



The Butler County Engineer's Office Title VI Management Plan Notice

The Title VI Management Plan was developed to guide the Butler County Engineer's Office (BCEO) in its administration and management of Title VI related activities. It is a working plan, and its contents have not been passed by resolution through the Butler County Commissioners Office.

As with any other BCEO activity, the public is invited to review and submit comments and suggestions at any time regarding the Title VI program.

Suggestions and comments may be submitted to the attention of:

Kar Singh P.E., P.S.
Title VI Coordinator
1921 Fairgrove Avenue
Hamilton, OH 45011

The Butler County Engineer's Office

Title VI Management Plan

I. Statement of Policy:

No person shall, on the grounds of **race, color, national origin, sex, age, disability, low-income status, or limited English proficiency**, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

II. Applicability:

Program or Activity defined: A program or activity implemented by the BCEO to facilitate a scope of work.

This policy applies to all activities of any department if any federal assistance is received.

III. Title VI Coordinator:

An employee will be designated to serve as the Title VI Coordinator, whose primary responsibility is to facilitate Title VI matters.

VI. Record Keeping:

The Title VI Coordinator will maintain permanent records, submit required Title VI reports, and complete all Title VI self-surveys. Records may include but are not limited to copies of complaints and related documentation, records of correspondence to and from complainants, and self-surveys requested by the Ohio Department of Transportation or any other government entity.

VII. Title VI Information Dissemination:

Title VI information posters, including the name of the Title VI Coordinator and contact information, shall be prominently and publicly displayed in each department.

Title VI information shall be disseminated to BCEO employees at least once per year via the Employee Annual Education Form (see Appendix A) with the employee January vacation/sick/comp form. This Employee Annual Education

Form reminds employees of the BCEO policy statement and their Title VI responsibilities in their daily work and duties.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI (see Appendix B) and the BCEO expectations to perform their duties accordingly.

Title VI information shall be disseminated to citizens at least once per year by public service announcements around Martin Luther King Jr. Day.

Whenever possible, the BCEO will take positive and specific actions to advise minorities of program availability by using local news media, mass media, internet messaging, and public area postings.

VIII. Subcontracts and Vendors:

All subcontractors and vendors who receive payments from the BCEO where funding originates from any federal assistance received by the involved department are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain nondiscrimination language, either directly or through the bid specification package, which becomes an associated component of the contract. All contracts are required to contain FHWA Form 1273. (<https://www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf>)

IX. Public Interaction:

The BCEO facilities (such as restrooms, park facilities, sidewalks, streets, etc.) accessible to citizens shall be accessible without regard to **race, color, national origin, sex, age, disability, low-income status, or limited English proficiency.**

The BCEO employees shall use courtesy titles (i.e., Mr., Mrs., Ms., or Miss) to address citizens without regard to **race, color, national origin, sex, age, disability, low-income status, or limited English proficiency.**

X. Complaint Management:

Any individual, group of individuals or entity that believes that they have been subjected to discrimination prohibited by Title VI nondiscrimination provisions

may file a written complaint with the Butler County Engineer's Office Title VI Coordinator. A formal complaint **must be filed within 180 calendar days** of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must:

- Be in writing and signed by the complainant(s). Allegations received by telephone will be reduced to writing and provided to the complainant(s) for confirmation or revision before processing. Note: A Discrimination Complaint Form will be forwarded to the complainant(s) for him/her to complete, sign, and return to the BCEO for processing.
- Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; date on which the conduct was discontinued or the latest instance of the conduct).
- Present a detailed description of the issues, including the names and job titles of individuals perceived as parties in the complained-of incident.

Allegations received by 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. The complainant is required to mail a signed, original copy of the e-mail transmittal for processing by the Butler County Engineer's Office Title VI Coordinator.

Upon receipt of the Discrimination Complaint Form, the Title VI Coordinator will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint if appropriate. Complaints against the BCEO will be referred to the appropriate State or Federal agency for proper disposition pursuant to their procedures.

To be accepted, a complaint must meet the following criteria:

- **The complaint must be filed no later than 180 calendar days after:**
 - The date of the alleged discrimination; or
 - The date when the person(s) became aware of the alleged discrimination; or
 - Where there has been a continuing course of conduct, the date on which the conduct was discontinued.
- The allegation(s) must involve a covered basis such as **race, color, national origin, sex, age, disability, low-income status, or limited English proficiency.**

- The allegation(s) must involve a program or activity of a Federal-aid recipient, BCEO, or contractor.

A complaint may be dismissed for the following reasons:

- The complainant requests the withdrawal of the complaint.
- The complainant fails to respond to repeated questions for additional information needed to process the complaint.
- The complainant cannot be located after reasonable attempts.

