

COMPLAINT PROCEDURE

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, or under Executive Order 12898 on Environmental Justice, or under any related statutes and regulations, relating to any program or activity administered by the Kitsap County Department of Public Works or its sub-recipients, consultants, and/or contractors. The Kitsap County Department of Public Works is responsible for ensuring that all Title VI discrimination complaints occurring within the Federal-aid transportation program or its activities are investigated. If a complaint is against the Department of Public Works, the Washington State Department of Transportation (WSDOT) Office of Equal Opportunity (OEO) will investigate the complaint. Intimidation or retaliation of any kind is prohibited by law.

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. Every effort is made to resolve complaints informally at Kitsap County's Department of Public Works Road Division and subrecipient level. The option of informal mediation meetings between the affected parties and a designated mediator may be utilized for resolution.

INSTRUCTIONS TO CLAIMANTS:

Please submit your complaint within 180 calendar days of the alleged occurrence or from when the alleged discrimination became known to you.

Please use the Kitsap County Department of Public Works Title VI [Complaint Form](#) and submit it to:

Kitsap County
Department of Public Works
Attention: Title VI Coordinator
614 Division Street MS-26
Port Orchard, WA 98366

Form available via Public Works Title VI
website:
<https://www.kitsapgov.com/pw/Pages/Title-VI.aspx>
OR
Call 360-337-5777
OR
Via E-Mail kitsap1@co.kitsap.wa.us

PROCESSING OF COMPLAINTS:

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by nondiscrimination requirements may file a written complaint with Kitsap County's Human Resources, Public Works, or Board of County Commissioners. A formal complaint must be filed within 180 calendar days of the alleged occurrence. Kitsap County's Department of Public

Works Road Division will not officially act or respond to complaints made verbally.

2. Upon receiving the written complaint, Kitsap County's Department of Public Works Road Division determines its jurisdiction, acceptability, need for additional information, and the investigative merit of the complaint. In some situations, Kitsap County's Department of Public Works Road Division may request the WSDOT Office of Equal Opportunity (OEO) conduct the investigation. In the event WSDOT handles the investigation, they will follow their adopted procedures for investigating discrimination complaints, per their current State Title VI Plan.
3. If the complaint is against a subrecipient, consultant, or contractor, under contract with Kitsap County's Department of Public Works Road Division, the appropriate division and/or agency shall be notified of the complaint, within 15 calendar days.
4. Once Kitsap County's Department of Public Works Road Division decides its course of action, the complainant and the respondent will be notified in writing of such determination within five calendar days. The complaint will be logged into the records of the Title VI Coordinator, and the basis for the allegation identified including race, color, national origin, handicap/disability, age, or sex.
5. In cases where Kitsap County's Department of Public Works Road Division assumes investigation of the complaint, Kitsap County's Department of Public Works Road Division provides the respondent with the opportunity to respond to the allegations in writing. The respondent has ten calendar days upon receipt, to furnish Kitsap County's Department of Public Works Road Division with his/her response to the allegations.
6. Within 60 days of receipt of the complaint, the Coordinator or WSDOT investigator will prepare a written investigative report for Kitsap County's Department of Public Works Road Division's Engineer and Public Works Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition.
7. The recommendation shall be reviewed by the Prosecuting Attorney's office (PA). The PA discusses the report and recommendations with the Coordinator and other appropriate departmental staff. The report is modified as needed and made final for its release to the parties.
8. Once the investigative report becomes final, briefings are scheduled with each party within 15 days. Both the complainant and the respondent shall receive a

copy of the investigative report during the briefings and are notified of their respective appeal rights.

9. A copy of the complaint and Kitsap County's Department of Public Works Road Division's investigative report is issued to WSDOT's External Civil Rights Branch (or the appropriate oversight agency) within 60 calendar days of the receipt of the complaint.
10. If the complainant or respondent is not satisfied with the results of the investigation of the alleged discriminatory practice(s) he or she shall be advised of their rights to appeal Kitsap County's Department of Public Works Road Division's decision to WSDOT, U.S. Department of Transportation (USDOT) or U.S. Department of Justice. The complainant has 180 calendar days after the appropriate agency's final resolution to appeal to USDOT. Unless new facts not previously considered come to light, reconsideration of the final determination by the investigating agency will not be available.
11. An annual Log of Complaints must be maintained by Kitsap County's Department of Public Works Road Division. The Log of Complaints must contain the following information for each complaint filed:
 - The name and address of the person filing the complaint.
 - The date of the complaint.
 - The basis of the complaint.
 - The disposition of the complaint.
 - The status of the complaint.

Only qualified, well-trained investigators should conduct these investigations. No agency is allowed to investigate a complaint against itself.