



U.S. Department
of Transportation
**Federal Highway
Administration**

Memorandum

Subject: **ACTION:** Title VI Complaint against
The Arizona Department of
Transportation

March 4, 2020

From: Karla S. Petty
Division Administrator
Phoenix, AZ

**KARLA
SNYDER PETTY**

Digitally signed by
KARLA SNYDER PETTY
Date: 2020.03.03
17:55:41 -07'00'

In Reply Refer To:
HDA-AZ
CIVL 15

To: Irene Rico, Associate Administer
Federal Highway Administration
Office of Civil Rights
Washington, D.C 20590

Per FHWA's guidance, *Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964*, all complaints filed under the Title VI of the Civil Rights Act of 1964 are to be routed through the Division Office to the FHWA Office of Civil Rights (HCR) for processing. With this memo, the Arizona Division Office is routing a Title VI complaint to HCR. It is our understanding that HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against State DOTs.

The Arizona Division Office was informed by the Arizona Department of Transportation (ADOT) Civil Rights Office (CRO) of this Title VI complaint on January 22, 2020 (see attachment). The Title VI complaint is against ADOT and is being filed by an individual named (b) (6). A letter dated February 7, 2020 written and signed by (b) (6) contains the requested information listed in Question 2d of the aforementioned guidance. (b) (6) letter, as well as other documentation associated with the complaint, has been sent with this memo to the following email address: CivilRights.FHWA@dot.gov.

It is our understanding that HCR will notify the Complainant, Division Office, and State DOT once a determination is made. The Arizona Division Office respectfully requests receipt notification of this complaint. We are also asking for an estimated timeframe of when HCR expects to make a final determination regarding this Title VI complaint.

The Arizona Division Office's point-of-contact is Tremaine Wilson, Civil Rights/Realty Specialist, and he can be reached by phone at (602) 382-8970 or by email at tremaine.wilson@dot.gov. Thank you and we look forward to hearing back from HCR soon regarding this matter.

Attachments:

- ADOT CRO letter to (b) (6) dated January 22, 2020
- (b) (6) letter to the Arizona Division Office dated February 7, 2020

ecc:

NMcWhorter (FHWA)

ELacayo (FHWA)

AHansen (FHWA)

TWilson (FHWA)



In Reply Refer to: HCR-20
DOT# 2020-0118

(b) (6)

Miami, Arizona 85539

Subject: Acknowledgment of Complaint #2020-0118

Dear (b) (6),

This letter acknowledges the Federal Highway Administration (FHWA) Office of Civil Rights received your complaint against the Arizona Department of Transportation (ADOT), which alleged that ADOT violated Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations, including Title VI regulations administered by the United States Department of Transportation (49 C.F.R. Part 21) and the Federal Highway Administration (23 C.F.R. Part 200). Your complaint was received by this office by email on March 5, 2020.

This complaint has been assigned to Erik Lacayo, FHWA Title VI Analyst – Office of Civil Rights. Mr. Lacayo will keep you informed regarding the status of your complaint. You may contact him at 202-913-3926 or via e-mail at erik.lacayo@dot.gov.

Please be advised that no one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because he or she has either taken action or participated in an action to secure rights protected by the civil rights requirements that we enforce. Any individual alleging such harassment or intimidation may file a complaint with the FHWA. Any questions or concerns that you have regarding the complaint process and your rights can be discussed with Mr. Lacayo.

Sincerely,

Nichole McWhorter

Nichole McWhorter
Title VI Team Leader
Office of Civil Rights

cc: Karla Petty, Division Administrator, FHWA Arizona Division Office
Anthony Sarhan, Assistant Division Administrator, FHWA Arizona Division Office
Tremaine Wilson, Civil Rights Specialist, FHWA Arizona Division Office
Jim Esselman, Senior Attorney-Advisor, FHWA Office of Chief Counsel
Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division,
Departmental Office of Civil Rights
Kevin Resler, National Title VI Program Coordinator, FHWA Office of Civil Rights



In Reply Refer to: HCR-20
DOT# 2020-0018

May 7, 2020

(b) (6)

Miami, Arizona 85539

Subject: Dismissal of Complaint DOT# 2020-0018

Dear (b) (6),

This letter is to inform you that the Federal Highway Administration (FHWA) Office of Civil Rights has determined that it will dismiss the above complaint, which alleges violations that may be related to Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation (USDOT) Title VI implementation regulations at 49 C.F.R. Part 21 and/or FHWA's Title VI regulations at 23 C.F.R. Part 200 (hereinafter Title VI). Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance.

To be accepted for investigation, a complaint must meet the jurisdictional requirements provided by 49 C.F.R. § 21.11. First, complaints must be filed within 180 calendar days of the alleged discriminatory act, unless the time for filing is extended by FHWA. Second, the matters must concern recipients of federal financial assistance for a program or programs authorized under a law administered by FHWA. Finally, the complaint must describe an alleged discriminatory act or acts that, if true, would fall under FHWA's jurisdiction and potentially violate FHWA's Title VI regulations.

You allege that Arizona Department of Transportation (ADOT) inspectors discriminated against you by finding that your company's concrete work did not meet ADOT specifications. You further allege that ADOT inspectors let two Caucasian-owned firms "slide" on similar work within the area of Globe, Arizona.

After careful consideration, FHWA has determined the allegations and facts in your complaint do not meet the minimum criteria under which FHWA could establish a case of disparate treatment or disparate impact under Title VI. The available information is insufficient to show contemporaneous statements from decision makers that express discriminatory intent based on race, color, or national origin. The available information is also insufficient to show how ADOT's enforcement of its specifications constitute a disparate impact based on race, color, national origin. For these reasons, the complaint will be dismissed by FHWA and closed with no further action.

