



GOVERNMENT OF PUERTO RICO
Puerto Rico Highway and Transportation Authority

Title VI/Nondiscrimination Implementation Plan and Goals and Accomplishments Report 2020-2021

October 13, 2020
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Civil Rights Office Director



I. BACKGROUND

As per Plan Number 6 for the Reorganization of the Commonwealth of Puerto Rico's Executive Branch, effective January 2, 1973, the Department of Public Works was reorganized and re-designated as the DTPW. It is the central government agency in charge of the transportation programs of the Commonwealth of Puerto Rico. Through this Reorganization Plan, the PRHTA, the Ports Authority (later separated by subsequent legislation) and the Metropolitan Bus Authority (MBA) were all ascribed to the DTPW. These Authorities work as public corporations with fiscal autonomy over business affairs for which they are responsible. However, these authorities suffered modifications during fiscal year 2014. Under Law no. 41 of March 21, 2014, a Board of Directors was created, presided by the Secretary of Transportation and Public Works, which is now the governing body for PRHTA.

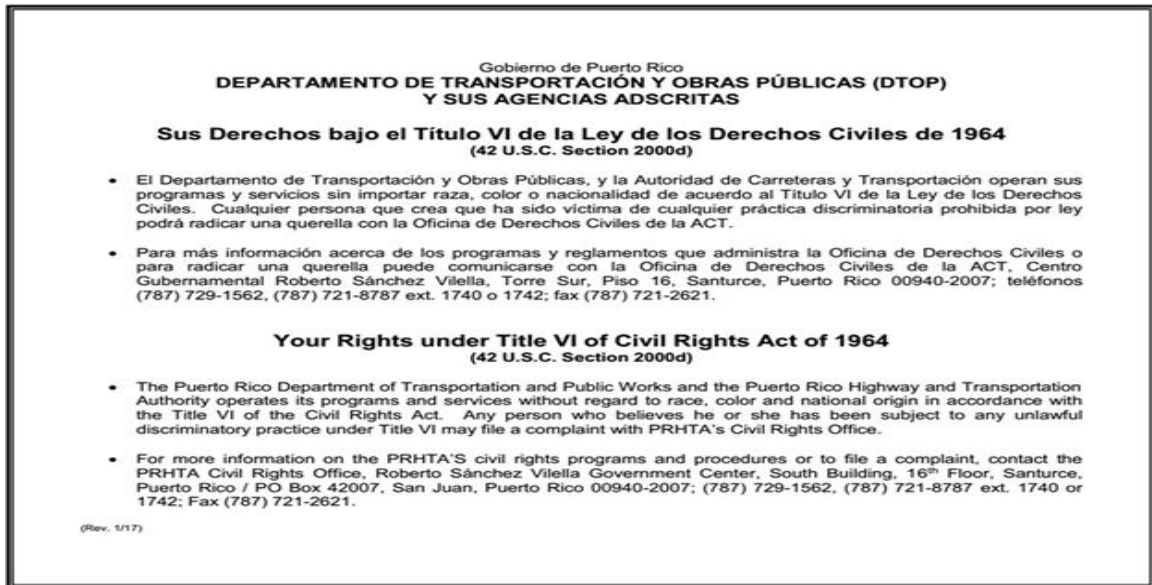
Also, Law No. 123 on August 3rd, 2014, was approved, creating the new Integrated Transportation Authority (ITA). This new Authority will operate under a governing Board, also presided by the DTPW's Secretary. ITA combines MBA's operation, which will no longer exist as an independent Authority, with the Maritime Transportation Authority (MTA). The operation of the Tren Urbano (Urban Train), currently under contract between PRHTA and a private company (Alternate Concepts Inc.) is also transferred to ITA. As of the date of this RFP, the operation of Tren Urbano remains under PRHTA since the transfers are still in process.

The legal situation of the DTPW and the PRHTA can be summarized as a relationship with very close ties between both where one designs the transportation system public policy, mainly concentrating in state roads and the licensing of drivers and vehicles (DTPW), while the other (PRHTA) is the branch executing projects as a self-entity for expressways or under contract with the DTPW for state roads. PRHTA is somewhat more agile than DTPW given its fiscal autonomy status. Its operation is highly complex as it entails a great number of elements that give direct services to the public. Both Agencies have their main offices located in Roberto Sanchez Vilella Government Center, South Building. Regional Offices are distributed throughout the Island, thus serving the 78 municipalities.

II. POLICY STATEMENT

It is the policy of the Puerto Rico Highway and Transportation Authority (PRHTA) that every Agency employee shall perform all official actions affirmatively and in full accord with the spirit and letter of the Constitutions of the United States and of the Commonwealth of Puerto Rico. Therefore, PRHTA adheres to Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities to ensure that no one is excluded from participation in, denied the benefits of or discriminated against on the basis of race, color, national origin, sex, age, disability or social/economic status. The Secretary of the Puerto Rico Department of Transportation and Public Works (PRDTPW) endorses this policy and establishes the designation of a Civil Rights Office Director to

be the formal representative of the PRHTA in civil rights compliance matters. The Secretary also directs that the following policy is posted both on the PRHTA civil rights website and in common areas of PRHTA buildings.



