

City of Eau Claire Title VI Program – Eau Claire Transit -2016

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Locations of Notifying the Public of Title VI Rights Posters and Information

The following Locations will have information posted :

- All 22 fixed route buses operated by Eau Claire Transit

- The Eau Claire Transit Transfer Center

- All vehicles operated for complimentary ADA service in the Eau Claire Transit Service area by the current subcontractor

The Eau Claire Transit Official Website, ecbus.org, will have a page dedicated to its complete Title VI program and information.

Posters Notifying the Public of Title VI Rights



EAU CLAIRE TRANSIT NOTIFYING THE PUBLIC OF RIGHTS

The City of Eau Claire and Eau Claire Transit assure that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

Any person(s) or organization(s) believing they have been a victim of discrimination based on race, color, or national origin may file a complaint by contacting Eau Claire Transit or the City of Eau Claire Equal Opportunity and Affirmative Action Office. Title VI complaints must be filed within 180 days of an alleged discrimination act.

To file a complaint you may call Eau Claire Transit at 715-839-5111 or E-mail a complaint to tom.wagener@eauclairewi.gov (place Title VI complaint in subject line.)

Or call The Affirmative Action Office at 715-839-4921.

Or you may download the complaint form at <http://www.eauclairewi.gov/home/showdocument?id=9703>

and mail the complaint to

Eau Claire Transit, attn. Title VI Complaint, 910 Forest St, Eau Claire, WI 54703 To obtain more information in connection with the City of Eau Claire's Title VI obligations contact the Transit Manager at 715-839-5111.

Procedure for Handling Title VI Complaints

1.0 Purpose

This complaint procedure is designed to provide guidance on the identification, reporting and investigation of complaints asserting claims arising under Title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations ("Title VI"). Title VI prohibits discrimination on the basis of race, color and national origin and provides that no person shall be excluded from participation, denied the benefits of, or be subjected to discrimination under any federally-funded program or activity, including the services and other transit-related benefits provided by Eau Claire Transit (ECT). Title VI does not cover employment related discrimination complaints arising under Title VII of the Civil Rights Act of 1964 and other statutes, all of which are governed by other policy instructions.

2.0 Scope

This procedure applies to all ECT employees responsible for receiving, identifying reporting, processing and resolving complaints of discrimination asserted under Title VI.

3.0 Definitions

- 3.1 **Administrative Closure:** A complaint that is closed without an investigation.
- 3.2 **Complainant:** An individual who files a Title VI complaint.
- 3.3 **Discrimination:** Any act or any failure to act, which has the effect of excluding or denying a person from participation in benefits, or has otherwise, subjected a person to unequal treatment under any program or activity, including transit service and other benefits, because of race, color, or national origin.
- 3.4 **Title VI Complaint:** A complaint alleging a violation of Title VI made by a complainant, usually a customer, and filed with the ECT. Only complaints alleging discriminating in transit services and related benefits provided by ECT on the basis of race, color or national origin discrimination will be considered Title VI complaints for purposes of this Policy/instruction.
- 3.5 **Title VI Program:** The system of requirements, procedures and actions adopted by the ECT and approved by the Federal Transit Administration (FTA), which are deemed necessary and appropriate to comply with Title VI, Civil Rights Act of 1964.

4.0 Procedure

4.1 **How to file a Title VI Complaint**

Title VI complaints must be filed within 180 days of the most recent allegation of discrimination. The complaint must include the following information:

A written statement of facts supporting the allegation of discrimination, including the date of the alleged discrimination, the location and the names, addresses and telephone numbers of any witnesses;

The complainant's name, address, telephone number or other method of communicating with the complainant;

The type of discrimination alleged. i.e. race, color, or national origin;

The transit service or other related benefit, which the complainant was allegedly denied;

The complainant's signature.

The complaint must be filed in writing with the MTA Office of Fair Practices as follows:

Manager, Eau Claire Transit
 Eau Claire Transit
 910 Forest Street
 Eau Claire, WI 54703

Complainants may also use the following telephone numbers and email address to initiate the filing of a complaint:

- I. Transit Information Call Center
715-839-5111
2. by email on ECT's website: www.ecbus.org
3. TTY for people who are hearing and/or speech impaired:
711 - Transit Information Center
4. Upon request of the complainant, the Office Clerk will assist in completing the required Complaint Form.

4.2 Internal Complaint Processing

4.2A - Assignment of Title VI Complaint Number (Office of Customer Information)

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by ECT will be recorded on the Customer Complaint Database .

4.2B - Complaint Investigation

- I. The ECT Office will forward all Title VI complaints it receives to the ECT Manager. The ECT Manager will provide appropriate assistance to complainants, including those persons with disabilities or who are limited in their ability to communicate in English.
2. In instances where additional information is needed for assessment or investigation of the Manager will contact the complainant in writing within 15 working days. The ECT's Manager will inform each complainant that failure to provide the requested information by a date specified in writing may result in the administrative closure of the complaint.
3. The Office of Fair Practices will investigate the complaint and prepare a draft written response subject to review by the City of Eau Claire's General Counsel and the Administrator. If appropriate, the Transit Manager may administratively c lose the complaint for lack of jurisdiction or other matters.

4.2C - Acknowledgment of the Complaint

The Transit Manager will send a final written response to the complainant and advise the complainant of his or her right to file a complaint externally. The Transit Manager will use its best efforts to respond to Title VI complaints within 60 workdays of its receipt of such complaints.

4.3 External Redress

In addition to the complaint process at ECT, a complainant may file a Title VI complaint with the U.S. Department of Transportation, Federal Transit Administration, Office of Civil Rights - Region V Chicago IL 60606.

4.4 Freedom from Reprisal or Interference

Reprisal against or interference with a complainant's rights to file a Title VI complaint, testify, assist or participate in any manner in an investigation constitutes a violation of ECT's Title VI Program. Any ECT employee found seeking reprisals for anyone filing a Title VI complaint may be subject to termination from ECT's employment, arrest and imprisonment, or fined according to state and federal law.

5.0 Title VI Training

The Transit Manger, in coordination with the Transit Division , will provide Title VI Training to all employees.