If you have any questions, please contact Nichole McWhorter at (202) 366-1396.

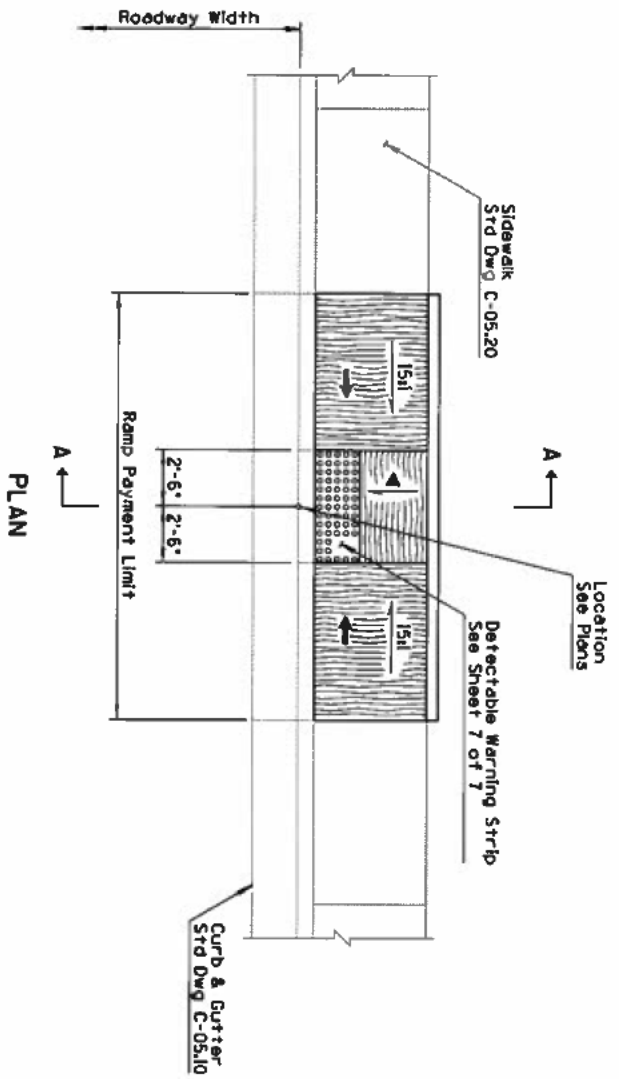
Sincerely,

Nichole McWhorter

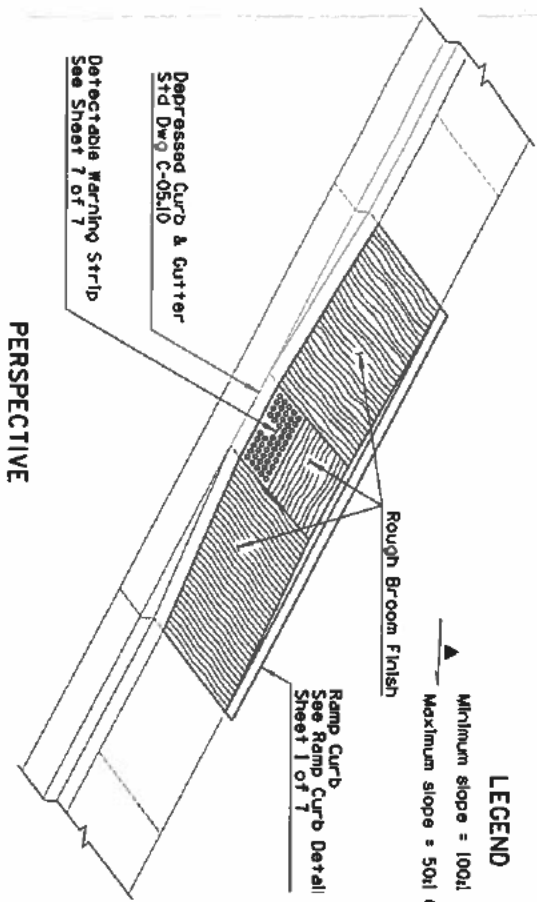
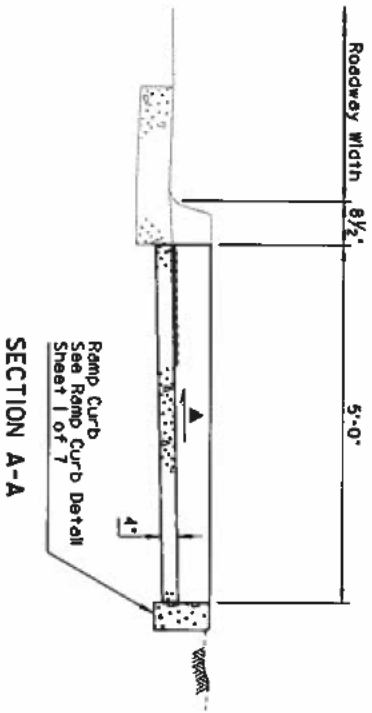
Nichole McWhorter
Title VI Team Leader
Office of Civil Rights

cc: Karla Petty, Division Administrator, FHWA Arizona Division Office
Anthony Sarhan, Assistant Division Administrator, FHWA Arizona Division Office
Tremaine Wilson, Civil Rights Specialist, FHWA Arizona Division Office
Jim Esselman, Senior Attorney-Advisor, FHWA Office of Chief Counsel
Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division,
Departmental Office of Civil Rights
Kevin Resler, National Title VI Program Coordinator, FHWA Office of Civil Rights