III. STANDARD ASSURANCES

Every three (3) years or commensurate with a change in the Secretary, PRHTA executes a nondiscrimination assurance. The document, entitled *Standard Title VI/Non-Discrimination Assurance, DOT 1050.2A*, serves two purposes. First, it demonstrates a commitment to nondiscrimination by executive leadership of PRHTA. Second, it contractually commits PRHTA to nondiscrimination in order to receive federal financial assistance from US DOT and its modal agencies. PRHTA's current assurance is available online at the PRHTA <http://act.dtop.pr.gov/index.php/derechos-civiles/> website or by contacting the Title VI/Nondiscrimination Coordinator at 787-721-8787 Ext. 1740 or derechosciviles@dtop.pr.gov. Those with hearing impairments may dial 711. <http://www.dtop.gov.pr/pdf/NewDerechosCiviles/New/PRHTTVI.pdf>.

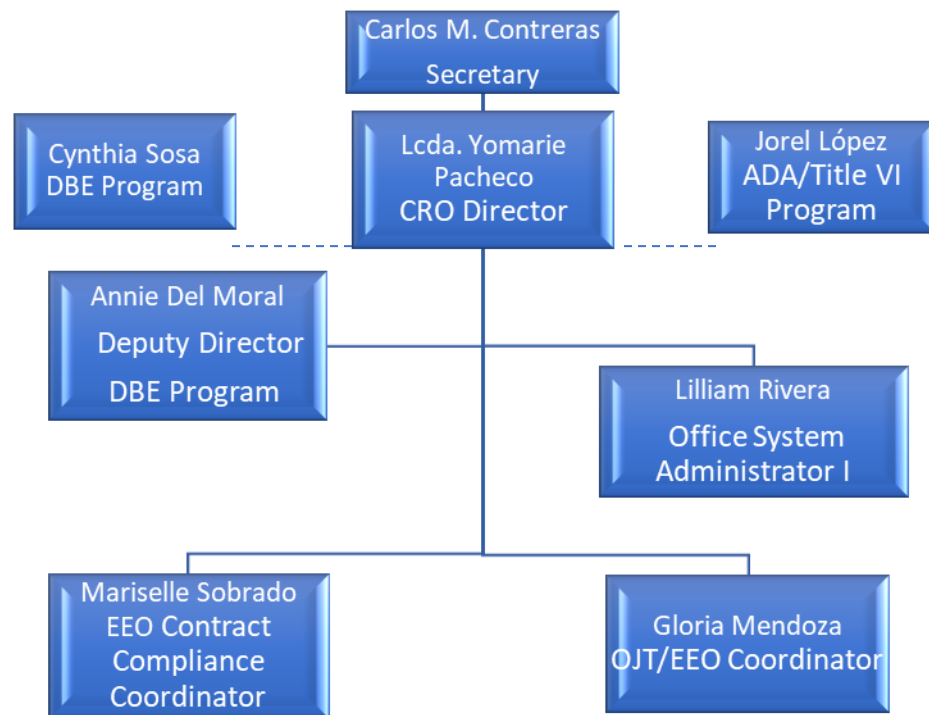
IV. ORGANIZATION STRUCTURE

1. Civil Rights Office

The Civil Rights Office (CRO) has as a primary goal ensuring equity and nondiscrimination within all PRHTA programs, services and activities. A civil right is the common name given to those rights guaranteed to all people in the United States, by

the Constitution of the Commonwealth of Puerto Rico and the United States, and other legislation, guaranteeing equal treatment. Such treatment is guaranteed without distinction as to race, color, national origin, sex, age, disability or economic/social status. The functions assigned to the CRO have been subdivided by specific civil rights program areas. The CRO is managed by its Director, who reports to both the Secretary of the PRDTPW and the Executive Director of the PRHTA. The Director has direct, easy and independent access to either or both of these PRHTA officials. Currently, the CRO has assigned five (5) Civil Rights Coordinators for five (5) programs with a Deputy Director who manages the DBE Program, and an Office Systems Administrator.

Thus, the composition of the CRO is as follows:



2. Title VI Program

Title VI refers to a portion of the Civil Rights Act of 1964 which stipulates 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 otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Transportation. Subsequent legislation and other authorities broadened the scope to include protection and/or consideration of gender, age, social/economic condition and those who are handicapped. The principal Program objective is to guarantee no discrimination against any person in the Puerto Rico

Department of Transportation and Public Works (PRDTPW) and the Puerto Rico Highway and Transportation Authority (PRHTA) programs and services. (Appendix 1)

3. Roles and Responsibilities

The Title VI/Nondiscrimination Coordinator (Coordinator) reports to the Secretary and/or Executive Director any problems or accomplishments in the PRHTA Title VI/Nondiscrimination program, in addition to program concerns and accomplishments in the Department. The Coordinator is responsible for coordinating all aspects of Title VI program activities within the Department. Those efforts include, but are not limited to:

