

Livingston County

TITLE VI PLAN
(January 2025)

Available at www.livingstoncounty.us

Title VI Nondiscrimination Policy Statement

It is the policy of Livingston County to prevent and eliminate discrimination in all of its operations and services as well as in all aspects of employment. All County Departments, Divisions, Offices, and Bureaus will plan, develop, and implement their programs and activities so that no person is subjected to unlawful discrimination based on race, creed, color, gender, age, national origin, religion, disability, sexual orientation, marital status, Vietnam era veteran status, or other unlawful basis.

This policy fully incorporates throughout all of Livingston County's operations the requirements of applicable Federal and State laws and executive orders to prohibit any discriminatory practices, procedures, and policies. All administrators, managers, supervisors, and employees are directed to comply with these laws and orders.

Livingston County is committed to maintaining an agency which recognizes and values the inherent worth and dignity of every person; fosters tolerance, sensitivity, understanding, and mutual respect among its members; and encourages each individual to strive to reach his or her own potential.

This policy statement will be placed on all Livingston County bulletin boards and made available to all organizations and entities doing business with Livingston County.

Livingston County has appointed the Livingston County Administrator as the Title VI Coordinator. The contact information for the Title VI Coordinator is as follows:

Livingston County Administrator, Title VI Coordinator
6 Court Street, Suite 302
Geneseo, New York 14454
Telephone Number: (585) 243-7040

RELATED POLICY AND AUTHORITATIVE SOURCES

New York State Laws

New York State Human Rights Law Article 15 (1945) - Guarantees nondiscrimination in New York State on the basis of race, creed, color, national origin, sex, marital status, age, disability, and/or sexual orientation.

New York State Law Article 15-A (1988) - An Act to amend the Executive Law and Finance law in relation to participation by minority group members and women with respect to State contracts.

New York State Law Article 17-B (2014) – An Act to amend the Executive Law in relation to expanding opportunities for service-disabled veteran-owned business enterprises.

Sexual Orientation Non-Discrimination Act (2003) – This Act amends the Executive Law to include sexual orientation.

New York State Executive Orders

Executive Order No. 2 (Governor Cuomo, 2011) - Authorized the continuation of certain prior Executive Orders related to equal opportunity and nondiscrimination in all State programs.

Executive Order No. 6 (Governor Cuomo, 1983) – Insures equal employment opportunities for minorities, women, disabled persons, and Vietnam era Veterans in State government. The order clarifies and expands the power of the President of the Civil Service Commission and the Governor’s Executive Committee for Affirmative Action to ensure agencies develop and implement effective affirmative action plans.

Federal Laws and Executive Orders

Civil Rights Act of 1964 – Prevents discrimination in federally assisted programs; provides relief against discrimination in public accommodations; protects constitutional rights in public facilities and public education; and enforces the constitutional right to vote. Title VI – Prohibits discrimination on the grounds of race, color, or national origin in programs and activities receiving Federal financial assistance. Title VII as amended by the Equal Employment Opportunity Act of 1972 – Makes it unlawful to discriminate in employment practices on the basis of race, color, religion, sex, or national origin.

Section 503 of the Rehabilitation Act of 1973 – Prohibits discrimination on the basis of physical or mental disability in every federally assisted program or activity in the country.

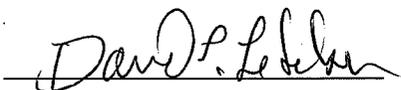
Age Discrimination Act of 1975 – Prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Civil Rights Restoration Act of 1988 – Specifies that recipients of Federal funds must comply with civil rights laws in all areas, not just in a particular program or activity that receives Federal funding. It applies to all Federal laws.

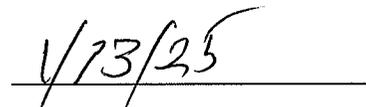
Americans with Disabilities Act (ADA) of 1990 – Federal law prohibiting discrimination against people with disabilities in employment, public access to services, transportation, public accommodations, and telecommunications services.

Civil Rights Act of 1991 – Provides appropriate remedies for intentional discrimination and unlawful harassment in the workplace; codifies the concepts of “business necessity” and “job related”; confirms statutory authority and provides statutory guidelines for the adjudication of disparate impact suits under Title VII of the Civil Rights Act of 1964; expands the scope of relevant civil rights statutes in order to provide adequate protection to victims of discrimination. The Act provides for compensatory and punitive damages and jury trials in cases of sex, religious, and disability bias.