NO.	DESCRIPTION OF REVISIONS	DATE	MADE BY
1	ISSUED STD DWG	4/06	RLJ
2			
3			
4			



ELEVATION
DEPRESSED CURB AT SIDEWALK RAMP



PERSPECTIVE

- GENERAL NOTES**
1. For use at mid-block locations.
 2. Ramp centerline shall be perpendicular to the face of the curb at the Sidewalk Ramp Control Point.
 3. The 15:1 ramp slope shown is the steepest slope allowed for a ramp 10 ft long or less. Where the 15:1 slope would require the ramp to extend longer than 10 feet, the ramp may be limited to a 10 ft length with slope steeper than 15:1. Ramp length is measured along the back of the sidewalk.
 4. For sidewalk widths greater than shown on C-05.20, the overall Sidewalk Ramp depth shall match the sidewalk width.
 5. Ramp curb height to match elevation at back of adjacent sidewalk.
 6. Drainage inlets should not be located within the marked crosswalks, or if crosswalks aren't marked, within the area a standard marked crosswalk would enclose.
 7. Concrete shall receive a rough broom finish as shown.
 8. See Std Dwgs C-05.10 and C-05.20 for joint details.
 9. When installing brick detectable warning strips, the contractor shall take measures to avoid damaging the truncated domes. Bricks with damaged domes shall be replaced by the contractor at no additional cost.

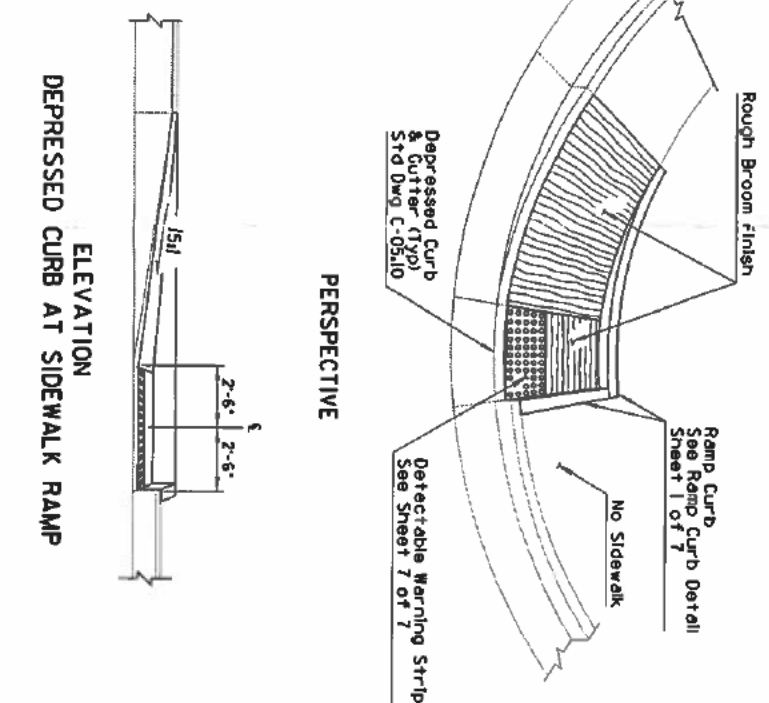
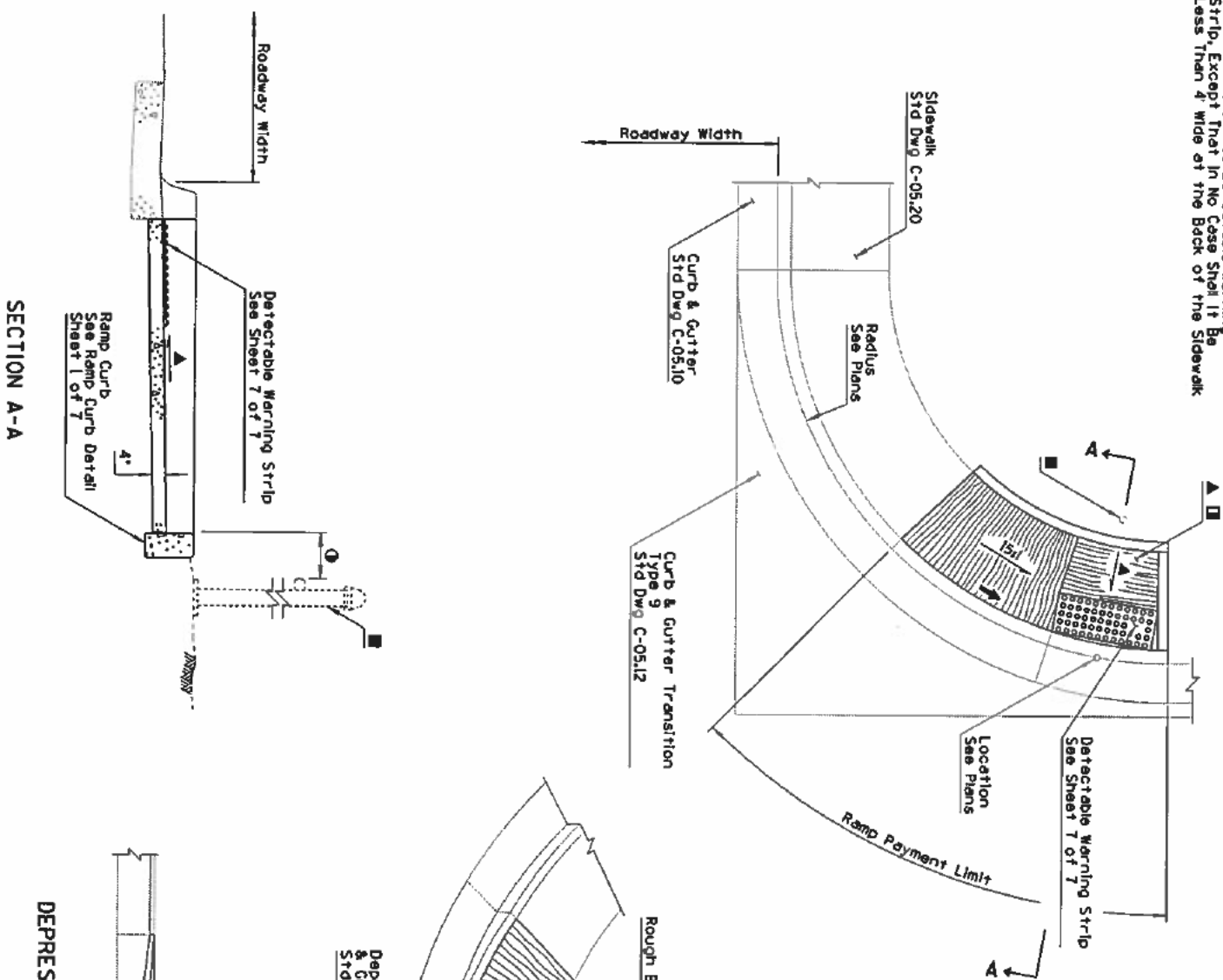
LEGEND

