

MaineDOT Civil Rights Office

Title VI & Equal Employment Opportunity (EEO)

- Sherry Tompkins, Mary Bryant or Jennifer Laliberte

Disadvantaged Business Enterprises (DBE)

- Mary Bryant or Jennifer Laliberte

On the Job Training & Davis Bacon Act (DBA)

- Jennifer Laliberte or Mary Bryant

www.maine.gov/mdot/civilrights/

Title VI of the Civil Rights Act of 1964

Prohibits discrimination based on race, color, sex, age and national origin in **ANY** program or activity that receives federal funding.

Applies to any agency receiving federal funding through MaineDOT.



What is required?

Title VI Plan

Elements of Title VI Plan

1. Policy Statement
2. Designation of a Title VI Coordinator
3. Title VI Assurances in Contracts/Agreements
4. Title VI Nondiscrimination Statement
5. Dissemination of Title VI Information
6. Title VI Training
7. Title VI Complaint Process
8. Data Collection and Analysis



Policy Statement

- ❖ Describes an agency's commitment to not discriminate based on race, color, national origin, sex, age, limited English proficiency or income status.
- ❖ Signed by agency's chief executive officer.



Title VI Coordinator



- ❖ Designate a staff member to coordinate Title VI efforts
- ❖ Should have easy access to head of the agency
- ❖ Must initiate and monitor Title VI activities and prepare required reports (Goals and Accomplishment Report)
- ❖ Develops Title VI information for dissemination (posting in public areas and on website)

Title VI Assurances

- ❖ FHWA Form 1273
 - Must insert in FHWA contracts and subcontracts
www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf
- ❖ Submit annual signed Title VI Assurances to MaineDOT
 - All 3 Sections
 - Attach Appendices A through E
- ❖ Solicitations for bids must include the affirmation that bidders will receive a fair opportunity

Title VI Training

- ❖ Provide Title VI training to managers, supervisors and staff with frequent public contact



- ❖ Samples of Title VI training:
 - Federal-aid Essentials for Local Public Agencies
<https://www.fhwa.dot.gov/federal-aidessentials/>
 - FHWA Title VI Toolkit
https://www.fhwa.dot.gov/civilrights/programs/title_vi/toolkit.cfm
- ❖ Limited English Proficiency/Language Assistance

Complaint Process

- ❖ Title VI complaints must be forwarded to MaineDOT to submit to the FHWA
- ❖ Local Public Agencies do not investigate complaints filed against them
- ❖ All complaints must be logged in complaint log



Data Collection and Analysis

- ❖ Develop procedures to collect statistical data
- ❖ Analyze data to see if outreach was successful
 - FHWA Resources in Data Collection and Analysis
www.fhwa.dot.gov/civilrights/programs/title_vi/data_collection_analysis.cfm
- ❖ Census Bureau is the primary source for gathering relevant data: <https://data.census.gov>

Why is compliance required?

- Federal funds are involved.
- MaineDOT must monitor LPA compliance.
- MaineDOT will conduct periodic on-site reviews.
- LPAs must ensure that prime contractors and their subcontractors comply.



Title VI



You cannot:

- Deny anyone the benefit of programs, services or activities;
- Provide a different service, aid or benefit, or provide them differently from how they are provided to others;
- Segregate or separately treat individuals in any manner related to the service or receipt of any service or activity.

If discrimination is found, **you risk jeopardizing your federal funding**

Limited English Proficiency (LEP)



- LEP covers persons who do not speak English as their primary language; and
- Have a limited ability to read, speak, write or understand English.
- The LPA must take reasonable steps to ensure meaningful access to programs, services, and information for persons identified as LEP.

Limited English Proficiency (LEP)

Four-Factor analysis shall be based on the following:

1. Demography

Number and/or proportion of LEPs served and languages spoken in service area

2. Frequency

Rate of contact with service or program

3. Importance

Nature and importance of program/service to peoples' lives

4. Resources

Available resources, including language assistance



FOUR FACTOR ANALYSIS

Factor One

Number/Proportion of LEP Persons in Service Area

- Include data from sources such as Census Bureau, American Community Survey (ACS), etc.
- Include a listing of the counts and percentages of LEP individuals present in your service area by language.
- Identify if any of the LEP languages reach the LEP threshold of 5%, or the Safe Harbor Threshold (1000 persons).