- Developing, coordinating and implementing all Title VI procedures, ensuring affirmative procedures and correcting within ninety (90) days any deficiencies which might result in the Department being placed in a deficiency, or non-compliance status by the FHWA.
- Providing training, technical assistance and advice on Title VI matters to Department personnel;
- Conducting Title VI reviews of federal program areas to ensure programs, services and activities are conducted in a nondiscriminatory manner;
- Reviewing Title VI complaints to ensure they are shared with appropriate US DOT modal agencies and promptly processed consistent with the PRHTA Title VI/Nondiscrimination complaint process;
- Interacting with Puerto Rico DOT supervisory personnel in providing Title VI/Nondiscrimination information in languages other than English;
- Interacting with other Civil Rights Program personnel in reviews of program activities which include Title VI or other discrimination issues;
- Updating and submitting to FHWA annually the Title VI Implementation Plan, reflecting any changes in organization, policy or implementation;
- Preparing a yearly report of Title VI's accomplishments for the past year and the goals for the following year.

V. MONITORING & EVALUATION PROCESS

Each Division and Regional Director within the DTPW or PRHTA federal program areas shall be responsible for ensuring Title VI compliance within their particular area of responsibility. Title VI monitoring, coordinating and documentation is the responsibility of the designated Area Title VI Liaison. He/she will conduct appropriate periodic reviews of area activities and make recommendations to correct any deficiencies found. Each Area Title VI Liaison will report activities to the PRHTA Title VI/Nondiscrimination Coordinator, who is ultimately responsible for reviewing and reporting PRHTA compliance. PRHTA has designated the following as Title VI program areas:

1. Planning

The Planning Section has the primary responsibility for delivering the state highway planning and project management process in accordance with Title VI program requirements. In addition to reviewing applicable Department activities to ensure that Title VI references are included, procedures will also be reviewed to ensure nondiscrimination and equitable distribution of benefits and burden in any proposed or approved transportation plan. During the planning process, applicable divisions are advised of the Title VI requirements. The CRO will aid in identifying potential problems and concerns related to Title VI and will also monitor representation and nondiscrimination of public participation.

Population in Puerto Rico is 99% Hispanic, so for considerations of Environmental Justice and equity, poverty level rather than national origin is the main concern. Also, processes to ensure non-discrimination on the selection of the projects are implemented through the *Project Evaluation and Selection Criteria Process*. <http://www.dtop.gov.pr/fotos/pr-islandwide-lrtp-final-dec-2013.pdf>. Puerto Rico Island-wide 2040 Long Range Transportation Plan, Chapter 4.

2. Project Development

Environmental documents, including impact statements and mitigation measures for project development are evaluated to ensure that residences and businesses which are to be displaced will not be adversely affected and that plans comply with Title VI requirements. Additionally, the process of consultant selection(s), if any, to perform works such as location studies, preliminary design and engineering design plans are monitored as well as the procedures for soliciting public involvement to ensure that discriminatory effects are avoided.

3. Right of Way (land acquisition)

The Right of Way Area is responsible for the acquisition of all property required for highway construction, material sources, and maintenance shed sites. It is also responsible for the oversight of all Local Public Agencies acquiring property, who utilize federal funding for highway purposes. The acquisition of right of way follows the planning, design phases of the highway development process, and is one of the final phases prior to the actual award of the construction contract. Procedures for the acquisition of highway right of way, appraisals, negotiations, title requirements, relocation assistance, utility adjustments and other works related to the acquisition or disposition of real property are important elements of Title VI monitoring during this phase of the highway process. Finally, ROW interviews staff as well as impacted members of the public to ensure nondiscrimination and to identify emerging issues and unmet needs.

4. Design and Construction

The Office of Design and Construction has a multitude of responsibilities to demonstrate nondiscrimination and program equity:

- Identify and address potential impacts of transportation activities on low income,

minority, elderly, disabled, and limited English proficient populations, including those not previously identified.

- Conduct outreach among minority, low-income, limited English proficient and elderly populations to ensure effective public engagement during planning and project development. Document targeted strategies and methods utilized to engage these populations, including but not limited to: – Advertising public meetings, etc. in diverse media resources. – Making technical information available in user-friendly format. – Making information available electronically. – Contacting minority groups or leaders to identify information needs and issues of concerns. – Utilizing citizen advisory committees. – Holding meetings at accessible locations/convenient dates/times. – Utilizing non-traditional meeting formats.
- Provide and document special accommodations for disabled individuals/groups and limited English proficient individuals/groups to ensure that they receive meaningful access to services and are afforded equal opportunities to participate in decision-making;
- Document input received from minority, low-income and other Title VI protected populations facing barriers to access. Maintain records of agency responses.
- Ensure mitigating measures identified during project development are effectively implemented.
- Review monitoring/inspection activities to ensure procedures/practices do not result in disparate treatment of protected groups.

5. Community Involvement

Efforts to encourage public involvement during the planning and development of the highway process are monitored to ensure compliance with Title VI requirements. Specifically, the CRO monitors the community involvement process to ensure that extra efforts are taken to achieve a level of public participation that is representative of all interested/impacted communities. <http://www.dtop.gov.pr/fotos/pr-islandwide-lrtp-final-dec-2013.pdf>. Puerto Rico Island-wide 2040 Long Range Transportation Plan, Chapter 3.