6.0 Monitoring and Reporting

The ECT Office shall monitor the implementation of the Title VI Complaint Procedure and shall develop reports of alleged Title VI complaints and the disposition of such complaints. The City of Eau Claire General Counsel should also receive a copy of the report to aid in monitoring legal issues involving Title VI complaints. The ECT Manager will also ensure that the public is made aware of the avenue for filing Title VI complaints through the Transit Telephone Number and notices on ECT revenue vehicles

Transit-Related Title VI Investigations, Complaints, and Lawsuits

1. Michael Young complaint filed with the State 1-14-16 (See Appendix A)
2. Michael Young Investigation received 6-8-16 (See Appendix B)

Public Participation Plan

Eau Claire Transit's Public Participation Plan

Public Participation Plan

The purpose of this Public Participation Plan (PPP) is to establish procedures that allow for, encourage, and monitor participation of all citizens in the Eau Claire Transit service area, including but not limited to low income and minority individuals, and those with limited English proficiency. While traditional means of soliciting public involvement may not reach such individuals, or might not allow for meaningful avenues of input, the intent of this effort is to take reasonable actions throughout the planning process to provide opportunities for historically under-served populations to participate.

This document will lay out procedures to provide opportunities for all area citizens to participate in activities of Eau Claire Transit. Activities can consist of but are not limited to Transit Commission Meetings, Transit Development Plans, Open forms for public input, etc..

Goals and Objectives for the Public Participation Plan

Goal;

The goal of the PPP is to offer real opportunities for the engagement of all citizens of the Eau Claire Transit service area to participate in the development of a Transit Development Plan (TDP) and to receive input at the monthly Eau Claire Transit Commission meetings.

Objectives;

To determine what non-English languages and other cultural barriers exist to public participation within the Eau Claire area.

To provide a general notification of meetings, particularly forums for public input, in a manner that is understandable to all populations in the area.

To hold meetings in locations which are accessible and reasonably welcoming to all area residents, including, but not limited to, low-income and minority members of the public.

To provide avenues for two way flow of Information and input from populations which are not likely to attend meetings.

To provide a framework of actions appropriate to various types of plans and programs, as well as amendments or alterations to any such plan or program.

To use various illustrative visualization techniques to convey the information including but not limited to charts, graphs, photos, maps and the internet.

Identification of Stakeholders

Stakeholders are those who are either directly, or indirectly, affected by a plan, or the recommendations of that plan. Those who may be adversely affected, or who may be denied benefit of a plan's recommendations(s), are of particular Interest in the identification of specific stakeholders. Stakeholders are broken down into several groups: general citizens, minority and low-income persons, public agencies, and private organizations and businesses.

General Citizens: There are 66,623 residents in the Eau Claire Urbanized Area (U.S. Census, 2010). Over 91 percent of the population of the urbanized area consider themselves to be of solely of a white race. Over 93 percent of the households have someone over the age of 14 who speaks English, with 93 percent speaking only English in the home. Some of the techniques that can be used to engage the general population are public notices of meetings in the local newspaper, open house format public information meetings. While these techniques will continue, staff will make a greater effort to engage the general public, possibly with techniques such as, nominal group exercises, surveys, use of local news media, etc.

Minorities: Minority populations make up a fairly small percentage of the population in the Eau Claire urbanized area (See Table 1). The Asian population makes up the largest minority, with 4.6 percent of the total population of the urbanized area, The Hispanic population make up 1.9 percent. Black or African Americans account for 1.1 percent and 1.3 percent of the population, respectively. There are also a small number of American Indian/Alaska native and Hawaiian/Pacific Islander individuals, accounting for less than 1/2 percent each. Persons who consider themselves to be of more than one race account for 1.8 percent of the population.

Engaging minority, and low-English proficiency populations can be challenging. Language and cultural differences may not be compatible with the more traditional means of engaging the public in the planning process. Eau Claire Transit and will make reasonable efforts to engage minority populations using techniques, such as including notations in public notices in appropriate non-English languages that will provide a contact where the individual can be informed of the process/project, and will have the opportunity to give input. Focus groups may also be established for the purpose of gaining input from a particular defined portion of the community. Also, advocacy groups can be a good resource for contacts and dissemination of information to minority and low-English proficiency populations. Such advocacy groups or agencies can have insight into the needs of the under-represented populations, as well as providing valuable contacts or arenas for input. Contacts with local translators should also be maintained, and used as requested and needed.

Eau Claire Urbanized Area Race Demographics (V2015 Estimates using 2010 Census Data)		
Subject	Number	Percent
RACE		
Total population	67,778	100.0
One Race	66558	98.2

White	61949	91.4
Black or African American	746	1.1
American Indian and Alaska Native	339	0.5
Asian	3118	4.6
Asian Indian	136	0.2
Chinese	203	0.3
Filipino	136	0.2
Japanese	37	0.1
Korean	203	0.3
Vietnamese	49	0.1
Other Asian [1]	2,354	3.5
Native Hawaiian and Other Pacific Islander	29	0.0
Native Hawaiian	6	0.0
Guamanian or Chamorro	2	0.0
Samoan	2	0.0
Other Pacific Islander [2]	19	0.0
Some Other Race	356	0.5
Two or More Races	1,159	1.8
White; American Indian and Alaska Native [3]	270	0.4
White; Asian [3]	256	0.4
White; Black or African American [3]	357	0.5
White; Some Other Race [3]	73	0.1
Race alone or in combination with one or more other races: [4]		
White	61,949	93.0
Black or African American	1,211	1.8
American Indian and Alaska Native	705	1.1
Asian	3,355	5.1
Native Hawaiian and Other Pacific Islander	84	0.1
Some Other Race	491	0.7
HISPANIC OR LATINO		
Total population	67,778	100.0
Hispanic or Latino (of any race)	1,268	1.9
Mexican	764	1.2
Puerto Rican	141	0.2
Cuban	44	0.1
Other Hispanic or Latino [5]	319	0.5
Not Hispanic or Latino	66,490	98.1
HISPANIC OR LATINO AND RACE		
Total population	67,778	100.0
Hispanic or Latino	1,268	1.9
White alone	727	1.1
Black or African American alone	29	0.0
American Indian and Alaska Native alone	20	0.0
Asian alone	19	0.0
Native Hawaiian and Other Pacific Islander alone	1	0.0