▲ Minimum slope = 100:1 (0.01 %/ft)
 ▲ Maximum slope = 50:1 (0.02 %/ft)

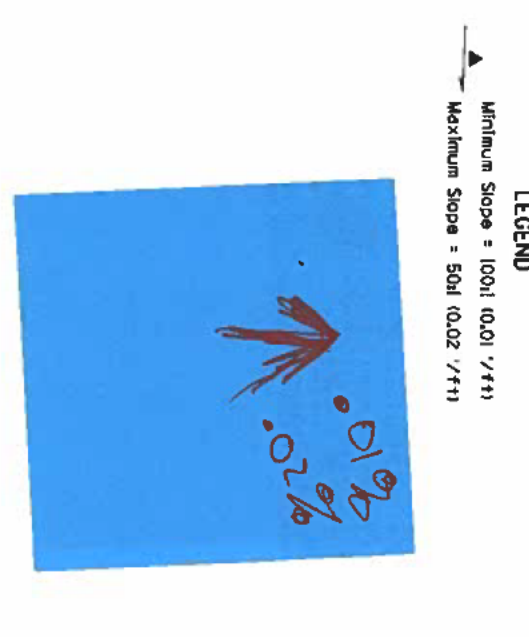
APPROVED FOR DESIGN CHERYL WAGONER	STATE OF ARIZONA DEPARTMENT OF TRANSPORTATION ROADWAY STANDARD DRAWINGS	DATE 4/06
APPROVED FOR DISTRIBUTION [Signature]	SIDEWALK RAMP TYPE E	DRAWING NO. C-05.30 SHEET 5 OF 7

NO.	DESCRIPTION OF REVISIONS	MADE BY	DATE
1	ISSUED STD DWG	RLT	4/06
2			
3			
4			

■ Ramp Shall Be Laid Out Radially from the Back of the 5' Wide Detectable Warning Strip. Except That in No Case Shall It Be Less Than 4' Wide at the Back of the Sidewalk