6. Professional Services Contracting

Procedures for professional services contracting such as the Department's consultant and professional services are monitored for compliance with applicable Title VI requirements. Every written contract will include appropriate nondiscrimination clauses.

7. Training

The CRO has the responsibility to provide internal and external training related to Title VI and other nondiscrimination provisions, its application to program operations, identification of Title VI issues and resolution of complaints. The CRO encourages and participates in Civil Rights related training as much as possible.

VI. DATA COLLECTION/REPORTING /ANALYSIS

Statistical data on race, color national origin, sex, age, disability, and LEP of participants and beneficiaries of the PRHTA programs, is gathered, analyzed, and maintained by the Agency to the determine the transportation investment benefits and burdens to the population, including minority and low-income populations. Each program area maintains data relative to their programs and activities. Data gathering procedures are reviewed regularly to ensure efficiency of the data in meetings the requirements of Title VI program administration. Analysis of the data collected by the program emphasis area may include:

- The race, color, national origin, sex, age, disability, and LEP of the population eligible to be served.
- Socioeconomic Assessment to evaluate project's potential impacts to the human environment.
- Persons to include in the decision-making process.
- Distributions of benefits to groups and communities.
- Language needs assessment.
- Transportation needs of all persons within boundaries of plans or projects.
- Strategies to address impacts.
- The way services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination.
- The location of existing or proposed facilities connected with the program and related information for determining whether the location has or will have the effect of unnecessarily denying access to any persons based on prohibited discrimination.
- Strategies to disseminate information.

VII. SUB-RECIPIENTS REVIEWS PROCEDURES

Sub-recipients are local governmental entities that receive federal financial assistance from PRHTA. As a condition of receiving federal funds, the sub-recipient must sign an assurance of nondiscrimination and agree to carry out the requirements of the Title VI program. Sub-recipients must have a signed assurance to establish full and affirmative compliance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities. Sub-recipients of federal financial assistance may adapt or adopt a state Department of Transportation's Title VI program, procedures or practices; or should have a Title VI program or signed agreement which at a minimum should contain the following elements:

- **POLICY STATEMENT**

The policy statement must indicate the sub-recipient's commitment to assure nondiscrimination in its program and activities to the effect that no person shall on the grounds of race, color, national origin, sex, age, disability or income status be excluded from participation in, be denied the benefits of, or be otherwise subjected to

discrimination or retaliation under any federally or non-federally funded program or activity administered by the sub-recipient and/or its contractors. The policy statement must be signed by the head of the sub-recipient's organization.

- **TITLE VI LIAISON**

The sub-recipient must designate a liaison for Title VI issues and complaints within the organization. The liaison is the focal point for Title VI implementation and monitoring of programs and/or activities receiving federal financial assistance from the Department of Transportation.

A recipient is responsible for ensuring that its subrecipients comply with Title VI requirements. If the subrecipients are not in compliance with all Title VI requirements, then the primary recipient is not in compliance with Title VI. The Agency will perform an audit of select sub-recipient every year to ensure compliance with Title VI. The compliance review will focus on how effectively the sub-recipient has implements its Title VI by analyzing compliance with the elements of the Title VI plan.

- **COMPLAINT PROCEDURES**

The sub-recipient must develop and post/distribute a process for accepting and processing discrimination complaints related to its programs, services and activities. The sub-recipient may adopt the PRHTA process or use its own providing:

- It is not related to employment discrimination
- Processing does not exceed ninety (90) days
- All transportation complaints are shared with PRHTA so that it may apprise FHWA

The sub-recipient must maintain a log of all non-employment discrimination complaints and provide this information to PRHTA at least annually upon request.

VIII. PUBLIC INVOLVEMENT

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that PRHTA utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

The public involvement process (PIP) may comply with all Title VI Program requirements. Any outreach efforts encourage and help to eliminate barriers to participation. This PIP is a proactive process that promotes meaningful and ongoing participation from a broad cross-section of the public representing the diverse points of views on the issues. It is designed to reach a broad representation of the agencies, stakeholders, and citizens. This will facilitate dissemination of information and ideas in a two-way communication process and will provide and open and ongoing channel for communication and dialogue throughout the course of the planning process.

The PRHTA will periodically evaluate the public involvement efforts to determine its effectiveness in reaching the public and local officials of Non-Urbanized Areas and assure their full and open access to the planning and programming decision-making processes. As part of these efforts, at least once every two (2) years the DTPW will survey local officials from these areas, and pertinent PRHTA offices (such as Environmental Studies, Strategic Planning, Programming) to provide feedback about the PIP procedures, and make recommendations for improvements.

[http://www.dtop.gov.pr/fotos/coordinacionfederal/notices/2016-july28-public-involvement-plan-\(2\)draft-16-august-2018.pdf](http://www.dtop.gov.pr/fotos/coordinacionfederal/notices/2016-july28-public-involvement-plan-(2)draft-16-august-2018.pdf).