Some Other Race alone	321	0.5
Two or More Races	151	0.2
Not Hispanic or Latino	66,490	98.1
White alone	59,499	90.3
Black or African American alone	723	1.1
American Indian and Alaska Native alone	327	0.5
Asian alone	2,995	4.5
Native Hawaiian and Other Pacific Islander alone	28	0.0
Some Other Race alone	35	0.1
Two or More Races	1,008	1.5

Low-income: It is estimated that Low 18.5% of the population are at the local poverty level, , based on 2010 incomes. Low income population of the Eau Claire urbanized area should be given every reasonable opportunity to provide input on transportation plans and programs, to avoid disproportionate harm, or lack of benefit, of transportation programs and projects. While low-income individuals may have access to all of the traditional means of public involvement, discussed under "general public", they may be less likely to become involved, or offer input. Some methods of gaining input either directly or indirectly from this portion of the population Include focus groups, informal interviews, and agency/advocacy group contacts.

Public Agencies: Public agencies can provide valuable input to the planning process, in addition to assisting in gaining participation from traditionally under-represented populations. Pertinent public agencies include those that have clients who fall into under-represented populations, including but not limited to minorities, low-income, and limited English proficiency households. These agencies have great Insight into the transportation needs of their clients and are useful partners in overcoming difficult barriers that may not be understood by professionals dealing more distinctly with the provision of transportation services,

Private Organizations and Businesses: Private organizations and businesses offer a number of perspectives that are valuable to the planning process. Often, transportation for employees is of critical concern to private sector employers. For that reason, representation of private business interests will be welcomed in the planning process.

Public Participation Plan

This document, upon its adoption, is to serve as the Public Participation Plan for Eau Claire Transit. Availability of the policy for review will be advertised in a manner reasonably expected to reach the general public, as well as minority populations, low-income persons, and other traditionally under-

served populations. This could occur through contacts mentioned earlier in this document, notification of contacts available in English, Spanish, and Hmong languages, In addition to traditional public notices in local newspapers. A preliminary schedule of the planning process is included in Table 2.

Public involvement is important at all stages of plan development. Opportunities for participation for both users and nonusers of the Eau Claire Transit will be available, Through our involvement with the West Central Regional Planning Commission during all stages of planning.

Eau Claire Transit
910 Forest Street
Eau Claire, WI 54703
Phone: (715) 839-5111
Contact: Tom Wagener, Transit Manager

West Central Wisconsin Regional Planning Commission
800 Wisconsin Street #9
Eau Claire, WI 54703
Phone: (715) 836-2918
Contact: Ann Schell, Planner

Other stages of any of our planning process, such as reviewing draft documents and mapping, are more conducive to other techniques. Documents will be available for review at the Eau Claire Transit Office, located at 910 Forest Street, Eau Claire WI 54703, and with certain plans on the West Central Wisconsin Regional Planning Commission website's transportation planning program webpage listed below. If materials are requested in Spanish, Hmong, large type and/or Braille, staff will make a reasonable attempt to accommodate those needs.

<http://wcrpc.org/>

Other techniques could also be determined to be useful at any particular stage of the process, and new and different techniques will be utilized as deemed appropriate.

Outreach Efforts

Eau Claire Transit has and will continue to work with many agencies in the Eau Claire area that work with minorities and individuals with low income. Examples of projects Eau Claire Transit has participated in include:

- **Transit Ambassador Program** – the City of Eau Claire has contracted with Western Dairyland, a Community Action Agency (CAA), to provide services to all individuals interested in learning how to use public transit. As a CAA, Western Dairyland is uniquely suited to reach out to those individuals that would typically have difficulty accessing community services.
- **Poverty Summit** – In the fall of 2016, Eau Claire Transit is working side by side with the local MPO to provide transportation options to individuals participate in a summit on poverty in the Eau Claire Area. Eau Claire Transit will be present to learn firsthand the challenges and the issues that face the area in addressing the needs of people in low income.
- **Carson Park Transportation** – Eau Claire Transit is working with the City of Eau Claire Engineering department to insure that the Carson Park Area is accessible to minorities and low income that frequent the Park while work is being done on the causeway entrance to the park in the Summer of 2017.
- **Supplying Information and Fare Media** – Eau Claire Transit continues to work closely with area agencies tasked to meet the needs of minorities and low income citizens. Agencies such as Continuus, IRIS, Eau Claire County Human Services Department, Western Dairyland, Work Force Development, Eau Claire Area Hmong Mutual Assistance, University of Wisconsin International Student Association, to name a few, are all agencies that Eau Claire Transit works with to make sure that its fare media, informational literature and services are available to the people they are charged to assist. Eau Claire Transit works with these agencies to make sure their clients input is received during all planning processes that include its monthly Transit Commission meetings and the 5 year Transit Development Plan.

In addition to these outreach efforts, staff will use the following techniques during its planning studies, as deemed appropriate by staff :

- Presentations to professional, citizen, and student organizations.
- Articles in community newsletters.
- Press releases and meetings with local media representatives.
- Informal conversations with individuals and small groups.
- Interviews with people who are or could be affected by study recommendations.
- Presentations by experts on various transit-related subjects.
- User and non-user surveys.
- Use various illustrative visualization techniques to convey the information including but not limited to charts, graphs, photos, maps and the internet.

Other techniques will be examined to determine the best methods of involving all segments of the service area population In the planning process.

Availability of Planning Documents: Hard copies of documents, upon completion, will be available at the Eau Claire Transit Office at 910 Forest Street Eau Claire WI. Electronic versions of the documents will be available on the West Central Wisconsin Regional Planning Commission's website when needed.

<http://wcrpc.org/>

Methods of Addressing Comments: Comments will be documented, presented to decision making bodies, modified in the contents of the document as necessary, and will be included in the appendices of planning products after they are approved and published. Comments received after studies and other planning products are completed and approved will be documented and referenced when amending or updating the planning products in the future.