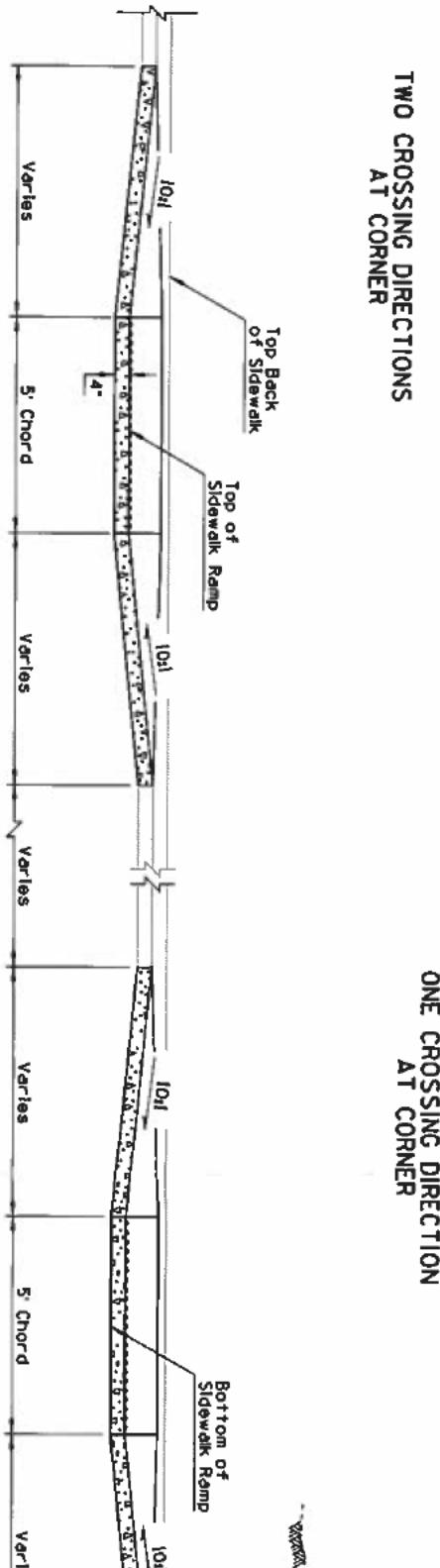
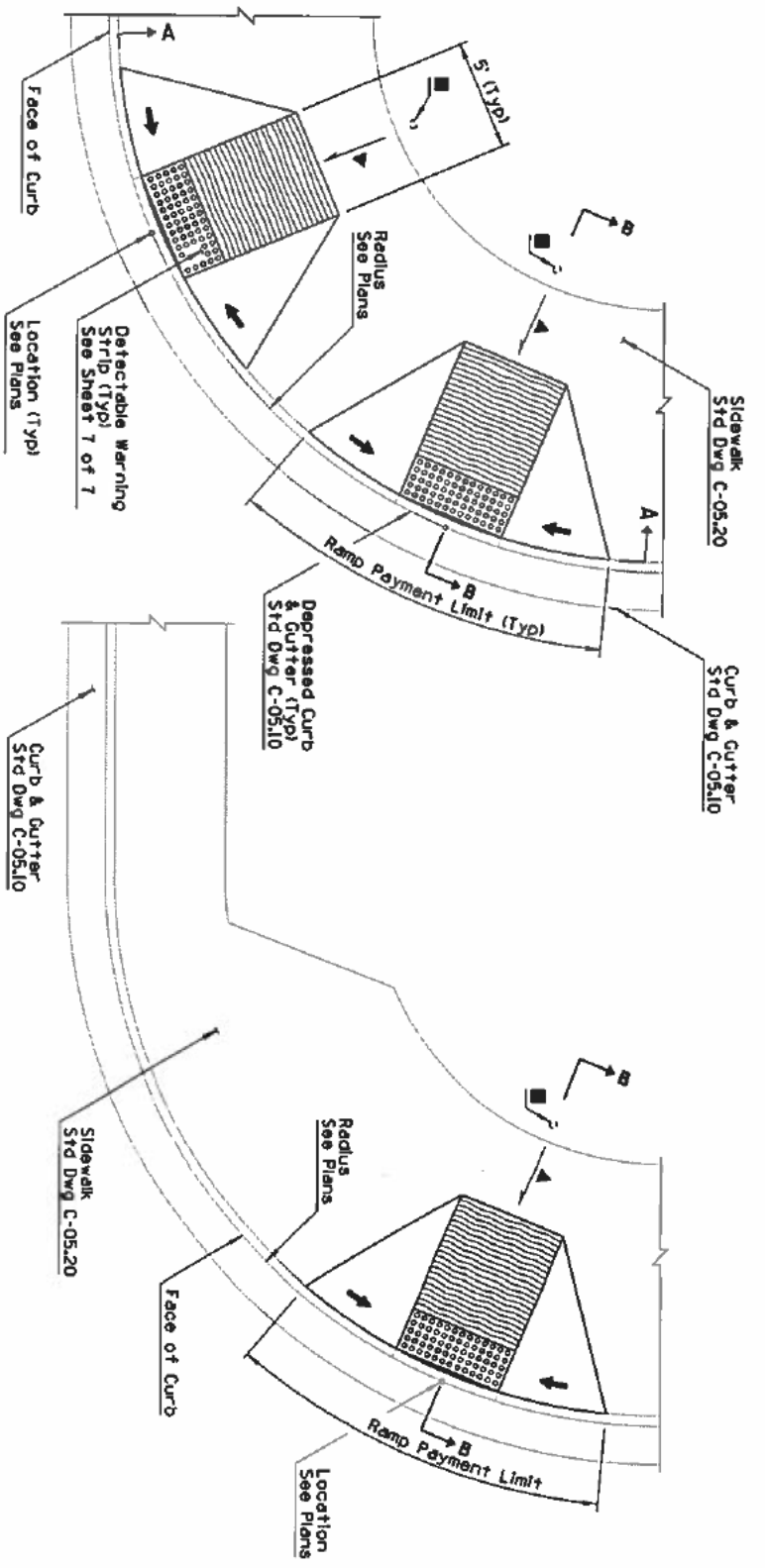
- ### GENERAL NOTES
1. For use where sidewalk is not continuous.
 2. Ramp centerline shall be radial from the face of the curb at the Sidewalk Ramp Control Point.
 3. The 15ft ramp slope shown is the steepest slope allowed for a ramp 10 ft long or less. When a 15ft slope would require the ramp to extend longer than 10 feet, the ramp may be limited to a 10 ft length with slope steeper than 15:1. Ramp length is measured along the back of the sidewalk.
 4. The top of the Ramp Curb along the back of the Sidewalk Ramp shall match the elevation of the adjacent back of sidewalk and run parallel to the Sidewalk Ramp. The Ramp Curb along the side of the Sidewalk Ramp shall match the elevation of the back of the Curb & Gutter and the back of Ramp Curb.
 5. Drainage Inlets should not be located within the marked crosswalks, or if crosswalks aren't marked, within the area a standard marked crosswalk would enclose.
 6. Concrete shall receive a rough broom finish as shown.
 7. See Std Dwgs C-05.10 and C-05.20 for Joint details.
 8. When installing brick detectable warning strips, the contractor shall take measures to avoid damaging the truncated domes, bricks with damaged domes shall be replaced by the contractor at no additional cost.
 - Pedestrian Push Button Pole When Shown on Traffic Plans. See Traffic Signal Plans for Additional Information
 - 10' Maximum to Face of Pedestrian Push Button