IX. LANGUAGE ASSISTANCE PLAN

Title VI of the Civil Rights Act prohibits discrimination based on national origin, among other things. The LEP Executive Order (Executive Order 13166) ensures that, consistent with Title VI, persons with Limited English proficiency ("LEP") have meaningful access to federally conducted and federally funded programs and activities. The Order requires all agencies that provide Federal financial assistance to issue guidance on how Title VI applies to recipients of that assistance in their contact with persons who are LEP. The Order also requires that Federal agencies create plans for ensuring that their own activities also provide meaningful access for persons who are LEP. (Appendix 2)

X. REVIEW OF PRHTA DIRECTIVES

DTPW plans, prioritizes, and develops transportation-related projects for Puerto Rico in conjunction with local, regional, and federal authorities. The agency's planning process produces both long-range inter-modal transportation plans and shortrange programs and projects. FHWA and FTA jointly oversee the transportation planning process and are authorized to approve state and regional transportation plans. DTPW strives to address Title VI concerns in its strategic transportation planning at both the local and regional levels. To this aim, DTPW and its regional partners utilize a cooperative process centered around public participation, improving the human environment, and avoiding disproportionately high or adverse effects on minority and low-income populations. FHWA and FTA have issued joint guidance on implementing Title VI in local and regional planning. Based on this guidance, DTPW has identified its primary responsibilities to fully comply with Title VI in the agency's short-term and long-range transportation planning. The Office of Civil Rights, in coordination with program area officials, work together to integrate the following actions into the planning process.

DTPW has developed strategies for ensuring, demonstrating, and substantiating compliance with Title VI. These strategies include consideration of demographic information in the transportation planning and service process. To achieve that goal, DTPW has developed a demographic profile that includes identification of the locations of socio-economic groups, including low-income and minority populations. The planning process seeks to recognize the needs of minority and low-income populations. In addition, DTPW's transportation planning process requires regular public involvement. The public participation process involves outreach, notice, and the opportunity for the

public to provide comments. DTPW works diligently to ensure that the public has notice of transportation planning and services by partnering with community groups, posting public notices along the effected service routes, and translating notices when the demographic data shows that NEP/LEP populations likely to be impacted by the transportation planning.

DTPW is responsible for developing its own State Transportation Improvement Program (STIP). The STIP is a list of federally funded transportation projects proposed for funding under Title 23, USC 135, and 49 USC 5304 which covers a period of at least four years. Federal regulations 23 USC 135 and 49 USC 5304 require each State to carry out a continuous, cooperative and comprehensive statewide multimodal process, including development of a Long-Range Transportation Plan and a STIP to facilitate the safe and efficient management, operation and development of the surface transportation system. The STIP also includes regional significant projects that may not be federally funded.

XI. COMPLIANCE AND ENFORCEMENT PROCEDURES

An integral part of the Title VI Program is the process whereby data is collected from various Bureaus/Offices/Units and is analyzed to identify any patterns of discrimination. Annually, Title VI Liaisons collect and assimilate federal-aid program-related data and provide this data to the Title VI/Nondiscrimination Coordinator.

XII. COMPLAINT PROCEDURE

The Department of Transportation and Public Works (DTPW) and the Puerto Rico Highway and Transportation Authority (PRHTA) has adopted a public grievance procedure for prompt and equitable resolution of complaints alleging an action prohibited by federal regulations.

The purpose of the public grievance procedure is to describe the steps used by the DTPW and PRHTA for processing complaints under Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. Intimidation or retaliation because of a complaint is prohibited by law.

Procedure

1. Any person who believes he or she have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under a DTPW/PRHTA program or activity because of their race, color, national origin, age, sex, or disability may file a formal complaint with DTPW's/PRHTA's Civil Rights Office (CRO). The complaint must be filed within one hundred eighty (180) days of the alleged discrimination.
2. The complaint must be written and signed by the complainant and shall include:
 - The Complainant(s) name, address and phone number
 - Basis of complaint (race, color, national origin, sex, age, disability)
 - Date(s) of alleged discriminatory act(s)
 - A statement of the complaint, including specific details, relevant facts and

documentation.

3. The complaint must be filed by completing and signing the Complaint Form and delivering it personally, by fax, email or by mail to:

Highway and Transportation Authority
Civil Rights Office
PO Box 42007 San Juan, PR 00940-2007

Fax: (787) 721-2621
Email: derechosciviles@dtop.pr.gov

4. Upon receipt of a complaint, the CRO will determine jurisdiction, acceptability or need for additional information. CRO will also provide a copy of the complaint to the applicable U.S. Department of Transportation Modal agency.
5. The CRO will conduct its investigation, which should be concluded in approximated sixty (60) days, after receiving the complete grievance.
6. Once the investigation is concluded, the CRO will notify the complainant of the result.
7. If the complainant does not agree with the result, he or she may file a reconsideration at the DTPW's Legal Adviser's Office, within thirty 30 days of the notification of such result.
8. If the complaint cannot be resolved by DTPW, the matter will be forwarded to the U.S DOT within ten (10) days for further processing.
(Appendix 3)

XIII. ANNUAL GOALS AND ACCOMPLISHMENTS REPORT

Goals for Upcoming Fiscal Year 2020-2021

- Review the website to ensure that CRO information is accurate, consistent, and easily located.
- Provide efforts to ensure public participation in the planning and development of transportation projects.
- Participate in FHWA trainings.
- Develop and deliver Title VI Program training:
 - ✓ Staff
 - ✓ Sub-recipients
 - ✓ Internal and External partners
- Develop and establish an adequate procedure for identifying Title VI issues.