Responses to Information Requests and Comments: Information can be requested from staff in person and by phone, fax, e-mail, and U.S. mail.

LEP

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Background Information

Individuals with a limited ability to read, write, speak, or understand English are limited English proficient, or “LEP.” According to the 2000 U.S. Census, more than 10 million people reported that they either do not speak English at all, or do not speak English well. The number of persons reporting that they do not speak English at all or do not speak English well grew by 65 percent from 1990 to 2000. Among limited English speakers, Spanish is the language most frequently spoken, followed by Chinese (Cantonese or Mandarin), Vietnamese, and Korean.

Public transit is a key means of achieving mobility for many LEP persons. According to the 2000 Census, more than 11 percent of LEP persons aged 16 years and over reported use of public transit as their primary means of transportation to work, compared with about 4 percent of English speakers. Recent immigrants to the United States (including those persons who may not be limited English proficient) use public transportation at higher rates than native-born adults. Agencies that provide language assistance to persons with limited English proficiency in a competent and effective manner will help ensure that their services are safe, reliable, convenient, and accessible to those persons. These efforts may attract

riders who would otherwise be excluded from participating in the service because of language barriers.

Catering to LEP persons may also help increase and retain ridership among the agency's broader immigrant communities in two important ways: 1) agencies that reach out to recent immigrant populations in order to prepare a language implementation plan send a positive message to these persons that their business is valued; and 2) community outreach designed to identify appropriate language assistance measures can also assist the agency in identifying the transportation needs of immigrant populations.

Legal basis for language assistance requirements

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination. Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. The U.S. DOT requires that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). DOT recommends that recipients use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.

Evaluation

The Four Factor Analysis

Recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors:

(1) The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee;

- (2) The frequency with which LEP individuals come in contact with the program;
- (3) The nature and importance of the program, activity, or service provided by the recipient to people's lives; and
- (4) The resources available to the recipient and costs.

Factor 1: The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population

Eau Claire Transit (ECT) provides public transportation services to the urbanized city of Eau Claire which includes the City of Altoona . Fixed route service is provided by sixteen bus routes in the City of Eau Claire and the City of Altoona paratransit service is provided throughout the entire city of Eau Claire and Altoona (see the attached map outlining the ECT fixed route service). The Cities of Eau Claire and Altoona are categorized as “urbanized area” by the US DOT’s Federal-Aid program. Fixed route service is available weekdays from 5:30 AM to 11:00 PM and 7:30 AM to 6:45PM Saturdays. The ECT does not operate Sunday or offer late evening service.

The following data is provided from the US Census Data, detailing the number and percent of the population that speak English less than “very well”.

Eau Claire city, Wisconsin		
<u>LANGUAGE SPOKEN AT HOME</u>	<u>Number</u>	<u>Percent</u>
Population 5 years and over	63,449	100
English only	59,832	94.5
Language other than English	2743	5.5
Speak English less than 'very well	960	1.5
Spanish	761	1.2
Speak English less than "very well"	323	0.5
Other Indo-European languages	769	1.2
Speak English less than "very well"	254	0.4
Asian and Pacific Island languages	1,853	2.9
Speak English less than "very well"	952	1.5

Factor 2: The Frequency with Which LEP Individuals Come In Contact with ECT Programs, Activities and Services

The total minority percentages in the City of Eau Claire is 5.5%, of that 5.5%, 35% speak English “Less than very well.” The ESL population in City of Eau Claire is 1.5 percent of the total population. The Eau Claire Transit system currently serves an estimated 93% of the entire City of Eau Claire. Eau Claire Transit Statistically has the chance to service about 1.4% of the Population as LEP in the City of Eau Claire, it is hard to determine who’s exactly transit dependent with the LEP population is. The map reflected in the attachments is a map of the minority population in Eau Claire. Eau Claire Transit works with the agencies listed in the public participation plan to determine what segments of the population can use further assistance in using public transit.

Factor 3: The Importance to LEP Persons of ECT Programs, Activity and Services

Most customer service requests are for schedules, route information and for the sale of fare media. Most transit riders are regular users who use only a portion of the bus system for their daily travel, making routine trips with little need for complex information. Thus, information requests for route and schedule information are most likely to be made by infrequent or new passengers. This population could include recent immigrants in non- English speaking households. Therefore it is important to have language resources ready to enable these clients service.

ECT’s website, www.ecbus.org, now contains a language translator. Policies can be obtained and translated for LEP visitors through a few agencies who translate on our behalf.

The agencies Eau Claire Transit uses are:
Eau Claire Area Hmong Mutual Assistance Association, Inc.
 TEL (715) 832-8420
 FAX (715) 832-0612
 423 Wisconsin Street
 Eau Claire, WI 54703

University of Wisconsin- Eau Claire
Office of Multicultural Affairs
 TEL (715) 836-3367
 Toll-Free Phone: 888/895-4903
 FAX (715) 836-3499
 Schofield 225
 Eau Claire, WI 54702-4004

Factor 4: The Resources Available to the Recipient and Costs

ECT is a small urban public transit operator receiving Federal funds for transit operation under Section 5307. It is a sub-recipient of the Governor's Apportionment of State Operating funds. ECT, in further developing this LEP Plan, will explore through the Partnering with the Hmong Mutual Society and UWEC office of Multi-cultural Affairs. To date, both have been integral in helping students and other population groups to navigate the system we currently provide. Because Eau Claire has a small population of LEP persons likely to use transit, we believe the most cost-effective language assistance can be provided through oral interpretation services. It would not be cost effective to engage in translating and publishing route and schedule information into other languages.

Training Staff

As stated above ECT has identified key staff involved in training for communicating with LEP individuals. Two front line customer service staff will start looking in to a Basic Spanish in the Work Place course. UWEC offers English as Second Language (ESL) classes annually and the ECT will determine if additional staff should receive this training.

ECT will obtain and use the video "Breaking Down the Language Barrier: Translating Limited English Proficiency Into Practice", to use at staff and driver training meetings.