SIDEWALK RAMP AT SIDEWALK TERMINUS

DESIGNED FOR DESIGN	STATE OF ARIZONA	REV.
APPROVED FOR DISTRIBUTION	DEPARTMENT OF TRANSPORTATION	4/06
	ROADWAY STANDARD DRAWINGS	
	SIDEWALK RAMP	
	TYPE C	
		DESIGNED BY: C-05.30
		SHEET 3 OF 7

NO	DESCRIPTION OF REVISIONS	DATE	BY
1	ISSUED STD DWG	4/06	
2			
3			
4			

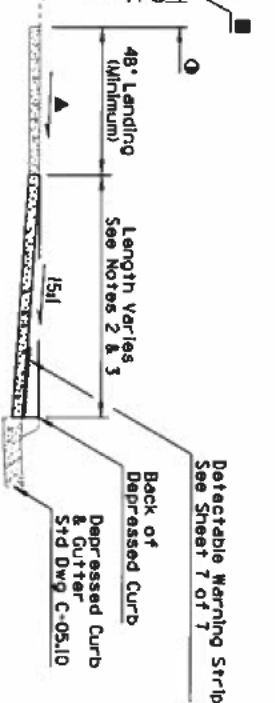


GENERAL NOTES

- Ramp centerline shall be radial from the face of the curb at the sidewalk ramp control point.
 - The 15ft ramp slope shown is the steepest slope allowed for a ramp 10 ft long or less. Where the 15ft slope would require the ramp to extend longer than 10 feet, the ramp may be limited to a 10 ft length with slope steeper than 15:1. Ramp length is measured along the deck of the sidewalk.
 - Drainage inlets should not be located within the marked crosswalks, or if crosswalks aren't marked, within the area a standard marked crosswalk would enclose.
 - Concrete shall receive a rough broom finish as shown. The side slope wings do not receive a broom finish.
 - The Engineer may approve replacing the side slope wing with a curb at a location where access to the side of a ramp run is blocked by a pole, utility box, other obstruction, or by a non-accessible surface such as a dirt planter strip.
 - See Std Dwg C-05.10 and C-05.20 for joint details.
 - When installing brick detectable warning strips, the contractor shall take measures to avoid damaging the truncated domes. Bricks with damaged domes shall be replaced by the contractor at no additional cost.
- Pedestrian Push Button When Shown on Traffic Plans. See Traffic Signal Plans for Additional Information
 - 10' Maximum to Face of Pedestrian Push Button

LEGEND

▲ Minimum Slope = 100ft (0.01 %/ft)
 ▼ Maximum Slope = 50ft (0.02 %/ft)



APPROVED FOR DESIGN: *Wendy Williams*

APPROVED FOR DISTRIBUTION: *[Signature]*

STATE OF ARIZONA
 DEPARTMENT OF TRANSPORTATION
 ROADWAY STANDARD DRAWINGS

SIDWALK RAMP
 TYPE B

DATE: 4/06
 SHEET NO.: C-05.30
 SHEET 2 OF 7

PERPENDICULAR CURB RAMP

SECTION A-A

SECTION B-B

TWO CROSSING DIRECTIONS AT CORNER

ONE CROSSING DIRECTION AT CORNER

(b) (6)

February 7, 2020

Mr. Termaine Wilson
ADOT Civil Rights Division
4000 N. Central Avenue
Phoenix, Arizona 85012

RE: Title VI Complaint

(b) (6)

Dear Mr. Wilson:

I am enclosing a package which includes pictures and a letter covering the explanation of the "alleged discriminatory actions" to Mr. Dallas Hammit, Deputy Director of Transportation for ADOT. Fortunately for (b) (6), the proof being in the pudding is provided in the concrete placed by (b) (6). Mr. Hammit based his rejection of my claim using the same term, It seems, page one of Mr. Hammit's response letter, that a group of ADOT staff was sent to conduct visual inspections, took photographs, measured curbs and handicamp ramps using a smart level on concrete placed by (b) (6). While they were at it, inspected the nearby projects constructed by others that were mentioned in the letter. Based on the above, staff concluded that (b) (6) (b) (6) complaints were unsubstantiated.

Please note, Mr. Hammit did not have the courtesy to respond to my letter but addressed the response to the General Contractor, (b) (6). Additionally, Mr. Hammit provides advice to contractor that was never solicited. By his very response, Mr. Hammit is also guilty of not addressing the complaint of discriminatory actions but more interested in supporting his employees for their actions. Adding insult to injury, Mr. Hammit, clearly not unbiased, compliments (b) (6) on their quality for work totally out of spec. Had his staff reviewed and used smart level, they would have found numerous sections of concrete out of spec as supported and documented by the pictures I provided. My "alleged accusations" can be proven with a simple walk through both (b) (6) constructed projects with a smart level, proof is in the concrete. I am therefor adding Mr. Hammit to the list of specific persons "alleged" to have discriminated. Kim Volkinburg, Gary Melton and Ken Heeg accepted and approved work by the (b) (6) poured out of spec.

(b) (6)

(b) (6)

(b) (6)



Your email dated Monday; February 3, 2020 requested information that is provided below:

Complainant's contact information.

(b) (6)



Basis of Complaint.

Race, color and national origin

Names of Specific Persons and Respondents "alleged" to have discriminated.