Once the BCEO decides to accept the complaint for investigation, it will receive a case number and be logged into the BCEO records identifying its basis and the alleged harm. The complainant and the respondent will be notified in writing of such within seven calendar days. The respondent will have ten calendar days from the date of the BCEO's written notification of accepting the complaint to furnish his/her written response to the allegation.

The BCEO's final investigative report and a copy of the complaint will be forwarded to the appropriate State and Federal Agency and affected parties within 60 calendar days of accepting the complaint.

The BCEO will notify the parties of its final decision.

If the complainant is not satisfied with the results of the investigation and practices, the complainant will be advised of the right to appeal to the appropriate State or Federal Agency.

XI. Public Involvement Plan – Capital Construction Projects

Introduction

This section of the plan lays the foundation for public involvement in planning for the BCEO Capital Construction projects. Public participation is encouraged throughout the project and will be incorporated into the decision-making process.

Public involvement is critical to the planning process and serves to inform the public, as well as solicit public response regarding the community's needs, values, and evaluations of proposed solutions.

There may be many different types of solutions, each having advantages and disadvantages. These alternative solutions can be discussed with the

public to receive input and ultimately reach a solution that will best meet the county's needs.

Situation Analysis

The BCEO will carefully identify the needs and interests of the constituency it serves, focusing on human health and safety, protection of property values, the economic vitality of the area, and environmental considerations in the process of identifying, prioritizing, designing, and implementing capital construction projects.

Public Involvement Objectives

- To create an open and visible decision-making process to which stakeholders have equal access and input.
- To provide a mechanism by which stakeholders are informed and understand the processes, issues, and possible solutions from the perspectives of various interests.
- To incorporate public comments throughout the decision-making process.

Public Involvement Tools and Tactics

The following provides a partial list of community outreach and media relations tools and tactics that may be used to disseminate information about the program and offer the opportunity to solicit and incorporate public input throughout the process. The following tools may be used singly or in combination, as each situation merits:

- Broadcast Coverage
- Calendar Releases
- Community Outreach
- Community Presentations
- Fact Sheets
- Media Relations
- News Releases
- Newspaper Articles
- Public Meeting Comment Cards
- Public Meeting Notice Fliers
- Public Meetings
- Public Service Announcements
- Social Media
- Website

Example of Process

Public Notification

- Public meeting notice advertisements
- Notice on website
- Media Coverage: news releases, calendar releases, articles, Radio PSAs

Solicitation of Comments from Stakeholders

- Public meetings
- Comment cards
- Website
- Questionnaires/Surveys

Incorporate Public Comments and Respond to Inquiries

XII. Procedure for Communicating with Limited English Proficiency Residents

If a person with Limited English Proficiency (LEP) initiates any contact with BCEO personnel regarding activities, projects, or communication items, it behooves the BCEO to provide the best services, information, or response possible, as they would with persons who have no language barrier.

The sequence of attempts to communicate should be:

- Ask if the person can speak English. In their excitement or confusion, a person for whom English is their Second Language is likely to revert to their native language when trying to communicate.
- Use “I Speak” cards to attempt to determine the primary language, then contact the Language Translation Line to speak to the person either face to face or on the phone to communicate with them. “I Speak” cards are available from internet listings, at www.bceo.org or from the Title VI Coordinator.

At all times, maintain a gracious, friendly attitude to put the resident at ease to indicate our desire to be helpful. **(See the BCEO LEP Policy for further details)**

XIII. Contracting and Minority Contractor Relationships

The BCEO is subject to Ohio law governing the awarding of contracts. Most simply stated, contracts are to be let to the “lowest and best bidder.” Other variables cannot be inserted into non-emergency purchasing decisions.

To ensure minority-owned and women-owned businesses are afforded the opportunity to be considered for contracts, the BCEO has expanded the various means of publicizing bid announcements. While some funding agencies may require specific advertising activities, most procurement activities do not. In those cases, any or all of the following means of reaching potential contractors may be used:

- Advertising in local news media
 - Hamilton Journal-News
(<http://classifieds.journal-news.com/ads/public-notices/>)

- Internet posting
 - BCEO website
(www.bceo.org/contracts.html)
 - Butler County Commissioners website
(<http://www.butlercountycommissioners.org/index.cfm?page=projectBids>)
 - Ohio New Media Association (ONMA)
Public Notices Ohio website
(<https://www.publicnoticesohio.com/>)

On occasion, specific minority contractor participation goals may set by funding agencies. Large projects may result in the procurement of a prime contractor. During advertisement and pre-bid meetings, potential prime contractors are advised of the minority contractor goals and the efforts required to seek subcontract opportunities for the small contractor within the overall prime contract scope of work. This communication responsibility lies with the BCEO Construction Manager and Construction Deputy.