Operators and staff with frequent public contact have been provided the Colorado DOT brochure "Basic Spanish for Transit Employees".

Notice of Non-Discrimination

The ECT complies with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964 and other Federal equal opportunity laws and therefore does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission or access to and treatment in ECT programs and activities, as well as in ECT's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding ECT's nondiscrimination policies may be directed to ECT, 203 S. Farwell Street, Eau Claire WI, 54701: Civil Rights Officer.

This notice will be made available in other languages. English

Daim ntawv no yuav muab txhais rau lwm haiv neeg cov lus thiab. Hmong

Este aviso estará disponible en otros idiomas. Spanish

Niniejsze obwieszczenie będą dostępne w innych językach. Polish

Questo avviso sarà resi disponibile in altre lingue. Italian

Este aviso será disponibilizado em outros idiomas. Portuguese

Monitoring and Updating ECT's LEP Plan

ECT will annually review its LEP Plan and seek to determine if changes have occurred in:

- Current LEP populations in the service area or population encountered;
- Frequency of encounters with LEP language groups;
- Available resources and sources of additional resources, and associated costs;
- Staff's knowledge and understanding of the LEP Plan, language assistance resources, and how to serve LEP individuals;
- The identified sources of assistance, to determine their continued involvement in transit related activities.

Information gathered in this annual review will be used to update the LEP Plan, no less than every three years to coincide with ECT's submission of a Title VI Update to regulatory agencies.

Providing Notice to LEP Persons

When LEP services are in place and training completed, ECT will include the availability of language services to LEP persons in all public announcements, on the ECT website, and throughout the transit vehicles and facilities.

Это уведомление будет предоставляться на других языках. Russia

City of Eau Claire

Percent Minority Population and City Bus Routes



Less than 5%



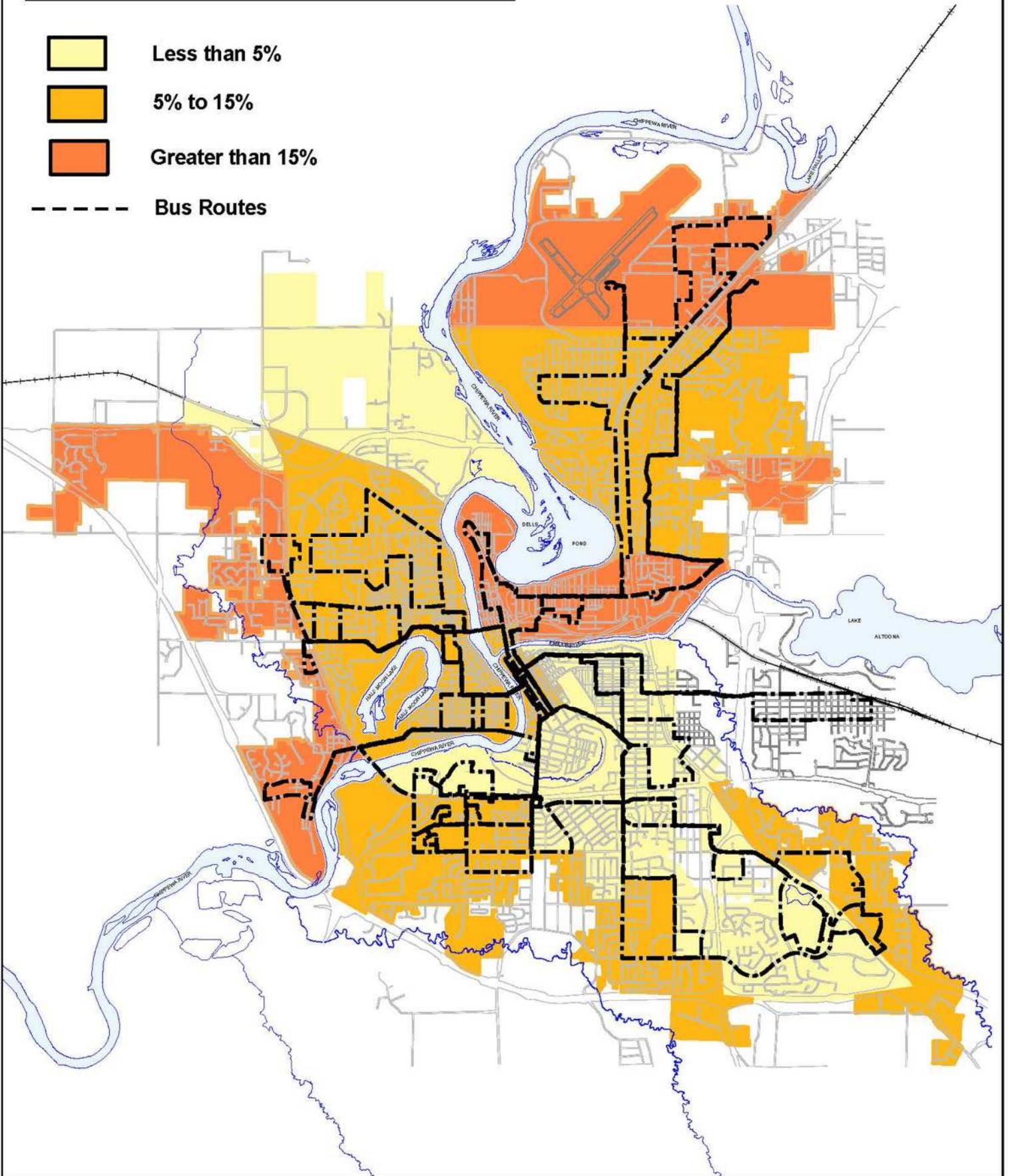
5% to 15%



Greater than 15%



Bus Routes



Membership of non-elected Committees

Minority Representation Table

The table below depicts the **Chippewa-Eau Claire MPO's** Technical Advisory Committee and Council.

