

ERIE COUNTY, PENNSYLVANIA

TITLE VI NON-DISCRIMINATION POLICY

I. INTRODUCTION

As a recipient of federal and state funds, including, but not limited to, grant dollars from the Environmental Protection Agency (EPA) and the Department of Justice (DOJ), Erie County (the “County”) is subject to coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7 (Non-Discrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including, including, but not limited to, Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. §2000d), Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §§3601 et seq.), the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), Title IX of the Education Amendments of 1973 (20 U.S.C. §§1681 et seq.), and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. §1251) (hereinafter referred to collectively as the federal non-discrimination statutes). These requirements include, but are not limited to, prohibiting discrimination on the grounds of race, color, national origin, disability, age, or sex in administration of Erie County’s programs or activities (being denied the benefits of, or being otherwise subjected to discrimination under any program or activity administered by federal or state assisted programs, services, and activities). These provisions also require the prohibition of intimidation or retaliation against any individual or group of individuals because they have exercised their rights to participate in or oppose actions protected and/or prohibited by 40 C.F.R. Parts 5 and 7 or for the purpose of interfering with such rights.

The purpose of this document is to define the policies and procedures by which the County administers its Title VI activities and ensures its programs’ compliance with Title VI requirements.

II. POLICY STATEMENT

It is the policy of the County to prevent and eliminate discrimination and retaliation in all of its operations and services, whether federally funded or not. The County prohibits discrimination on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, religion, familial status, ancestry, disability, use and/or handling of support or guide animals, criminal history, or source of income in administration of Erie County’s programs or activities (being denied the benefits of, or being otherwise subjected to discrimination under any program or activity administered by federal or state assisted programs, services, and activities).¹ The County further prohibits intimidation or retaliation against any individual or group because

¹ Applicable federal laws prohibit discrimination on the bases of the protected classes of race, color, national origin, sex, age, and disability. Other state and/or local law, including the Erie County Human Relations Ordinance, also include as protected classes religion, familial status, ancestry, sexual orientation, gender identity, and use or handling of support or guide animals, criminal history, or source of income.

they have exercised rights protected by 40 C.F.R. Parts 5 and 7 or for the purpose of interfering with such rights.

III. PUBLIC NOTIFICATION PROCESS

Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in the County's facilities. The County's Title VI policy is available on the County's public website at <https://eriecountypa.gov/>. Additional information relating to the County's nondiscrimination obligation can be obtained from the County's Title VI Compliance Officer or designee. This policy shall also be posted to the County's employee intranet.

Title VI Compliance Officer

The County has designated the following individual to serve in the role of Title VI Coordinator:

Ann Villella, Title VI Coordinator
Erie County Courthouse
Department of Human Resources
140 West 6th Street
Suite 501
Erie, PA 16501

Phone: 814-451-6299
Email: TitleVI@eriecountypa.gov

IV. TITLE VI COMPLAINT PROCEDURES

When and How To File a Title VI Complaint

Any person who believes that they have been excluded from participation in, been denied the benefits of, and/or been subjected to discrimination on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, religion, familial status, ancestry, disability, use and/or handling of support or guide animals, criminal history, or source of income ("Complainant") may file a Complaint, in writing, with the County's Title VI Coordinator.

A Complainant may file a signed, written complaint up to thirty (30) days from the date of the alleged discrimination. The Complaint should include the following information:

- Complainant's name, mailing address, and preferred method of contact (i.e. telephone number, email address, etc.);
- How, when, where, and why the Complainant believes they have been subject to discrimination.

- Identifying information about the County employee(s) alleged to have perpetrated the discrimination, where applicable (i.e. name, job title, work location, etc.);
- The name(s) and contact information of any alleged witnesses; and
- Any other information which Complainant deems significant to the complaint.

A Complainant is encouraged to use the Erie County Title VI Discrimination Complaint Form (“Complaint Form”) when submitting a written Complaint but a written Complaint in any form will be accepted under this Policy. The Complaint Form is attached to this Policy as Appendix A and also is available at <https://eriecountypa.gov/>. The Complaint may be filed in writing with Erie County at the following address:

Erie County Courthouse
Department of Human Resources
Attn: Title VI Coordinator
140 West 6th Street
Suite 501
Erie, PA 16501
Email: TitleVI@eriecountypa.gov

Upon request, the County will provide appropriate assistance to Complainants, including individuals with a disability and/or who are limited in their ability to communicate in English.

Grievance Procedures

Upon receipt of a Complaint, the Title VI Coordinator(s) (or their designee) will acknowledge receipt of the Complaint within five (5) business days and shall conduct an investigation of the Complaint. The County shall have sixty (60) days to investigate the Complaint.

If the County requests additional information to resolve the case, the Complainant shall have fifteen (15) business days from the date on the letter to provide the requested information. Please note that, in responding to any requests for additional information, a Complainant’s failure to provide the requested information may result in the administrative closure of the Complaint. A case may also be administratively closed if the Complainant notifies the County in writing that they no longer wish to pursue the Complaint.

Upon conclusion of the investigation, the County Title VI will send a final written determination regarding the Complaint, based on a preponderance of the evidence, no later than 60 days after its filing, including a notice to the Complainant of their right to pursue further administrative or legal remedies. The written determination will include a statement as to whether discrimination is found and a description of the investigation process.