Executive Order No. 11246 – Prohibits employers doing business with the Federal government from discriminating in employment because of race, color, religion, sex, or national origin. Employers are required to take affirmative action in employment activities including hiring, promotion, transfers, and training of minorities and women.



David L. LeFeber, Board Chairman
Chief Executive Officer



Date

Title VI Program Plan

I. Plan Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

Livingston County is committed to ensuring that no person is excluded from participation in or denied the benefits of its services, including but not limited to transportation services, on the basis of race, color, or national origin, as protected by Title VI. This plan was developed to guide Livingston County in its administration and management of Title VI-related activities.

Livingston County has appointed the Livingston County Administrator as the Title VI Coordinator. The contact information for the Title VI Coordinator is as follows:

Livingston County Administrator, Title VI Coordinator
6 Court Street, Geneseo, New York 14454
Telephone Number: (585) 243-7040

II. Title VI Information Dissemination

Title VI information posters (see Appendix A) shall be prominently and publicly displayed on the Livingston County website (www.livingstoncounty.us), in transport vehicles, and in all major facilities. Additional information relating to the County's non-discrimination obligation can be obtained from the Title VI Coordinator.

Title VI information shall be disseminated to Livingston County employees annually via the statement set forth in Appendix B. This reminds employees about the policy statement and of their Title VI responsibilities in their daily work and duties.

During orientation upon hire, new employees shall be informed of the provisions of Title VI and the expectations of Livingston County with respect to employees performing their duties accordingly. All employees shall be provided a copy of the Title VI Plan and are required to sign the Acknowledgment of Receipt (see Appendix C).

III. Subcontracts and Venders

All subcontractors and venders who receive payments from Livingston County where funding originates from any Federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended. Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgments of receipts from the employees indicating the receipt of the Livingston County Title VI Plan, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants and Title VI investigations.

V. Title VI Complaint Procedures

How to file a Title VI Complaint

Any person who believes he or she has been subjected to discrimination prohibited under Title VI may file a signed, written complaint with Livingston County. The complaint must be filed within one hundred and eighty (180) days from the date of the alleged act of discrimination. The complaint should include the following information:

- Complainant's name, mailing address, and how to contact them (i.e., telephone number, email address, etc.).
- How, when, where and why he/she believes he/she was discriminated against. Include the location, names, and contact information of any witnesses.
- Other information he/she deems significant.

The Title VI Complaint Form (attached) may be used to submit complaint information. The complaint must be filed in writing with Livingston County at the following address in order for the County to properly investigate any complaint:

Livingston County Administrator, Title VI Coordinator
6 Court Street, Suite 302
Geneseo, New York 14454

NOTE: Livingston County encourages all complainants to certify any mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than one hundred eighty (180) days from the alleged date of discrimination.

What happens to a complaint after it is submitted?

All complaints alleging discrimination based on race, color, national origin, or other unlawful basis in a service or benefit provided by Livingston County will be directly addressed by the County via an investigation. Livingston County shall also provide appropriate assistance to complainants, including those persons with disabilities or who are limited in their ability to communicate in English. Additionally, Livingston County shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of the complaint will be mailed within seven (7) days (See Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

How will the complainant be notified of the outcome of a complaint?

The Title VI Coordinator will send a final written response letter to the complainant notifying him or her of the outcome of the investigation (See Appendices E and F). Should the complainant receive a letter notifying him or her the complaint was not substantiated, the complainant will also be advised of his or her right to:

- 1) Provide additional information to the County for consideration of the complaint within seven (7) calendar days of receipt of the final written decision; and/or
- 2) File a complaint externally with the New York State Department of Transportation (NYSDOT) and/or the Federal Transit Administration (FTA).

Every effort will be made to respond to Title VI complaints within sixty (60) working days of receipt of such complaints.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Avenue SE
Washington, DC 20590

New York State Department of Transportation
Office of Civil Rights
50 Wolf Road, 6th Floor
Albany, New York 12232
(518) 457-1129
OCR-TitleVI@dot.ny.gov

VI. Language Assistance Plan (LAP)

FTA Circular 4702.1B was developed by the Federal Transit Administration (FTA) and details the administrative and reporting requirements for recipients of FTA financial assistance in order to comply with Title VI and related executive orders, including requirements related to LEP (Limited English Proficiency) persons.

