

HERKIMER COUNTY

TITLE VI PLAN

REVISED June 2018
REVISED October 2022

STEVEN R BILLINGS
PERSONNEL OFFICER
TITLE VI COORDINATOR

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HERKIMER COUNTY

Nondiscrimination Policy Statement

It is the policy of the **Herkimer County** to prevent and eliminate discrimination in all of its operations and services as well as all aspects of employment. All Department, 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, or Vietnam era veteran status.

This policy fully incorporates throughout all of the **Herkimer County** operations the requirements of applicable State and Federal 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.

Herkimer 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 their own potential.

This policy will be placed on all **Herkimer County's** bulletin boards and made available to all organizations and entities doing business with Herkimer County. Any complaints involving allegations of discrimination should be sent to Steve Billings, Herkimer County Personnel Officer.

RELATED POLICY AND AUTHORITATIVE SOURCES

New York State Laws

New York State Human Rights Law Article 15 (1945) – Guarantees nondiscrimination in the State of New York 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 the state 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

On January 1, 2011, Governor Cuomo issued Executive Order 2 that 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 that 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; 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.

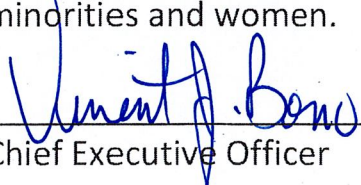
Age Discrimination Act of 1975 – Prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

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.

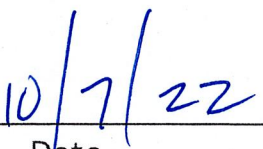
Americans with Disabilities Act (ADA) of 1990 – Federal Law prohibiting discrimination against people with disabilities in employment, public access to services, transportation, public accommodations, and telecommunications services.

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 provide 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 trails 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, training and minorities and women.



Chief Executive Officer



Date

Title VI/Non-Discrimination Assurances

Herkimer County (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the *New York State Department of Transportation (NYSDOT)*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.P.R. Part 21 (entitled *Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.P.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds 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, "for which the Recipient receives Federal financial assistance from DOT, including the NYSDOT.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted *Federal Highway and Federal Transportation funded programs*:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all *Federal Highway and Federal Transportation programs* and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

Herkimer County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US. C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

- a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
- b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

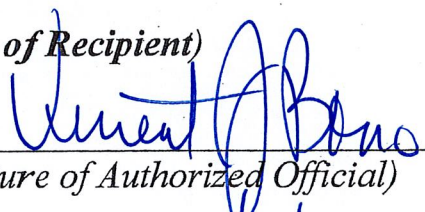
By signing this ASSURANCE, Herkimer County also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the NYS Department of Transportation access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the NYS Department of Transportation. You must keep records, reports, and submit the material for review upon request to the NYS Department of Transportation, or its designee in a timely, complete, and accurate way.

Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Herkimer County gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the *Federal Highway and Federal Transportation programs*. This ASSURANCE is binding on the State of *New York*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the *Federal Highway and Federal Transportation programs*. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

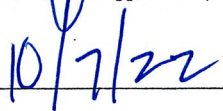
(Name of Recipient)

by



(Signature of Authorized Official)

DATED



APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the *NYS Department of Transportation* to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the *NYS Department of Transportation*, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the *NYS Department of Transportation* may determine to be appropriate, including, but not limited to:

- a. withholding payments to the contractor under the contract until the contractor complies; and/or
- b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the *New York State Department of Transportation* may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that Herkimer County will accept title to the lands and maintain the project constructed thereon in accordance with (*Name of Appropriate Legislative Authority*), the Regulations for the Administration of (*Name of Appropriate Program*), and the policies and procedures prescribed by the (*Title of Modal Operating Administration*) of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (*Title of Recipient*) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto *Herkimer County* and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on Herkimer County, its successors and assigns.

Herkimer County, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located

wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that Herkimer County will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by Herkimer County pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, *Herkimer County* will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the *Herkimer County* will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the *Herkimer County* and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by *Herkimer County* pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, *Herkimer County* will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, *Herkimer County* will there upon revert to and vest in and become the absolute property of *Herkimer County* and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination

against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).