A Complainant may appeal the decision of the County’s Title VI Coordinator by writing to the County’s Director of Administration within fifteen (15) days of receiving the Title VI Coordinator’s decision. The County’s Director of Administration shall issue a written decision in response to the appeal no later than 60 days after its filing.

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination in court or with applicable local, state, or federal agencies. A Complainant may file a complaint of discrimination on the basis of race, color, national origin, disability, age, sex, or retaliation, with the U.S. Environmental Protection Agency, External Civil Rights Compliance Office. A person can file a complaint of discrimination electronically by writing to TitleVI.Complaints@epa.gov or by mail or phone at:

U.S. EPA External Civil Rights Compliance Office
Office of General Counsel (Mail Code 2310A)
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460

Phone: (202)564-3316

A Complainant may file a complaint of discrimination on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, religion, familial status, ancestry, disability, use and/or handling of support or guide animals, criminal history, source of income, or retaliation, with the Erie County Human Relations Commission electronically by writing to hrc@eriecountypa.gov or by mail or phone at:

Erie County Human Relations Commission
Renaissance Center
1001 State Street
Suite 812
Erie, PA 16501

Phone: (814)451-7021

A Complainant may file a complaint of discrimination on the basis of race, color, national origin, age, sex, religion, ancestry, disability, use and/or handling of support or guide animals, or retaliation, with the Pennsylvania Human Relations Commission in person, by mail or phone at:

Pennsylvania Human Relations Commission
301 Fifth Avenue,
Suite 390, Piatt Place
Pittsburgh, PA 15222

Phone: (717)787-4410 or (412)565-5395

Community Outreach

As an agency receiving federal financial assistance, Erie County makes the following community outreach efforts:

1. The public is invited to attend and participate in the legislative process.

2. Title VI statements are posted on the County's publicly accessible website and in all County facilities open to the public for public viewing. A copy of said statement is attached hereto as Appendix B.

3. The County's Title VI Policy is available to the community on its website.

4. Erie County commits to requiring contractors to comply with the County's Title VI policy.

APPENDIX A
ERIE COUNTY
TITLE VI DISCRIMINATION COMPLAINT FORM

Complainant Name: _____

Address: _____ City, State, Zip _____

Phone Number: _____ Email: _____

Person(s) who were allegedly discriminated against (if other than complainant):

| Name | Address | Phone and/or Email |
|------|---------|--------------------|
| | | |
| | | |

Identify the protected classification(s) upon which the alleged discrimination is based:

- | | |
|---|--|
| <input type="checkbox"/> Race _____ | <input type="checkbox"/> Color _____ |
| <input type="checkbox"/> Religion/Creed _____ | <input type="checkbox"/> National Origin _____ |
| <input type="checkbox"/> Sex _____ | <input type="checkbox"/> Sexual Orientation _____ |
| <input type="checkbox"/> Gender Identity _____ | <input type="checkbox"/> Disability _____ |
| <input type="checkbox"/> Age _____ | <input type="checkbox"/> Familial/Marital Status _____ |
| <input type="checkbox"/> Criminal History _____ | <input type="checkbox"/> Source of Income _____ |
| <input type="checkbox"/> Retaliation _____ | <input type="checkbox"/> Other _____ |

Describe the nature of your complaint in as much detail as possible. Include dates, times of day, locations where the alleged conduct took place, what was said, what if any physical contact occurred, your reaction to the situation and how the incident has affected you and the ability to perform your job. Attach additional pages if necessary.

Identify all other individuals who witnessed and/or who may have knowledge of the conduct about which you are complaining, and describe how these persons became aware of this conduct. Attach additional pages if necessary.

| Name | Contact Information | Description |
|------|---------------------|-------------|
| | | |
| | | |

Are there any documents (e.g. photographs, e-mails, text messages, etc.) that contain information supporting the incident(s) described above? If yes, please explain and attach a copy to this form.

How do you believe this situation should be resolved?

Any form of retaliation against any individual for filing a complaint or for assisting in the investigation of a complaint is strictly prohibited. .

Signature: _____

Date: _____

Mail to: Ann Vilella
Title VI Coordinator
Erie County Courthouse
Department of Human Resources
140 West 6th Street
Suite 501
Erie, PA 16501

Phone: 814-451-6299
Email: TitleVI@eriecountypa.gov

APPENDIX B

TITLE VI NON-DISCRIMINATION NOTICE

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. Specifically, Title VI provides that “no person in the United States 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.” 42 U.S.C. §2000d. Other federal, state, and local laws prohibit discrimination on the basis of other protected characteristics, including age, sex, sexual orientation, gender identity, religion, familial status, ancestry, disability, use and/or handling of support or guide animals, criminal history, or source of income.

Erie County is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services, on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, religion, familial status, ancestry, disability, use and/or handling of support or guide animals, criminal history, or source of income. The County further prohibits intimidation or retaliation against any individual or group because they have exercised rights protected by 40 C.F.R. Parts 5 and 7 or for the purpose of interfering with such rights.

If you feel you are being denied participation in or being denied benefits of any of the programs or services provided or administered by Erie County, or otherwise being discriminated against because of your protected characteristics and/or intimidated or retaliated against for exercising your rights under the County’s non-discrimination policies, you may contact our office at:

Erie County Courthouse
Department of Human Resources
Attn: Title VI Coordinator
140 West 6th Street
Suite 501
Erie, PA 16501
Email: TitleVI@eriecountypa.gov

For more information, visit our website at <https://eriecountypa.gov>.