

## **Title VI, Non-Discrimination**

Effective: January 10, 2012

**UDOT 08B-06**

Revised: June 11, 2013

### **Purpose**

To provide Utah Department of Transportation (Department) guidelines for compliance to the Title VI program of the Civil Rights Act of 1964 and related civil rights laws and regulations, and conduct compliance reviews relative to the Federal-aid highway program.

### **Policy**

Federal Highway Administration (FHWA) policy is to ensure compliance with Title VI of the Civil Rights Act of 1964; 49 CFR part 21; and related statutes and regulations.

Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on 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.

The Department's Central Civil Rights Office will administer the Department's external Title VI Program. More specifically, and without limiting the above general FHWA assurance, the Civil Rights Office will comply with the steps listed in the procedure included with this policy.

# Procedures

Title VI, Non-Discrimination

UDOT 08B-06.1

**Responsibility:** Department Central Civil Rights Office

## Actions

1. Establish a Title VI Program where nondiscrimination provisions apply to all federally and non-federally assisted programs and activities of Federal-aid recipients, sub-recipients, and contractors, regardless of tier.
2. Establish procedures to assure that discrimination on the grounds of race, color, or national origin is not permitted on any transportation project.
  - a) The Title VI Program extends to other protected classes to include sex, age, disability or income status.
  - b) Discrimination for Federal Transit would include race, color or national origin and does not extend to other protected classes in the way of grants, loans or contract, other than contract of insurance or guaranty.
3. Establish affirmative action procedures, including the imposition of contract sanctions and the initiation of appropriate legal proceedings under any applicable Federal or State law to achieve Title VI compliance on Federal-Aid highway projects.
4. Establish and maintain liaison with Department internal areas, public and private agencies, and organizations that are involved in Title VI programs.
  - a) The agencies and organizations include, but are not limited to state and local government entities, colleges, universities, the U.S. and State Employment Service, and the U.S. and State Department of Labor.
5. Receive and investigate complaints.
6. Accomplish Title VI compliance reviews of cities, counties, consultant contractors, suppliers, universities, colleges, planning agencies, and other recipients of Federal-aid highway funds.
7. Conduct training programs on Title VI to recipients, sub-recipients, appropriate State agencies, and other related organizations in the establishment of skill training programs so that all potential attendees have an opportunity to participate in training programs without regard to race, color, national origin, sex, age, disability or income status.

8. Prepare a yearly report of Title VI accomplishments for the past year and goals for the next year.
9. Prepare and submit annual updated Title VI implementation plan to Regional Federal Highway Administrator for approval or disapproval. Prepare and submit a separate annual updated Title VI implementation plan to Region 8, Denver Office for Federal Transit Administration.
10. Appendix A, Non-Discrimination Notice is included in the advertised and awarded contracts in accordance with Title VI of the Civil Rights Act of 1964 as required by the Federal Highway Administration.
11. Develop procedures and furnish statistical data for reports and information as may be required by the Federal Highway Administration.
12. Cooperate in all investigations and enforcement actions undertaken by the Federal Highway Administration.