Mr. Dallas Hammit P.E.
Deputy Director for Transportation
1801 W. Jefferson St.
Phoenix, Arizona 85007

Kim VanVolkinburg
Globe District Engineer
928-402-5612
Globe, Az. 85501

ADOT Inspector Ken Heeg
Globe District
520-200-1997
Globe, Az. 85501

(b) (6)



(b) (6)



(b) (6)

Gary Melton
Globe District Inspector
520-237-1075
Globe, Arizona 85501

Sufficient facts that led complainant to believe discrimination occurred in a program or activity that receives Federal Assistance, dates and if “alleged discrimination” is ongoing.

I believe that I provided the information requested in letter to Dallas Hammit that is enclosed. I will add that I don't think (b) (6) will be treated fairly in any upcoming future ADOT projects based on the Dallas Hammit letter alone.

I have included additional pictures of the (b) (6) placed by (b) (6) in front of the (b) (6). Despite Mr. Hammit's comment of quality work, the valley gutter being flat has acted as a dam. This has kept water from draining and now backs up into the (b) (6) newly paved parking lot.

Please feel free to contact me at (b) (6) should you have any questions or to pay a site visit that I can physically show the busts by others in meeting ADA spec.

Sincerely,

(b) (6)

(b) (6)

(b) (6)

(b) (6)

mailed Sept. 26, 2019

Mr. Dallas Hammit
Deputy Director of Transportation
State Engineer
Phoenix, Arizona

RE: Claypool: Phoenix-Globe Hwy (US60) 2nd. St-El Camino
City of Globe: Broad St-E. Mesquite to E.C.

Dear Mr. Hammit:

Please consider this letter as a formal complaint against Mr. Kim VanVolkingburg, Globe ADOT Project Supervisor T.E.S. and Gary Melton, Inspector for ADOT, for discriminatory practices and holding (b) (6) to a higher of performance for concrete placed than other contractors' performing like work within Globe City limits, including concrete work on same project. These two have knowingly caused great financial losses to (b) (6) and harm to our reputation in my home town by holding (b) (6) to ADA specifications for degrees required for sidewalks and handicap ramps to 1 to 2 percent grade and letting other contractors slide. I have been asked several times why we are constantly removing and replacing concrete.

- (b) (6) was delayed in starting project by 2.5 weeks. This delay was costly to (b) (6) as the men that were to work on this project left for greener pastures. I am fully aware that it is my responsibility to provide the craftsman to perform the contractual obligations. Our first curb and gutter pour was not to par as I had a new crew but still had 2 finishers and one laborer that were knowledgeable of concrete. Additionally, we had 25 mile winds with 35 mph wind gusts. Pour did not go well and we had to remove and replace, no problem.
- (b) (6) was directed to remove its first handicap ramp, of three, for exceeding the 1 to 2 % rule by .2/100's and several square ft. of sidewalk. One HC ramp at corner of welding shop and a ramp in front of the (b) (6) were out of spec by 2/100's and the same for the ramp in front of the (b) (6) on the Globe project.
- Naturally tired of replacing sidewalks and ramps when percentage readings were only off by .2/100's to .3/100's percent, I discussed the above with Gary Melton. I told him that I had taken my smart level and checked percentage on recent work performed by DBA Construction for the City of Globe and accepted by ADOT, I

(b) (6)

(b) (6)

(b) (6)

was told warningly that "you don't even want to go there". Inspection of DBA project will clearly show the discrepancies between their work and (b) (6)

- After having to replace, at a great cost as it also included demolition and removal of concrete ramps and sidewalks, I cautiously retreated. Mr. Melton later admitted the work performed by DBA was very lacking but that I should work toward providing a better product.
- Additionally, Mr. Kim VanVolkinburg, on several occasions, made comments of (b) (6) inability to meet the ADOT requirement for meeting spec and has openly made insulting comments in front of others including myself, as he instructed inspectors to "tear it out".
- Mr. Melton has showed preferential treatment between (b) (6) (b) (6) General Contractor on the (b) (6) by directing (b) (6) to remove sidewalks, ramps and valley gutter for not meeting the ADA spec for concrete flat work that was between the 1 to 2 percent. Mr. Melton accepted (b) (6) sidewalks reading as high as 3.9 almost double the ADA requirement without comment or directive to "tear it out".
- Worst yet, and quite frankly, adding insult to injury, ADOT Inspector Gary Melton allowed placement of several feet of sidewalk by (b) (6) and not once was a smart level used on the (b) (6) placement. (b) (6) was constantly being monitored and verbally threatened that concrete would have to be replaced as the Inspectors used the smart level during placement.
- Mr. Melton on checking swale depth of concrete (b) (6) between the fire station and the (b) (6) and two hours after placement stated that the depth of the swale did not meet the required depth at center of (b) (6). He then directed (b) (6) to remove the concrete placed. This required (b) (6) to bring their forces in on a Friday at overtime rate. If (b) (6) did not, then the schedule would be delayed and (b) (6) would face liquidated damages. I had no trouble with that until I checked the (b) (6) placed by (b) (6) on (b) (6) that had been damaged by their forces in front of the (b) (6). The (b) (6) placed by (b) (6) has little if any swale, yet accepted by ADOT.