Factor Two

Frequency of Contact with LEP Persons

- How frequently does your organization encounter LEP persons?
- Are you in contact with LEP persons within a specific language group, and that language is not identified in Factor One?
- Include information gathered from face-to-face meetings with LEP persons or from surveys of LEP persons.
- Include information gathered from interviews with agency staff who typically come in contact with LEP persons.
- Include information kept by your organization on past interactions with members of the public who are LEP.

Factor Three

Nature & Importance of the Service to LEP Persons

- Provide a brief summary of the services, benefits, and activities offered by your organization.
- Gather input from CBO/FBOs on the importance of this service to LEP persons.

Factor Four

Resources Available & Overall Costs

- Include a brief summary of the resources available and overall costs of providing language assistance.
- Analyze budget to identify available funding for providing language assistance.

Language Assistance Plan (LAP)

□ Language Assistance/Access Plan (LAP)

- LPA addresses LEP customers when an agency engages in outreach events or public meetings
- Free of charge

□ Interpretation

- Immediate rendering of oral language from the source language into the target language



□ Translation

- Rendering of a written text from one language into another

Language Assistance Plan (LAP)

Language Assistance Resources

- Bilingual Staff
- “I Speak” Cards or Language Identification Flashcard
- Qualified Interpreters
- Telephone Interpretation



U.S. DEPARTMENT OF COMMERCE
Economic and Statistics Administration
U.S. CENSUS BUREAU

LANGUAGE IDENTIFICATION FLASHCARD

Hello, I'm from the U.S. Census Bureau. Is someone here now who speaks English and can help us? If not, please write your phone number and someone will contact you in English.	01. English
Buenos días (Buenas tardes), soy de la Oficina del Censo de los Estados Unidos. ¿Se encuentra alguien que hable inglés y pueda ayudarnos? Si no, por favor, anote su número de teléfono y alguien se comunicará con usted en español.	02. Español/ Spanish
Përshëndetje, unë vij nga Zyra e Regjistrimit të Popullsisë së Sh.B.A-së. A ndodhet dikush tani këtu që flet anglisht dhe mund të na ndihmojë? Nëse jo, ju lutem shkruani numrin e telefonit tuaj dhe dikush do t'ju kontaktojë në gjuhën shqipe.	03. Shqip/ Albanian
አንድ ማን ፡ ስለሆነ የሕዝብ ቆጠራ ቢር ነኝ ፡፡ ለሁን እንግሊዝኛ ቋንቋ የሚናገር እና ለረዳን የሚችል ሰው አለ? ከሌለ ለዘጠትን የሰልክ ቁጥርን ይጻፉልንና በአማርኛ የሚናገሩት ይናገሩልን፡፡	04. አማርኛ/ Amharic
مرحبًا، أنا من مكتب الإحصاء الأمريكي. هل يوجد هنا الآن شخص يتحدث الإنجليزية ويمكنه مساعدتنا؟ إذا لا يوجد، فلارجاء أتيليه رقم هاتفكم وسيتصل بكم أحد الأشخاص بلغة العربية.	05. العربية/ Arabic
Քարկն Ձեզ, ես ԱՄՆ-ի Մարդահամարի Բյուրոյից եմ: Ներկա* է արդյոք մեկը, որը խոսում է Անգլերեն կամ Կարող է մեզ օժնօնել: Եթե ոչ, մերեք Ձեր հեռախոսի համարը և Ձեզ հետ կկապվենք Քայրենով:	06. Քայրենի/ Armenian
হ্যালো, আমি ইউ.এস. সেন্সাস বিউরো থেকে এসেছি। এখানে এখন এমন কেউ আছে কি যিনি ইংরেজি বলতে পারেন এবং আমাদের সাহায্য করতে পারেন যদি এমন কেউ না থাকে, আপনার ফোন নম্বর লিখে দিন এবং আমরা সঙ্গে একজন ফোনায় যোগাযোগ করবো।	07. বাংলা/ Bengali
Разрешете да ви се представя, аз съм служител на Бюрото по преброяване на населението на САЩ. Има ли тук някой, който говори английски и би могъл да ни помогне? Ако няма, моля, напишете своя телефонен номер, за да може някой от нашите служители да ви се обади на български.	08. Български/ Bulgarian

U S C E N S U S B U R E A U
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Thank You

- The LPA Manual (Chapter 7) outlines the requirements for federally funded bid packages
- Check out: Federal Aid essentials for LPAs
<http://www.fhwa.dot.gov/federalaidessentials>
- Please contact the MaineDOT Civil Rights Office if you have questions.