Minority Representation - Chippewa-Eau Claire MPO

Population Group	Total Population*		MPO Council		Technical Advisory Committee	
	Number	Percent	Number	Percent	Number	Percent
Total	161,314	100.0%	16	100.0%	22	100.0%
Caucasian, not Hispanic	149,973	93.0%	16	100.0%	20	90.9%
Hispanic	2,681	1.7%	0	0.0%	1	4.5%
African American, not Hispanic	1,825	1.1%	0	0.0%	1	4.5%
Asian American, not Hispanic	4,033	2.5%	0	0.0%	0	0.0%
American Indian and Alaska Native, not Hispanic	627	0.4%	0	0.0%	0	0.0%
Native Hawaiian and Other Pacific, not Hispanic	17	0.0%	0	0.0%	0	0.0%
Some other race alone, not Hispanic	84	0.1%	0	0.0%	0	0.0%
Two or more races, not Hispanic	2,074	1.3%	0	0.0%	0	0.0%

Source: ACS 5-year (2008-2012), Table B03002.

* - includes combined population of Eau Claire and Chippewa counties.

Population Group	Total Population		City of Eau Claire Transit Commission	
	Number	Percent	Number	Percent
Total	67,778	100%	9	100%
Caucasion,	61,949	91.4%	8	88.89%
Hispanic	1,268	1.9%	0	0
African American,	1,211	1.8%	0	0
Asian American,	3,118	4.6%	1	11.11%
American Indian and Alaska Native,	339	0.5%	0	0
Native Hawaiian or other Pacific	29	0.03%	0	0
Some other Race	35	0.05%	0	0
Two or more Races	1,159	1.8%	0	0
Total Minority	7818	7.92%	1	11.11%

Source:U.S. Bureau of Census,STF-1, Table P9, 2010

Eau Claire Transit actively recruits volunteers for the Transit Commission among the spectrum of the population it serves. Eau Claire Transit works with the several agencies listed in this PPP to recruit members and educate them regarding the need for services. Western Dairyland works with several minority groups in the community and through its association with Eau Claire Transit, will direct inquiries of prospective members. A former Eau Claire Transit Commission member is employed by the Eau Claire Area Hmong Mutual Assistance Association and educates clients on the value of getting involved with the Transit Commission. Brochures are located at the transfer center and on all Eau Claire Transit buses that explain the process of becoming a member of the Eau Claire Transit Commission.

Monitoring of Subrecipients

The City of Eau Claire does not currently have any subrecipients. Title VI submissions would be made as required should this change during the time of this program.

Title VI Equity Analysis

The City of Eau Claire has no construction projects using FTA funds in the past three years.

2016 Title VI Program Resolution

WHEREAS, The City of Eau Claire Transit believes that public transit should not discriminate based on Race, color, and national origin in accordance with title VI of the Civil Rights Act.

WHEREAS, The FTA requires board approval for any Title VI program action; and

WHEREAS, Eau Claire Transit Staff has presented all necessary information regarding Title VI and its relation to the City of Eau Claire :

NOW THEREFORE, BE IT RESOLVED:

The Eau Claire Transit Commission approves the 2016 Title VI program presented by Eau Claire Transit Staff, and we as a body reaffirm that Eau Claire Transit does believe that Public transit should be for all citizens of Eau Claire.

Adopted,
March 17, 2016

Motion to adopt the resolution:

Seconded by:



I attest that this resolution was adopted by the Eau Claire Transit Commission on March 17, 2016 as moved and approved by the members listed above.

Signed By

Date: _____
Donna Berry

City of Eau Claire Transit Commission Chair

2016 Title VI Program Resolution

WHEREAS, The City of Eau Claire Transit believes that public transit should not discriminate based on Race, color, and national origin in accordance with title VI of the Civil Rights Act.

WHEREAS, The FTA requires board approval for any Title VI program action; and

WHEREAS, Eau Claire Transit Staff has presented all necessary information regarding Title VI and its relation to the City of Eau Claire :

NOW THEREFORE, BE IT RESOLVED:

The Eau Claire Transit Commission approves the 2016 Title VI program presented by Eau Claire Transit Staff, and we as a body reaffirm that Eau Claire Transit does believe that Public transit should be for all citizens of Eau Claire.

Adopted,

March 16, 2016

Motion to adopt the resolution: Brenden Pratt

Seconded by: Jackie Pawelski

I attest that this resolution was adopted by the Eau Claire Transit Commission on March 16, 2016 as moved and approved by the members listed above.

Signed By Donna Berry

Date: 3/16/2016

Donna Berry
City of Eau Claire Transit Commission Chair



EAU CLAIRE TRANSIT

910 Forest Street
 Eau Claire, WI 54703
 (715) 839-5111
 (715) 839-1693 FAX

Service Standards

Vehicle load for each mode

<u>Average Passenger Capacities</u>				
Vehicle Type	Seated	Standing	Total	Maximum Load Factor
29' Low Floor	30	25	55	1.8
35' Low Floor	35	22	57	1.6
40' Low Floor	40	20	60	1.5

Vehicle headways for each mode:

POLICY HEADWAYS AND PERIODS OF OPERATION

Service operates a “Hub and Spoke” system with average headways being an hour at a time from early morning to early evening. We have a few routes that offer headways of :30 minutes beginning early in the morning and ending late in the evening. Our University routes offer headways of: 25 minutes and :15 minutes from September-November and from April- June, and from November- April the headways are :20 minutes and :10 Minutes. Our routes operate from 5:45 A.M. till 10:45 P.M. Monday through Friday and on Saturdays from 8:00 A.M. – 6:00 P.M. our headways for Saturday are still an hour and the university being: 30 Minutes.

Scheduling involves the consideration of a number of factors including: ridership productivity, transit/pedestrian friendly streets, density of transit-dependent population and activities, relationship to the *Regional Transportation Plan*, relationship to major transportation developments, land use connectivity, and transportation demand management

On-time performance for each mode:

A vehicle is considered on time if it departs a scheduled time point no more than 1 minute early and no more than 5 minutes late. The City of Eau Claire's on-time performance objective is 90% or greater. The City of Eau Claire's continuously monitors on-time performance and system results are published and posted as part of monthly performance reports covering all aspects of operations.

Service availability for each mode

Expressed in writing

The Eau Claire will distribute transit service so that 91% of all residents in the service area are within a $\frac{1}{4}$ mile walk of bus service. Local bus stops will be not more than 3 blocks apart. Express bus stops will be one-half to three quarters of a mile apart.



