



Discrimination in Employment: Procedure for Filing EEO Complaints

I. EEO POLICY STATEMENT

The Pioneer Valley Transit Authority (PVTA) is committed to a policy of non-discrimination in employment. Therefore, it is PVTA's policy to provide equal employment opportunity (EEO) to its employees and those applying for employment in a manner consistent with all applicable regulations, and with PVTA's own EEO Program and ensures that no employee, applicant, or potential applicant is subjected to discrimination on the basis of race, color, creed, national origin, sex, age, or disability. PVTA will take whatever preventive and/or corrective action necessary for behavior or action that is contrary to this policy.

II. EEO COMPLAINT PROCEDURE

PVTA has developed procedures for investigating and tracking EEO complaints, which are reported to the Federal Transit Administration at least triennially. The EEO Complaint and Investigation procedures are outlined below and can be made available in languages other than English upon request.

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination in employment on the basis of race, color, creed, national origin, sex, age, or disability may file a written complaint with any of the following: (1) the Pioneer Valley Transit Authority (PVTA), (2) the Federal Transit Administration's Office of Civil Rights, (3) the Massachusetts Commission Against Discrimination, or (4) the Equal Opportunity Employment Commission (EEOC). Although it is recommended that EEO complaints be filed first with the PVTA, the complainant may file with the other agencies identified above. PVTA will make every effort to investigate and resolve such complaints at the lowest level possible. The process and procedures discussed below do not prohibit a Complainant from filing a formal complaint with other state or federal agencies, or from seeking private legal counsel for EEO complaints alleging discrimination.

How to file an EEO Complaint

An EEO complaint must be filed no later than one hundred and eighty (180) days from the date the alleged discrimination occurred. Complainants are encouraged to submit EEO complaints in writing using the *EEO Complaint* form.

You may obtain an EEO Complaint form one of the following methods:

Mail: Request a form by mail by writing to: PVTA, Attention: EEO Coordinator, 2808 Main Street, Springfield, MA 01107.

Website: Download a form from our website at www.pvta.com.

Phone: Request a form by phone by calling the Administrative Offices 1-413-732-6248.
The complaint should include:

1. Your name, signature, address, and current contact information (i.e. telephone number, mailing address, etc);
2. The time and date of the alleged discrimination;
3. A description of how, when, where, the alleged discrimination occurred;
4. A description of why you believe you were discriminated against, including a detailed description of why you believe you were treated differently than others;
5. Names and contact information of any witness; and
6. Any other information you believe is relevant to your complaint.

Complaint Format

Mail: The preferred method is to mail your complaint in writing using the EEO Complaint form. Complaints should be mailed to: Pioneer Valley Transit Authority, Attention: EEO Coordinator, 2808 Main Street, Springfield, MA 01107.

Phone: You may call in your complaint to the Administrative Offices 1-413-732-6248, ext. 206. If it is determined that your complaint is an EEO complaint, you will be asked to complete an EEO Complaint form, which will be sent to you via mail or email, based on your preference.

Incomplete Complaints: When a complaint is deemed incomplete, or additional information is needed during the investigation process, a PVTA representative will contact the Complainant in writing within fifteen (15) working days from the date the complaint is received to request the additional information. The Complainant will have thirty (30) business days to submit the required information. Failure to provide the requested information by the required date may result in administrative closure of the complaint.

Assistance filing the complaint: In cases where a Complainant is unable to provide a written statement, a verbal complaint of discrimination may be made to the EEO Coordinator by calling 1-413-732-6248, ext. 206. If the Complainant needs assistance in-person, he/she may make an appointment with the EEO Coordinator. Appointments are held at the PVTA Administrative Offices, 2808 Main Street, Springfield, MA. 01107. Under these circumstances, the EEO Coordinator will interview the Complainant and assist with completing the *EEO Complaint* form.

III. INVESTIGATION OF EEO COMPLAINTS

1. All EEO complaints alleging discrimination based on race, color, creed, national origin, sex, age, or disability are recorded and entered into PVTA's complaints database immediately

upon receipt. All complaints will be investigated promptly. Reasonable measures will be taken as appropriate to preserve any information that is confidential.

2. Within fifteen (15) business days of receiving the complaint, the EEO Coordinator will provide written acknowledgement of the complaint. The acknowledgement will include a determination as to whether or not the PVRTA has jurisdiction over the matter, and, if so, whether or not the complaint has sufficient merit to warrant a formal investigation.
3. If it is determined that the complaint is to be investigated, the EEO Coordinator or authorized designee conduct a formal investigation into the complaint.
4. An investigative report will be submitted to the Administrator within sixty (60) days from receipt of the complaint. The report will include a description of the incident, summaries of all statements from persons interviewed, the finding/s, and recommendation for proposed resolution where appropriate. If the investigation is delayed for any reason, the EEO Coordinator will notify the appropriate parties and request the needed extension.
5. The EEO Coordinator or authorized designee will issue letters of finding to the Complainant stating the final decision as a result of the investigation process.
6. If the Complainant wishes to appeal the decision, he or she may do so in writing to the appeal directly to the PVRTA Administrator, 2808 Main Street, Springfield, MA 01107.
7. If the Complainant is dissatisfied with the PVRTA's resolution of the complaint, he or she has the right to file a complaint with Civil Rights Officer at the Federal Transit Administration's Office of Civil Rights, Federal Transit Administration Office of Civil Rights, Attention: Civil Rights Officer, East Building, 5th Floor TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590, Region I Office Phone: (617) 494-2055, Fax: (617) 494-2865. The Complainant may also file with any other agency he/she deems most appropriate, including but not limited to those discussed in Section II above.

PVRTA will prepare and maintain a list of any active investigations conducted by any entity other than the FTA, including lawsuits or complaints which name the PVRTA alleging discrimination on the basis of race, color, creed, national origin, sex, age, or disability. This list includes the date of the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response to the investigation, lawsuit, or complaint. The PVRTA EEO Coordinator (Manager of Human Resources) maintains these files. PVRTA further understands its obligation to provide to the FTA upon request, any additional information other than that required by Circular 4704.1 in order to investigate complaints of discrimination or to resolve concerns about possible noncompliance with EEO requirements.