Accomplishments Fiscal Year 2020-2021

- Development of the ADA RFP for the ADA Transition Plan.
- Trainings:

- ADA Workshop Development for PRHTA
- Design short webinars for the Civil Rights website
- Webinars:
 - Title VI Data Collection and Analysis
 - Title VI Implementation Plan
 - Innovations and Technology for Transition Plan Implementation Confirmation
 - Dedicated ADA Funding Confirmation
 - Incorporating the Transition Plan in the STIP Process Confirmation
 - Updating Inventory
 - *"Common Sources of Confusion in the ADA Standards"*
 - IMPACTO DEL NUEVO CÓDIGO CIVIL EN EL TRABAJO
 - Inclusion Confusion: What is the SELF-ID Form and Why is it Important
 - EL ACOMODO RAZONABLE EN LOS TIEMPOS DEL COVID-19
 - Violencia de Género: Implicaciones en el Contexto de Distanciamiento Social
 - EEOC Case Management Process
 - Integrating the Access and Functional Needs Coordinator Role into your Emergency Operations Center
 - Integrating the Access and Functional Needs Coordinator Role into your Emergency Operations Center
 - "Justicia Pandémica: Derechos de los padres y las madres en el trabajo"
 - Inclusion Confusion: What is the SELF-ID Form and Why is it Important?
 - statewide ADA Coordinators Meeting
 - "PREVENCIÓN EN EL LUGAR DE EMPLEO: TOMAS DE TEMPERATURA Y PRUEBAS RÁPIDA Y MOLECULAR DEL COVID-19".
 - Voluntary Self-Identification of Disability
 - The Technology Landscape for Applicants and Employees who are Blind or Experiencing Vision Loss
 - Trata Humana y Personas con Discapacidad
 - Diversidad funcional ante el Covid-19
 - COVID19 en las Comunidades con Discapacidad
 - The Importance of Essential Job Functions for Disability Law
 - Q&A About the ADA, the Rehabilitation Act, and COVID-19
 - COVID-19, Health Care, and the ADA
 - Research on ADA Coordinators Involvement in Accessible Emergency Management
 - Management and Preparedness-Inclusion of Persons with Disabilities
 - Affirmative Actions Course
 - Research on ADA Coordinators involvement in accessible emergency management
 - Curbside access
 - Safe and Accessible Intersections

- Reviews:
 - Full review of the Title VI Program to determine consistency and compliance with PRHTA policies and procedures.
 - Design action plans to ensure compliance.

FY 2020 Title VI/Nondiscrimination Complaints Summary

Name	Date Filed	Basis	Issue	Status/Action
N/A				

Appendix 1

POLÍTICA DEL TÍTULO VI

DEPARTAMENTO DE TRANSPORTACIÓN Y OBRAS PÚBLICAS (DTOP) Y AUTORIDAD DE CARRETERAS Y TRANSPORTACION (ACT)

TÍTULO VI DE LA LEY DE LOS DERECHOS CIVILES DE 1964 POLÍTICA DE NO DISCRIMINACIÓN

Es política del Departamento de Transportación y Obras Públicas y la Autoridad de Carreteras y Transportación dar cumplimiento al Título VI de la Ley de los Derechos Civiles de 1964, estatutos relacionados, reglamentaciones y directrices, según enmendados. El DTOP y la ACT se asegurará que ninguna persona sea excluida de participar en, ni se le negará los beneficios de, o será objeto de discriminación por razón de raza, color, sexo, edad, origen nacional, impedimento o condición social en cualquier servicio, programa o actividad del DTOP y la ACT que sea administrada por el Departamento sin importar su fuente de financiamiento. El DTOP y la ACT también se asegurarán que se hará todo esfuerzo para evitar la discriminación a través de sus programas, políticas y actividades para grupos minoritarios y población de bajos recursos económicos. Además, el DTOP y la ACT tomarán medidas razonables para proveer acceso significativo a servicios para aquellas personas que confrontan alguna dificultad o barrera idiomática.

Los oficiales y el personal directivo del Departamento y la ACT serán responsables por cumplir estrictamente con ésta política. Cualquier obstrucción a la misma, el incumplimiento con ésta o ausencia de cooperación, conllevará penalidades.

Los(as) visitantes, aspirantes a empleo y empleados(as) pueden escribir, llamar o visitar la oficina de Derechos Civiles y requerirle al (la) oficial encargado(a) orientación sobre el derecho que le asiste de radicar una querrela bajo el Reglamento 01-004 de ACT y DTOP o las otras agencias adscritas.

Para información adicional sobre esta política o para radicar una querrela, comuníquese a la Oficina de Derechos Civiles de la ACT; Centro Gubernamental Roberto Sánchez Vilella, Edificio Sur, Piso 16, San Juan, Puerto Rico / PO Box 42007, San Juan, Puerto Rico 00940-2007 Tel. (787) 721-8787 Exts. 1740 o 1742, Fax: (787) 721-2621.

