

## Section 5307 & 5339 Vendor Expectations – Civil Rights

The following is an *abbreviated* list of expectations for Section 5307 & 5339 vendors. All compliance requirements, including civil rights, are outlined in IndyGo's Section 5307 Vendor Oversight Checklist.

**Best practices** represent the highest standard in compliance. IndyGo encourages subrecipients to employ these practices to ensure a strong and effective program that maximizes the benefit to the public. Best practices do not modify or add to the regulatory requirements. Implementing best practices helps demonstrate compliance. **All best practice items are labeled as such.**

### Title VI

- **Designate a Title VI Coordinator** with whom complaints can be filed.
  - Coordinator's contact information to be shared with the public includes title, email, and direct telephone number.
  - This individual may or may not be the same staff member(s) tasked with ADA or EEO compliance responsibilities.
- **Create a Title VI Notice to the Public, a Complaint Procedure, and a Complaint Form** that each include:
  - Statement indicating compliance with Title VI
  - Statement informing members of the public of the protections against discrimination based on race, color, or national origin afforded to them by FTA's Title VI regulation
  - Designated Title VI Coordinator and their direct contact information
  - Acknowledgement of both IndyGo & FTA as potential complaint receivers
  - **Best Practice – Include a statement regarding language access resource(s) for LEP populations**
- **Post Title VI Notice, Complaint Procedure, & Complaint Form** both in the office/facility and online in an easily accessible location.
  - Title VI Notice must be physically posted in all transit vehicles.
  - Any copies of the above forms translated into languages other than English must also be posted in the same locations.
- **Create and maintain a list** of any Title VI investigations, complaints, or lawsuits filed with the agency.
  - Records must be retained for a minimum of three years after project completion.
- **Best Practice - Perform a Safe Harbor Threshold assessment** to determine whether the service area population includes a significant number or proportion of persons with Limited English Proficiency (LEP).
  - The Safe Harbor Threshold stipulates that a significant number or proportion consists of LEP language groups of over 1000 persons or over 5% of the population served (whichever is less).
- **Best Practice - Translate all vital documents** into languages that meet the Safe Harbor Threshold, as identified by an assessment of the agency service area population.
  - Vital documents are those considered necessary to have access to your agency's programs and services.
  - This includes, but is not limited to all public notices, complaint forms, & rider guides.
- **Best Practice - Implement an instant translation tool** on your organization's website.

- **Best Practice –Provide interpreter and translations services at no cost** for persons with Limited English Proficiency (LEP).
- **Inform IndyGo** of planned and/or recent Title VI staff trainings.
  - This includes, but is not limited to, refresher trainings.

## Americans with Disabilities Act (ADA)

- **Designate the responsibility of ADA compliance** with a staff member.
  - This individual may or may not be the same staff member(s) tasked with Title VI or EEO compliance responsibilities.
- **Create written policies** regarding transportation of mobility devices, service animals, personal care attendants (PCAs), and portable oxygen.
- **Create an ADA Notice to the Public, a Complaint Procedure, and a Complaint Form** that each include:
  - Statement indicating compliance with the ADA
  - Statement informing members of the public of the protections against discrimination based on disability afforded to them by the FTA's Title VI regulation
  - **Best Practice – Include a statement regarding language access resource(s) for LEP populations**
- **Post ADA Notice, Complaint Procedure, and Complaint Form** both in the office/facility and online in an easily accessible location.
  - Any copies of the above forms translated into languages other than English must also be posted in the same locations.
- **Create and maintain a list** of any ADA investigations, complaints, or lawsuits filed with the agency.
  - Detailed records must be retained for a minimum of one year, while summary records must be retained for a minimum of five years.
- **Inform IndyGo** of planned and/or recent ADA staff trainings.
  - This includes, but is not limited to, refresher trainings.

## Equal Employment Opportunity (EEO)

- **Designate the responsibility of EEO compliance** with a staff member.
  - Individual's contact information to be shared with the public includes title, email, and direct telephone number.
  - This individual may or may not be the same staff member(s) tasked with Title VI or ADA compliance responsibilities.
- **Create an EEO Notice to the Public** that includes:
  - Statement indicating compliance with EEO
  - Statement informing members of the public of the protections against workplace discrimination afforded to them by the FTA's EEO regulation
  - Instructions to the public on how to file a discrimination complaint
  - Designated EEO compliance staff member and their direct contact information
- **Post EEO Notice** both in the office/facility and online in an easily accessible location.
  - Any copies of the above form translated into languages other than English must also be posted in the same locations.

- **Create and maintain a list** of any EEO investigations, complaints, or lawsuits filed with the agency.
  - Records must be retained for a minimum of three years after project completion.
- **Determine whether your agency meets either of the threshold requirements** for an EEO Program.
  - If your agency meets the following threshold requirements, **a full EEO Program is required**:
    - Employs 100 or more transit-related employees, **and**
    - Requests or receives capital or operating assistance in excess of \$1 million in the previous Federal fiscal year, **and/or** requests or receives planning assistance in excess of \$250,000 in the previous Federal fiscal year.
  - If your agency meets the following threshold requirements, **an abbreviated EEO Program is required**:
    - Employs between 50-99 transit-related employees, **and**
    - Requests or receives capital or operating assistance in excess of \$1 million in the previous Federal fiscal year, **and/or** requests or receives planning assistance in excess of \$250,000 in the previous Federal fiscal year.
- **If the threshold is met, create and maintain a full EEO Program** that includes:
  - Statement of Policy
  - Dissemination Plan
  - Designation of Personnel Responsibility
  - Utilization Analysis
  - Goals and Timetables
  - Assessment of Employment Practices
  - Monitoring and Reporting Plan
- **If the threshold is met, create and maintain an abbreviated EEO Program** that includes:
  - Statement of Policy
  - Dissemination Plan
  - Designation of Personnel Responsibility
  - Assessment of Employment Practices
  - Monitoring & Reporting Plan

## **Disadvantaged Business Enterprise (DBE)**

- **Create and maintain a bidder's list**, consisting of all firms bidding on prime contracts and bidding or quoting on subcontracts or DOT-assisted contracts. For every firm, include the following information:
  - Firm name
  - Firm address
  - First status as a DBE or non-DBE
  - Age of the firm
  - Annual gross receipts of the firm