The United States Department of Transportation (DOT) published guidance that directed its recipients to ensure meaningful access to the benefits, services, information, and other important portions of its programs and activities for LEP customers. Livingston County's Language Assistance Plan (LAP) includes a four (4) factor analysis and implementation plan that complies with the requirements of the DOT LEP guidance.

(1) Identifying LEP (Limited English Proficiency) Individuals

LEP Individuals are those individuals speaking a language other than English or using sign language that requests assistance. Livingston County has a limited number of individuals that require help due to speaking a language other than English or using sign language.

(2) Providing Services

Livingston County does not currently have an on-going need for in-house professional translation services. It will contract with outside providers for translation services as needed.

(3) Communicating Availability of Language Assistance

Livingston County will inform those who request services of the County's process to provide an outside independent contractor for translation.

(4) Monitoring

Satisfaction surveys offer an opportunity for individuals served and their caregivers to provide input or suggest additional services. To date, Livingston County has had a limited need to use translation services provided by outside independent contractors.

(5) Employee Training

As part of its Accessibility Plan, Livingston County encourages staff interest and education in learning to more effectively communicate with individuals served.

The Title VI Plan will also be reviewed every three (3) years.

As part of the Language Assistance Plan, Livingston County also encourages staff interest and education in learning to more effectively communicate with individuals served.

VII. Public Participation Plan

As a recipient of Federal financial assistance, Livingston County is committed to ensuring its programs, policies, and activities comply with Title VI of the Civil Rights Act of 1964. Accordingly, Livingston County has developed a Public Participation Plan, which includes outreach methods to engage minority and limited English proficient populations (LEP). The goal of the Plan is to offer early, often, and continuous opportunities for the public to be involved in the identification of social, economic, and environmental impacts of proposed project decisions, including those related to transportation.

Livingston County is committed to the following environmental justice principles:

- Avoiding, minimizing, and/or mitigating disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.

- Ensuring full and fair participation by all potentially affected communities in the transportation decision-making process.
- Preventing the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Strategies to achieve environmental justice include but are not limited to:

- Monitor compliance with Title VI requirements in all aspects of the decision-making process, including environmental justice and limited English proficiency requirements.
- Conduct meetings to review the impact of a proposed project on the community, including impacts to protected groups.
- Disseminate to the public their right to call or write the County to view plans and discuss problems.
- Ensure adequate notice of all public participation activities to maximize involvement.
- Ensure disadvantaged business enterprise goal attainment.
- Notify protected group residents of public meetings or hearings regarding a proposed project. Ensure the time and location for public meetings or hearings is accessible.
- Maintain mechanisms to identify populations affected by a project.
- Ensure participation of all segments of the impacted population in the location selection process.
- Utilize social media to complement, but not replace, other involvement strategies.
- Ensure that all Federally funded consultant contracts have the appropriate Title VI language.
- Review guidelines, policies, and procedures to ensure Title VI compliance.
- Maintain and update necessary data and documentation, including demographic data mapping ethnicity by area.

VIII. Membership of Non-elected Committees and Councils

Livingston County does not have a non-elected transit related advisory council at this time.

IX. Title VI Equity Analysis

Livingston County does not have transit related facilities.

Appendix A

Title VI Notice to Public

Livingston County hereby gives public notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987, Executive Order 12898, Executive Order 13166, and related statutes and regulations in all Livingston County programs and activities.

Title VI of the Civil Rights Act of 1964 and related statutes and regulations, as amended, require that no person in the United States shall, on the grounds of race, color, sex, national origin, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which Livingston County receives Federal financial assistance.

If you believe you have been discriminated against because of race, color, sex, national origin, age, disability, or other unlawful basis, you may file a complaint with Livingston County, the Federal Transit Administration (FTA), and/or the New York State Department of Transportation (NYSDOT). A complaint must be in writing and filed within one hundred eighty (180) days from the date of the alleged act of discrimination.