TITLE VI POLICY

PUERTO RICO DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (PRDTPW) PUERTO RICO HIGHWAY AND TRANSPORTATION AUTHORITY (PRHTA)

TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 NON- DISCRIMINATION POLICY STATEMENT

It is the Policy of The Puerto Rico Department of Transportation and Public Works (PRDTPW) and the Puerto Rico Highway and Transportation Authority (PRHTA) to effectuate compliance with Title VI of the Civil Rights Act of 1964, and related statutes, regulations, and directives, as amended. PRDTPW and PRHTA assure that no person shall, on the ground of race, color, sex, age, national origin, those who are disabled, or because of social status or condition, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any PRDTPW and PRHTA service, program or activity which is managed by this Department regardless of the funding source. The PRDTPW and PRHTA also assure that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, PRDTPW and PRHTA will take reasonable steps to provide meaningful access to services for those in the population confronted with language barriers.

The officials and directors of this Department are responsible to oversee strict adherence to this policy. Non-compliance, non-cooperation or obstruction of said policy will convey penalties.

The visitors, applicants and employees may write, call or visit the Civil Rights Office and request information with the appropriate official, pertaining to their rights to file a complaint under Regulation 01-004 of the PRHTA & PRDTPW.

For further information concerning this policy or to file a complaint, contact the PRHTA Civil Rights Office, Roberto Sánchez Vilella Government Center, South Building, 16th Floor, San Juan, Puerto Rico / PO Box 42007, San Juan, Puerto Rico 00940-2007, Phone (787) 721-8787 Exts. 1740 or 1742, Fax (787) 721-2621.

Carlos M. Contreras Aponte, PE
Secretario del DTOP / PRDTPW Secretary

Appendix 2

LANGUAGE ASSISTANCE PLAN

Analysis of Factors

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

The 2011-2015 American Community Survey (ACS) 5-year Summary File Data from U.S. Census Bureau determined that in Puerto Rico, **99.0%** of its population is of Hispanic Origin and that **94.7%** of its residents speak a language other than English at home. The US Census 2011-2015 also indicates that out of the population of 5 years and over **78.9%** speak English "less than very well", **94.7%** speak a language other than English and **5.3%** speak English only.

Puerto Rico is the only USA territory where Spanish is spoken as the main language; it is a predominantly Hispanic jurisdiction. All these characteristics determine that people in contact with transit vehicle operators, transit station managers, the Agency's customer service calls, Agency's visitors, access to the agency website, etc. speak mostly Spanish.

Factor 2: Frequency of Contact

Spanish is the main language spoken in Puerto Rico. The Agency serves almost exclusively Spanish speaking individuals since **99.0%** of its population is Hispanic. Contact with non-English speaking population is present at all times. All of the services provided by DTPW are directed to Spanish speaking population. Public employees, transit vehicle operators, transit station managers, customer service calls, visitors, speak mostly Spanish and in some cases English.

Factor 3: The importance to LEP Persons of (DTPW) (PRHTA) Programs, Activities and Services

DTPW is the central government agency in charge of the planning, development and coordination of the activity in the field of transportation of the Commonwealth of Puerto Rico. The DTPW has seven regional offices under the Public Works Directorate, located in Aguadilla, Arecibo, Guayama, Humacao, Mayaguez, Ponce and San Juan. The Public Works Directorate is in charge of all construction and maintenance of state roads as well as issuance of access permits. It also has a Driver's Services Directorate with 15 Drivers Service Centers located in Aguadilla, Arecibo, Barranquitas, Bayamón, Caguas, Fajardo, Vieques, Manatí, Guayama, Humacao, Mayaguez, Ponce, Carolina, Río Piedras and Utuado. This directorate is in charge of all transactions related to vehicles including licensing. Also, the Maintenance Area of the DTPW is in charge of landscaping and the issuance of junker permits, among other things.

On the other hand, the Puerto Rico Highway and Transportation Authority (PRHTA) is a public corporation and government instrumentality of the Commonwealth of Puerto Rico. It was created to provide people with the best means of transportation, and to expedite the movement of vehicles and individuals, to relieve in every possible way the hazards and inconveniences caused by congestion on the roads of Puerto Rico. Five regional offices carry out the construction projects under the direction of the Construction Area: South, East, West and Metropolitan. Under the Toll Road Area, PRHTA manages toll roads that cover the South (PR52) and East (PR66, PR53), with a portion of PR 20.

Currently, the PRHTA has the responsibility of a major undertaking with respect to public transportation - the rapid transit system known as Tren Urbano under the Integrated Transportation Alternative Directory known by its Spanish acronym ATI, completed in 2005. It serves mainly the Bayamón, Río Piedras and Hato Rey areas. Tren Urbano is currently made up of one rapid transit route. It consists of 16 stations: Sagrado Corazón, Hato Rey, Roosevelt, Domenech, Piñero, Universidad, Río Piedras, Cupey, Centro Médico, San Francisco, Las Lomas, Martínez Nadal, Torrimar, Jardines, Deportivo and Bayamón.