APPENDIX

SPECIAL NOTE:

All material in the Appendix is ancillary to the Management Plan and are subject to change on an unannounced basis.

APPENDIX A Employee Annual Education Form

Title VI Policy

No person shall, on the grounds 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.

All Butler County Engineer's Office employees are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches an employee with a question or complaint, the citizen is to be directed to:

*Kar Singh, Engineering Manager
Butler County Engineer's Office Title VI Coordinator
Phone number: 513-785-4150*

In all dealings with citizens, employees should use courtesy titles (i.e., Mr., Mrs., Ms., or Miss) to address them without regard to race, color, or national origin.

APPENDIX B New Employee Orientation on Title VI

Statement of the policy: No person shall, on the grounds 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.

All Butler County Engineer's Office employees are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches an employee with a question or complaint, the citizen is to be directed to:

*Kar Singh, Engineering Manager
Butler County Engineer's Office Title VI Coordinator
1921 Fairgrove Avenue, Hamilton, OH 45011
Phone number: 513-785-4150*

APPENDIX C Title VI Discrimination Complaint Form

Case Number _____

Note: We are asking for the following information to process your complaint. If you cannot complete the form personally, simply call 513-785-4150 to request help from the Title VI Coordinator, who will assist you at a mutually convenient time. You will still need to sign the completed form to validate the information you have provided.

1. Complainant's Name _____

Street Address _____

City, State and Zip Code _____

Telephone Number Home (____) _____

Business (____) _____

2. Person discriminated against (if someone other than the complainant)

Name _____

Street Address _____

City, State, and Zip Code _____

Telephone Number (____) _____

3. What is the name and location of the person/entity that you believe discriminated against you?

Name _____

Location _____

4. Which of the following best describes the reason you believe discrimination took place?

a) Race (specify why)

b) Color (specify why)

c) National Origin (specify why)

5. What date did the alleged discrimination take place?

(Must be within the past 180 days)

6. In your own words, please describe the alleged discrimination. Explain what happened and whom you believe was responsible.

(Use more sheets or the back of this page, if needed)

7. Have you tried to resolve this complaint through internal grievance procedures elsewhere? _____ Yes _____ No

If yes, what is the status of the grievance?

What is the name and title of the person who is handling the grievance procedure?

Name _____ Title _____

8. Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court? _____ Yes _____ No

If yes, check all that apply:

Federal agency _____

Federal court _____

State agency _____

State court _____

Local agency _____

9. Please provide the following information for the contact person at the other agency/court where the complaint was filed.

Name _____

Street Address _____

City, State, and Zip Code _____

Telephone Number (_____) _____

10. Do you intend to file this complaint with another agency?

_____ Yes _____ No

If yes, when and where do you plan to file the complaint?

Date _____

Agency _____

Street Address _____

City, State, and Zip Code _____

Telephone Number (_____) _____

11. Has the complaint been filed with the Butler County Engineer's Office before?

_____ Yes _____ No

If yes, when? Date _____

12. Have you filed any other discrimination complaints with the Butler County Engineer's Office? _____ Yes _____ No

If yes, when and against whom were they filed?

Date _____

Agency _____

Street Address _____

City, State, and Zip Code _____

Telephone Number (_____) _____

13. Please sign and date this form below. You may attach any written materials or other information that you think is relevant to your complaint

Complainant's Signature

Date

APPENDIX D Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jo Doe
1234 Main St.
Hamilton, Ohio 45011

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the Butler County Engineer's Office alleging _____ in the _____ program.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 513-867-5744 or writing to me at this address.

Sincerely,

Kar Singh P.E., P.S.
Title VI Coordinator

APPENDIX E Letter Notifying Complainant That Complaint is Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Hamilton, Ohio 45011

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the Butler County Engineer's Office alleging denial of participation of minorities in the _____ program has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. ***(If a hearing is requested, the following sentence may be appropriate.)*** This office or federal authorities may contact you if your services should be needed during the administrative hearing process.

Sincerely,

Kar Singh P.E., P.S.
Title VI Coordinator

APPENDIX F Letter Notifying Complainant that the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Hamilton, Ohio 45011

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the Butler County Engineer's Office alleging _____ in the _____ program has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The County Administration has analyzed the materials and facts pertaining to your case for evidence of the Butler County Engineer's Office's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

Therefore, I wish to inform you that your complaint has not been substantiated, and I am closing this matter in our files.

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Kar Singh P.E., P.S.
Title VI Coordinator