For more information and/or to obtain a Title VI Complaint Form and instructions on how to file a discrimination complaint, contact:

Livingston County Administrator, Title VI Coordinator
6 Court Street, Suite 302
Geneseo, New York 14454
Telephone Number: (585) 243-7040
Fax Number: (585) 243-7045
County website at www.livingstoncounty.us

Appendix B

Employee Annual Education Statement (Title VI Policy)

No person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

All employees of Livingston County are expected to consider, respect, and observe this policy in their daily work and duties. If a participant or family member approaches you with a question or complaint relating to Title VI or discrimination of any kind based on race, color, or national origin, direct him or her to the Livingston County Title VI Coordinator.

In all dealings with anyone in the community, use courtesy titles (i.e. Mrs., Mrs., Ms., or Miss) to address him or her without regard to race, color, or national origin.

Appendix C

Employee Acknowledgement of Receipt of Title VI Plan

I hereby acknowledge the receipt of the Livingston County Title VI Plan. I have read the Plan and am committed to ensuring that no participant is excluded from or denied the benefits of services or programs on the basis of race, color, or national origin, as protected by Title VI.

Employee Signature Date

Print Name

Livingston County Title VI Complaint Form

Name _____

Address _____ City _____ Zip _____

Telephone: Home _____ Work _____ Cell _____

Basis of Complaint (Place Checkmark)

Race

Color

Sex

National Origin

Age

Disability (ADA)

Who allegedly discriminated against you?

Name _____

Address _____ City _____ Zip _____

Telephone _____

If an organization, what is its name?

Name of Organization _____

Address _____ City _____ Zip _____

Telephone _____

How were you discriminated against?

Where did the alleged discrimination occur?

Date/s and times discrimination occurred?

First time _____

Second time _____

Third time _____

Were there any other witnesses to the discrimination?

Name	Title	Work Telephone	Home Telephone

Have you filed your complaint with anyone else?

Who _____

When _____

Do you have an Attorney in this matter?

Name _____

Address _____ **City** _____ **Zip** _____

When did you acquire _____

Signed _____ Date _____

Mail to: Livingston County Administrator
Title VI Coordinator
6 Court Street
Geneseo, New York 14454
Phone: (585) 243-7040

Appendix D

Letter Acknowledging Receipt of Complaint

Date

Name

Address

City, State, Zip

Dear (Name):

This letter is to acknowledge receipt of your complaint against Livingston County alleging

An investigation will commence shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office at (585) 243-7040 or in writing to Livingston County, County Administrator/Title VI Coordinator, 6 Court Street, Room 302, Geneseo, New York 14454.

Sincerely,

David G. Pribulka
Title VI Coordinator

Appendix E

Letter Notifying Complainant that the Complaint is Substantiated

Date

Name

Address

City, State, Zip

Dear (Name):

The matter referenced in your letter dated _____, against Livingston County alleging Title VI violations has been investigated. (An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate) You may be hearing from this office, or from Federal authorities, if your involvement should be needed during the administrative hearing process.

Sincerely,

David G. Pribulka
Title VI Coordinator

Appendix F

Letter Notifying Complainant the Complaint is Unsubstantiated

Date

Name

Address

City, State, Zip

Dear (Name):

The matter referenced in your complaint dated _____ against Livingston County alleging _____ has been investigated. The results of the investigation did not indicate the provisions of Title VI of the Civil Rights Act of 1964 have been violated. As you know, Title VI prohibits discrimination based on race, creed, color, gender, age, national origin, religion, disability, sexual orientation, marital status, Vietnam era veteran status, or any other unlawful basis in any program receiving Federal financial assistance.

Livingston County has analyzed the materials and facts pertaining to your case. There was no evidence found that any civil rights laws were violated. As such, your complaint has not been substantiated and the matter will now be closed.

You have the right to: 1) Provide additional information to this office for reconsideration of your complaint within seven (7) calendar days of receipt of this final written decision from the County; and/or 2) File a complaint externally with the Federal Transit Administration or New York State Department of Transportation at:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Avenue SE
Washington, DC 20590

New York State Department of Transportation
Office of Civil Rights
50 Wolf Road, 6th Floor
Albany, New York 12232

Sincerely,

David G. Pribulka
Title VI Coordinator