DTPW, PRHTA and Tren Urbano's users, transit vehicle operators, transit station managers, employees and customers are mainly of Hispanic origin which are mostly Spanish speaking. Normal interactions between them are done in Spanish language.

Factor 4: The Resources Available to the Recipient and Costs

The implementation of LEP Access Program will cause no additional cost to the agency since Spanish is the primary language spoken in the island. All public employees of the DTPW and the PRHTA and transit system speak Spanish and in some cases English.

Policies, publications regarding public hearings, bid advertisements, Title VI related surveys, complaint forms, Tren Urbano signs, communications, printed materials, special fare applications, maps, brochures and general information, danger signs, alarms, exits, etc. are all provided in Spanish and English.

Implementation Plan

The Department of Transportation and Public Works will comply with the federal requirements by providing assistance as follows:

- **Identifying LEP Individuals Who Need Language Assistance:** Spanish is the primary language spoken in Puerto Rico; normal interaction with people helps identify the language spoken by an individual. Spanish is the norm, not the exception.
- **Language Assistance Measures:** DTPW employees are Spanish speaking and in some cases, they also speak English. The following documents are all provided in Spanish: Policies, publications regarding public hearings, bid advertisements, Title VI related surveys, complaint forms, employment applications, Tren urbano, signs, communications, printed materials, special fare applications, maps, brochures and general information, etc. Agency staff, vehicle operators, station managers, etc speak Spanish language and in some cases English.
- **Training Staff:** All our staff is Spanish Speaking and in some cases, they speak English.
- **Providing Notice to LEP Persons:** All communications (newspapers, radio, television advertisements, signs and handouts available at stations, announcements in vehicles and at stations, agency website, customer service lines are provided in Spanish.
- **Monitoring and Updating the LEP Plan:** DTPW will annually evaluate and update this LEP Program.

Appendix 3



GOBIERNO DE PUERTO RICO
Departamento de Transportación y Obras Públicas

Formulario De Querella Por Discrimen Titulo VI/ADA TITLE VI/ADA NON-DISCRIMINATION COMPLAINT FORM

El Departamento de Transportación y Obras Públicas y la Autoridad de Carreteras y Transportación están comprometidos en proveer sus servicios sin discriminar para asegurarse que ninguna persona sea excluida de participar en, ni se le negará los beneficios de, o será objeto de discriminación, como lo exigen las leyes federales.

The Department of Transportation and Public Works and the Puerto Rico Highway and Transportation Authority are committed to providing non-discriminatory services to ensure that no person is excluded from participation in, or denied the benefits of, or subjected to discrimination in the receipt of its services, as required by federal laws.

Si usted entiende que ha sido discriminado, favor de proveer la siguiente información para facilitar la tramitación de su queja. Si necesita asistencia para completar el formulario o de tener alguna pregunta, no dude en comunicarse al (787) 721-8787 Ext. 1740. Una vez completado, envíelo a:

If you feel that you have been discriminated against, please provide the following necessary information in order to facilitate the processing of your complaint. If assistance is required to complete the form, of if you have any questions, please do not hesitate to call, at (787) 721-8787 Ext. 1740. Once completed, send it to:

Oficina de Derechos Civiles
Autoridad de Carreteras y Transportación
PO Box 42007 San Juan PR 00940-2007
Email: derechos civiles@dtop.pr.gov

Sección 1. /Section 1.

Apellidos/ Last Name

Iniciales/
Initials

Nombre/First Name

Dirección/Address

Correo Electrónico/ E-mail address

Teléfono/Telephone #

Sección 2. /Section 2.

Entiendo se discriminó en mí contra basado en: (marque todas las que aplican)

I believe that I have been discriminated on the basis of: (check all that apply)

☐ Raza/Race o/ or Color ☐ Origen Nacional/National Origin ☐ Edad/Age ☐ Sexo/Sex ☐ ADA
☐ Otro/Other _____

Fecha de la alegada discriminación (mes, día, año): _____

Date of the alleged discrimination (month, day, year):



Sección 3. /Section 3.

Explique de la manera más clara posible lo que sucedió y por qué cree que se discriminó en su contra. Describa a todas las personas quienes estuvieron involucradas. Incluya el nombre e información contacto de la(s) personas(s) que discriminó (discriminaron) en su contra (si lo sabe), al igual que el nombre e información de contacto de cualquier testigo(s). Incluya papel adicional, de necesitar más espacio:

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known), as well as names and contact information of any witnesses. If more space is needed, please use additional paper.

Sección 4. /Section 4.

¿Ha presentado una queja del Título VI/ADA con esta agencia anteriormente? ☐ SI/YES ☐ NO
Have you previously filed a Title VI/ADA complaint with this agency?

¿Ha presentado esta queja ante otra agencia estatal o federal? ☐ SI/YES ☐ NO
Have you filed this complaint with any other state or federal?

Si la contestación es en la afirmativa, favor proporcionar la información de la persona contacto en la agencia en donde se presentó la queja:
If yes, please provide the contact person's information at the agency where the complaint was filed:

Nombre/Name: _____ Puesto/Title: _____

Agencia/Agency: _____ Teléfono/Telephone: _____

Firma/Signature

Fecha/Date