Eau Claire Transit Commission ***VEHICLE ASSIGNMENT POLICY*** & ***TRANSIT AMENITIES POLICY***

DATE POLICES ADOPTED: April 24, 2013

VEHICLE ASSIGNMENT POLICY

Our Fixed Route Buses will be assigned on a rotating basis; Eau Claire Transit operates 100% handicapped accessible vehicles. Our University Routes are heavily traveled so they require 40' buses to operate on those routes effectively. Furthermore we have certain peak times when our mall runs require 40' buses to accommodate the amount of traffic. On a regular basis our buses are rotated to achieve the maximum amount of efficiency for the wellbeing of the bus. When a bus reaches the 12 year mark that bus will be used more sparingly, to prolong its useful life.

TRANSIT AMENITIES POLICY

Installation of Transit amenities like: signs, shelters, other "non" bus items, the installation of these items will be based solely on the number of passengers boarding along these routes.

**THIS POLICY IS SUBJECT TO CHANGE AND/OR TERMINATION BY
AUTHORITY OF THE EAU CLAIRE TRANSIT COMMISSION.**

Department of Workforce Development
Equal Rights Division
P.O. Box 8928
Madison, WI 53708-8928
Telephone: (608) 266-6860
Fax: (608) 267-4592
TTY: (608) 264-8752



Department of Workforce Development
Scott Walker, Governor
Reginald J. Newson, Secretary

January 14, 2016

NOTICE OF COMPLAINT
Public Accommodations or Amusements

MICHAEL YOUNG
P O BOX 131
EAU CLAIRE WI 54703-0131
Complainant

vs.

CITY OF EAU CLAIRE
EAU CLAIRE TRANSIT
910 FOREST ST
P O BOX 5148
EAU CLAIRE WI 54703-5148

Respondent(A)

DAVE
CITY OF EAU CLAIRE
EAU CLAIRE TRANSIT
910 FOREST ST
P O BOX 5148
EAU CLAIRE WI 54703-5148

Respondent(B)

ERD Case No. CR201503667

TO THE RESPONDENT:

Enclosed is a copy of a complaint filed with this Department alleging a violation of the Wisconsin Public Accommodation or Amusement Law, sec. 106.54, Stats.

The Department of Workforce Development is authorized by statute to investigate this complaint. To begin the investigation, we request that you provide a written response within 10 calendar days of the date of this letter. This is your opportunity to present the facts that you believe should be considered, as well as to raise any objections you have regarding jurisdiction or the timeliness of the complaint. Include all information that documents your position. Failure to provide your position statement within 10 calendar days of the date of this letter may be taken to indicate that you do not dispute the allegations in the complaint. Please send a copy of all correspondence to the Complainant and to the Complainant's attorney, if known.

If you are interested in discussing early resolution of this dispute, please notify me as soon as possible and I will refer this case to an Administrative Law Judge/Mediator. An early resolution of this case will result in a substantial savings of the time and expense typically involved in the investigation and hearing process. If you choose mediation, you are not required to file a written response to the complaint at this time.

TO THE COMPLAINANT:

I will contact you if the Respondent expresses an interest in mediation. If that does not occur, I will investigate the issues raised in the complaint. I will contact you as soon as possible after the 10-day deadline with specific questions regarding your complaint. Thank you for your patience.

The Department of Workforce Development does not discriminate on the basis of disability in the provision of services or in employment. If you need this printed material interpreted or in a different form, or if you need assistance in using this service, please contact us.

RECEIVED

JAN 19 2016

**CITY ATTORNEY'S OFFICE
EAU CLAIRE, WI**

Please direct all correspondence or inquiries regarding this matter to:

Kirsten Nichols, Equal Rights Officer
Equal Rights - Madison
201 E WASHINGTON AV ROOM A100
P O BOX 8928
MADISON WI 53708-8928
Telephone: (608) 267-5072
Fax: (608) 267-4592
kirsten.nichols@dwd.wisconsin.gov

Sincerely,
Civil Rights Bureau

State of Wisconsin
Department of workforce Development
Equal Rights Division

Discrimination Complaint Public Accommodation or Amusement

To be completed
by ERD.

ERD Case #

CR 201503667

For Office Use

Important!! Please Read All Of The Instructions On Page 3 Before Starting. Type Or Print In Black Ink.

Personal information you provide may be used for secondary purposes. [Privacy Law, s. 15.04(1)(m) Wisconsin Statutes]

1. Complainant Information

Last Name	First Name	Initial
Young	Michael	
Street Address		
Post office Box 131		
City	State	Zip Code
Eau Claire	Wis	54702
Home Telephone Number		
(715) 833-8668		
Work Telephone Number		
()		

2. Respondent Information

Respondent name		
Dave Eau Claire city transit		
Street Address		
910 Forest Street		
City	State	Zip Code
Eau Claire	Wis	54702
Respondent Telephone Number		
(715) 839-5112		

3. Your complaint may be filed with another agency unless you check "no" below.

- Yes See #3, in the instructions page, for more details.
- No

4. County in which the discrimination occurred?

Name of County: Eau Claire

5. BASIS: You must list a basis for your complaint. (For example: "sex-female", "race-African American", "disability-visual impairment", "and sexual orientation-homosexual". (See page three for complete listing of bases).

What is the basis for your complaint? African American

Please go on to the next page

6. STATEMENT: What did the respondent do? List each action you believe was discriminatory. (For example: I was denied access or service, charged a higher than regular rate, etc.) Then, say why you believe you were treated differently because of the basis you listed above.

