
Attn.: Paul Valenti, Title VI/ADA/Human Rights Officer
400 South Fort Harrison Avenue, 5th Floor
Clearwater, Florida 33756
727-464-4880
TDD/TTY -727-464-4062
Fax -727-464-4157

Individuals who are not satisfied with the resolution of a Titles VI complaint utilizing the procedures outlined above may file a complaint with the following entities:

Federal Aviation Administration
Office of Civil Rights, ACR-1
800 Independence Ave. SW
Washington, D.C. 20591

U.S. Department of Transportation
Departmental Office of Civil Rights
External Civil Rights Programs Division (S-33)
1200 New Jersey Ave, S.E.
Washington, DC 20590
Phone: (202) 366-4070 TTY: (202) 366-9696
Fax: (202) 366-5575

Or

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Office of the Assistant Attorney General, Main
Washington, D.C. 20530
Telephone Number for the General Public- (202) 514-4609