

Discrimination Complaint Procedure

MACC has established a process for riders to file a complaint under Title VI. Any person who believes that she or he has been discriminated against on the basis of race, color, religion, national origin, sex, disability, or age by MACC/ MFS may file a Title IV complaint by submitting a formal complaint as noted above. * Procedure can also be found in the Rider Manual, on the MFS website www.mfs.org or by calling Monadnock Adult Care Center director at 603-532-2427.

Alternative means of filing complaints, such as personal interview, a phone call or a taped request will be made available for a person with disabilities if unable to communicate their requests in writing or upon request.

Required Time to File Complaint

To allow to file first with the Agency and then externally with an appropriate outside agency or court, as the complainant chooses, any complaint to the Agency should be filed promptly and must be filed not later than one hundred eighty (180) calendar days after alleged discrimination occurred. If the complainant may still file externally within any applicable statute of limitations. If a complaint is filed within the Agency and is filed externally during the same time, the external complaint supersedes the internal complaint filing. Accordingly, the Agency's complaint procedures will be suspended pending the outcome of the external complaint.

Step 1: Informal meeting with Department Head

The complainant and or the complainant's representative are encouraged to initiate the process by meeting with the agency department head of the service or facility where the alleged discrimination took place. The complainant should provide the basis of the complaint (race, color, national origin) and the nature of the incident that led the complainant to feel that the discrimination was a factor. The Department Head shall immediately notify Title VI coordinator. The department head shall, within ten (10) working days after receiving the complaint, reach a decision and communicate the decision to the complainant and the Title VI Coordinator. Upon receipt of a complaint, the Title VI coordinator will determine jurisdiction. Complaints against the Agency involving federal funds will be forwarded to the appropriate state agency for proper pursuant to its procedure.

Step 2: Formal Complaint to Title VI Coordinator

If the complaint is not resolved at Step 1, or if the complaint is not first brought to the department head, a written complaint shall be filed with the Agency's Title VI Coordinator. The complainant should be complete the Monadnock Adult Care Center Title VI complaint form. The coordinator shall notify the program department head of the formal complaint and initiate an investigation immediately. The complaint coordinator will also report the complaint to the New Hampshire Department of Transportation. The internal investigation shall completed within twenty (20) workdays of receipt of the complaint, at which time the Coordinator will inform the complainant in writing of its disposition, including any findings of fact and any actions to be taken.

Disposition of Complaints

Sustained Complaints: If the complaint is substantiated, this policy and procedure prohibiting discrimination will be reviewed with the offender. Appropriate disciplinary action and/or training will be taken pursuant to the Agency's disciplinary procedures.

Un-sustained Complaints: If there is insufficient evidence to either prove or disprove the allegation (s), both parties to the complaint will be informed of the reason(s) for this disposition.

Exonerated Complaints: If it is determined that an act reported pursuant to this policy/procedure did in fact occur, but was lawful and proper within the guidelines established herein, a finding of "exonerated" shall be made.

Review Appeal

If the complaint is not satisfied with the resolution, an appeal process is available. An appeal request for review of a determination of unlawful denial of access or accommodation to public transportation must be filed, in writing, within thirty (30) days of the resolution of the complaint, with the Title VI Coordinator. The written appeal must include the complainant's name, address, and telephone contact number. A statement of reason(s) why the complainant believes the denial of the complaint was inappropriate is recommended. The Title VI Coordinator will set a mutually agreed-upon time and place for the review process with the complainant-appellant and/or representatives and the Agency Manager or designee within thirty (30) days of the request. The complainant-appellant may submit documents or other information to be included with the record and considered in the review process. A record of the review will be kept by the Agency. A complaint's right to a prompt and equitable resolution of the complaint will not be impaired by the complainant's pursuit of other remedies. Use of this complaint procedure is not a prerequisite of other remedies.

Complaint Log

The Coordinator will maintain a Title VI complaint Log to show identifying information type, and status of each complaint filed, including those filed under Step1 of this procedure. When any investigation is conducted, the Coordinator will keep a copy of the report on permanent file.