(b) (6)

(b) (6)

(b) (6)

- I have not included the many times that I was reminded that I was being given a break. Mr. Melton mentioned ponding in a small area, approximately 4 inches, where the project had a bust in elevation. Mr. Melton stated that he could require Barcon to remove curb to meet spec and he didn't. I have provided pics of a handicap ramp placed by DBA that has ponding to top of ramp, 4' wide, inches deep and numerous other areas in driveways.
- Last Globe Project meeting with Kim VanVolkingburg concerned a small split face block planter, 28"x4', 3 courses high. Paveco, the General Contractor, asked me to build the planter as I excluded it from my proposal. The reason I did not provide a price was because the drawings showed too many discrepancies and I only had one day to provide proposal to Paveco. Chris Bryant, Paveco VP, asked if I would build the planter as it was the last item to complete the project. I agreed. Mr. VanVolkingburg showed up early morning as I was waiting for the block layer. I explained what we were going to do to make sure I wouldn't be tearing the planter down for not meeting his approval. I told Kim that I did not want to build the planter as the drawing and specs had too many discrepancies. He said and I quote, "You better build it right because I'm watching you". I responded "yes, and you are the second reason I didn't want to build it". Talk about a hostile work environment.
- *Please note, above mentioned are not "retro fit" as described in ADOT Public Rights of Way, December 2012. Nor are they Exception for Structural Impracticability, all would be considered new construction.*
- The threat of "punch list" items by both Kim and Gary to me did not go unheeded. (b) (6) was literally being held hostage as these two had made it clear, they would not hesitate making me tear out concrete if I complained.
- (b) (6) has been in business since 1977 and probably one of ADOT's oldest DBE companies. We received the Golden Trowel award for outstanding work on the Salt River Canyon Rest area and many compliments for the stone work on the Navajo Bridge project over the Colorado River for matching work performed by CCC forces in the 1930's.

We have always enjoyed a great working relationship until our award of contracts in the local area. In fact, a few years back, Meadow Valley had a project in Chinle, Arizona paving roads, sidewalks, curbs and gutters and other concrete items. Meadow Valley had two DBE contractors that had failed. It was told to me by Meadow Valley on site Project

(b) (6)

(b) (6)

(b) (6)



Superintendents that they asked ADOT for DBE recommendations. ADOT replied that they do not recommend but that they suggested possibly a call to (b) (6). I ask that you contact Mr. Bo Waggoner, Holbrook ADOT Engineer, for his opinion concerning (b) (6) Corporation.

I am enclosing pictures taken by myself using a smart level, recently calibrated, of (b) (6) poured sidewalks of the (b) (6) and (b) (6), driveways and sidewalks. These pictures clearly reflect acceptance of "lacking" ADA concrete placements by ADOT Engineer VanValkingburg, Inspector Gary Melton and other inspectors. Pics show major ponding areas in driveways and handicap ramps clearly exceeding the 1 to 2 percentage standard. Therefore, (b) (6) is making demands for reimbursement of monies lost due to ADOT reps. holding (b) (6) to a higher level of standards. (b) (6) is also requesting copies of dailies, e-mails or other documents prepared by Mr. Gary Melton concerning issues pertaining to (b) (6).

Sincerely

(b) (6)



Cc: Steve Stratton
William Harman
Floyd Rochrich
Lisa Neie FHWA

(b) (6)



(b) (6)



November 8, 2019

(b) (6)

Subject:

(b) (6)

Dear (b) (6)

On September 30, I received a letter (attached) from your subcontractor, the (b) (6) alleging discriminatory practices by Southeast District construction inspectors on the subject project.

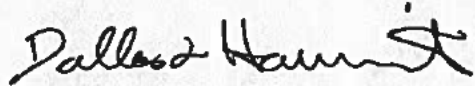
Upon receipt of this letter, Southeast District Engineer Bill Harmon called (b) (6) (b) (6) to acknowledge the letter. Mr. Harmon communicated that the allegations warranted an investigation by ADOT.

Subsequently, ADOT staff has made multiple site visits to the project to conduct visual inspections, photograph the completed work, and measure the curbing and handicap ramps using a smart level. Staff also inspected the other nearby projects constructed by others that were mentioned in the letter. Based on these inspections and comparisons, staff concluded that (b) (6) complaints were unsubstantiated.

If you, as the General Contractor, elect to pursue (b) (6) complaint, please refer to Section 105.21 of the 2008 ADOT Standard Specifications, the "Administrative Process for the Resolution of Contract Disputes" and submit the required documentation.

ADOT appreciates (b) (6) commitment to quality for our transportation infrastructure.
Thank you for your efforts.

Sincerely,



Dallas Hammit, P.E.

Deputy Director for Transportation and State Engineer

Cc: (b) (6)
Steve Stratton, State Transportation Board Member, District 4
Floyd Roerich, Executive Officer, ADOT
Lisa Neie, FHWA
Jesse Gutierrez, Deputy State Engineer-Operations
Bill Harmon, District Engineer, Southeast District

Attached: (b) (6)

January 22, 2020

(b) (6)

Miami, AZ 85339

Subject: Retaliation Complaint

Dear (b) (6):

The Arizona Department of Transportation (ADOT) Civil Rights Office (CRO) received notice of your complaint on January 13, 2020 alleging retaliation by ADOT for filing a discrimination complaint against ADOT in September 2019. The issues raised in your January complaint against ADOT are not within the jurisdiction of the CRO to process. The Federal Highway Administration (FHWA) is the Agency with responsibility for processing complaints protected under Title VI of the Civil Rights Act of 1964 (Title VI) filed against ADOT. Therefore, your complaint was forwarded to the FHWA Division office on January 22, 2020 for processing.

If this office can be of assistance to you in any matter over which we have jurisdiction, please do not hesitate to contact us.

Sincerely,



Felicia Beltran
ADOT Civil Rights Compliance Manager

cc: Tremaine Wilson, FHWA Civil Rights/Realty Specialist (e-mail only)
Lucy Schrader, Civil Rights Office Deputy Administrator (e-mail only)
Tina Samartinean, BECO Contract Compliance and Training Officer (e-mail only)