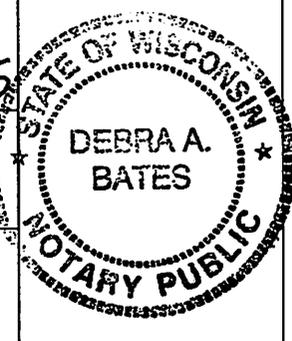
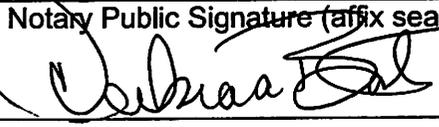
ON May 2th 2015 a white city of Eau Claire Wisconsin bus driver name Dave who saw me coming to get on the bus drove the off and closed the bus driver door to stop me from getting on the bus, I Block from the city bus station a red came on and Dave stoped the bus and stop at the red light that time thus I ran to the bus and knocked on the bus door and I asked Dave to let me on the bus, he got very mad at me and he hollared NO WAY I Will let you get on this bus, the red light turned to green, thus Dave took off very fast and very mad, he look to be very hot, When Dave got back to the city bus transit, he was very mad very hot and sweating alot. Dave told me to go and file a law suite against him, he said you can't win several times. I said that's true

A man at the bus station said Dave wanted a woman who had rejected him and that Dave was mad

7. DATES: (month/day/year)

When did the above action(s) first happen? May 2th 2015	On what date did it last happen? May 2th 2015
--	--

8. By my signature below, I acknowledge that I have read the complaint; that to the best of my knowledge, information and belief, the complaint is true and correct, and that the complaint is not being used for any improper purpose, such as to harass the party against whom the complaint is filed.

Signature of Complainant or Authorized Representative Michael Young M.Y.	Date Signed (month, day, year) December 26th 2015	
Sworn To Before Me On (month, day, year) 12/26/2015	My Commission Expires (month, day, year) 2/12/2017	
Notary Public Signature (affix seal) 		

If a woman had rejected Dave as that white said, this dont give Dave the right to take it out on² me ok. When woman reject you, just go and Jack off.

DATED AND MAILED JUN 08 2016

Michael Young
P.O. Box 131
Eau Claire, WI 54703
Complainant

vs.

INITIAL DETERMINATION -
NO PROBABLE CAUSE

ERD Case No. CR201503667

David Dunn
Eau Claire Transit
910 Forest St.
Eau Claire, WI 54703
Respondent A

City of Eau Claire
Eau Claire Transit
910 Forest St.
Eau Claire, WI 54703
Respondent B

I. THE DIVISION DECIDED:

There is no probable cause to believe David Dunn and City of Eau Claire violated the Wisconsin Public Accommodations and Amusements Law, sec. 106.52, Stats., by:

- A. denying the full and equal enjoyment of a public place of accommodation or amusement because of race.

The complaint is therefore dismissed.

II. THIS MEANS:

No reason was found to believe a formal hearing should be held on the complaint and the Equal Rights Division is dismissing the complaint.

III. THE NEXT STEP IS:

The dismissal will become final unless written appeal is received by the Equal Rights Division, P.O. Box 8928, Madison, Wisconsin 53708, within 20 days of the date this determination was mailed. (The DATE OF MAILING is stamped at the top of the Initial Determination.)

If a timely appeal is filed, this case will be certified to the Hearing Section for a hearing on the issue of probable cause. If no timely appeal is received, the Department will close this case without further action.

IV. THE DIVISION DECIDED THERE WAS NO PROBABLE CAUSE BECAUSE:

- A. Respondent A, David Dunn (Dunn), is a public bus driver employed by Respondent B, the City of Eau Claire (City), in its transit department. Respondent B is a municipality located in Eau Claire, Wisconsin. The Respondents are subject to the Wisconsin Public Accommodations and Amusements Law.
- B. The Complainant, Michael Young (Young), attempted to board a City bus operated by Dunn on May 2, 2015.
- C. Young alleged that the Respondents denied him full and equal enjoyment of the bus due to his race. Young identified his race as African American.
- D. According to Young, on May 2, 2015, he attempted to board a City bus being driven by Dunn, whose race is white. When Dunn saw Young coming, he closed the door to stop him from getting on the bus. Young chased the bus for a short time and knocked on the door when the bus was stopped at a red light. Dunn became mad, told Young, "No way will I let you on this bus," and sped away at a green light. When Dunn returned to the transit station, Young was waiting for him. Dunn was "very mad very hot and sweating alot," and told Young to file a complaint.
- E. Young told the Division: "I have seen white people get on the bus several different times when the bus left them."
- F. According to the Respondents, at no time on May 2, 2015 did Dunn see Young running after or attempting to hail the bus. Dunn stopped the bus at a red light at Farwell Street and Main Street. Just as the light turned green and Dunn was accelerating into the intersection, Young banged on the door of the bus. Pursuant to City policy of not picking up passengers at unsafe locations such as an intersection, Dunn did not allow Young to board the bus in the intersection (The Respondents provided this policy to the Division).
- G. The Respondents also stated that Young was at the transit station when Dunn arrived, and became belligerent with Dunn until Dunn walked away. Young filed a complaint with City transit employee Megan Bresina on or about May 7, 2015 (The Respondents provided this complaint to the Division), accusing Dunn of a variety of anger and attitude issues, but not alleging that race was a factor in Dunn's refusal to let him on the bus. Supervisor Ange Norgaard (Norgaard) reviewed the complaint. Norgaard viewed video of the incident and determined that Dunn had acted correctly by not allowing Young to board at an unsafe location. Norgaard coached Dunn on verbiage he could have used in speaking to Young in a heated situation.
- H. The Respondents stated that Young was not denied full and equal enjoyment of a place of accommodation due to his race.

V. INVESTIGATOR'S EXPLANATION:

- A. There is no probable cause to believe that the Respondents discriminated against the Complainant because of race. There is no evidence, other than the difference in race between Young and Dunn, that race played any factor in the interaction between them. The Respondents provided evidence supporting a legitimate and nondiscriminatory reason for refusing to let Young board the bus, namely that he was attempting to do so in an intersection which made boarding unsafe. Young provided no reason to believe that he was treated differently from anyone else

whose would have tried to board a bus in an intersection. It appears that Young was not denied full and equal enjoyment of a place of accommodation due to his race. Thus, there is no probable cause to believe the Respondents violated the Wisconsin Public Accommodations and Amusements Law.

Kirsten L. Nichols
Equal Rights Officer

cc: Complainant
Respondent
Victoria L. Seltun, Attorney for the Respondents