HERKIMER COUNTY PERSONNEL

109 Mary Street, Suite 1304
Herkimer, NY 13350

Steven R. Billings, Personnel Officer
srbillings@herkimercounty.org

Phone (315) 867-1115
Fax (315) 867-1412
www.herkimercounty.org

EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

It is the policy of **Herkimer County** not to discriminate against any applicant for employment, or any employee because of age, color, sex, disability, national origin, race, religion, or veteran status.

Herkimer County will take affirmative action to ensure that the EEO Policy is implemented, with particular regard to: advertising, application procedures, compensation, demotion, employment, fringe benefits, job assignment, job classification, layoff, leave, promotion, recruitment, rehire, social activities, training, termination, transfer, upgrade, and working conditions.

Herkimer County will continue to make it understood by the employment entities with which it deals, and in employment opportunity announcements that the foregoing is the policy of **Herkimer County** and all employment decisions are based on individual merit only.

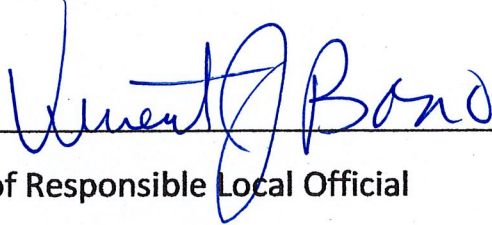
All current employees of **Herkimer County** are requested to encourage qualified disabled persons, minorities, special disabled veterans, and Vietnam Era veterans to apply for employment, on the job training or for union representation for qualified disabled individuals.

It is the policy of **Herkimer County** that all agency activities, facilities, and job sites are non-segregated. Separate or single-user toilet and changing facilities are provided to assure privacy.

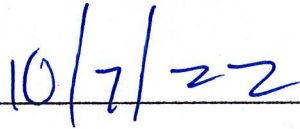
It is the policy of **Herkimer County** to ensure and maintain a work environment free of coercion, harassment, and intimidation at all job sites, and in all facilities

at which employees are assigned to work. Any violation of the policy should be immediately reported to your supervisor or the company EEO Officer.

EEO Officer: Steven R Billings, Personnel Officer
Address: 109 Mary St Suite 1304, Herkimer NY 13350
Telephone: 315-867-1115
Email: srbillings@herkimercounty.org



Signature of Responsible Local Official



Date

DBE Policy Statement

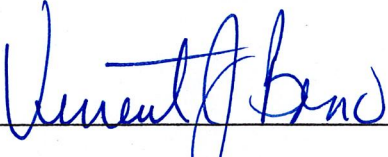
Herkimer County has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The [Recipient] has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the [Recipient] has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of Herkimer County to ensure that DBEs are defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts. It is also our policy:

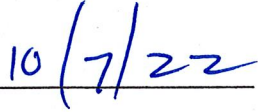
- 1.To ensure nondiscrimination in the award and administration of DOT - assisted contracts;
- 2.To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- 3.To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- 4.To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- 5.To help remove barriers to the participation of DBEs in DOT assisted contracts;
- 6.To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The Herkimer County Budget Officer has been delegated as the DBE Liaison Officer. In that capacity, the Budget Officer is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by Herkimer County in its financial assistance agreements with the Department of Transportation.

Herkimer County has disseminated this policy statement to the Herkimer County Legislature and all of the components of our organization via the herkimercounty.org website. We made this statement available to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts via the herkimercounty.org website



[Signature of Responsible Local Official]



Date

Implementation and Responsibilities

The Title VI Coordinator shall be responsible for overseeing the implementation of Herkimer County's external and internal Civil Rights program activities to ensure equal opportunity for all. The individual shall implement, monitor, and ensure the County's compliance with Title VI and related nondiscrimination regulations. The Title VI Coordinator in Herkimer County shall be the Personnel Officer.

The duties of the Title VI Coordinator shall include:

1. Processing Title VI/Discrimination complaints received by the County. When the County is identified as the complainant, the complain will be forwarded to the US Department of Transportation entity that has jurisdiction over the program or activity.
2. Ensuring and monitoring the collection of statistical data of participants in, and the beneficiaries of, any individual or group affected by state highway programs.
3. Reviewing directives and operating manuals of County government operations, including Title VI language and related requirements.
4. Ensuring Title VI/Discrimination reviews by appropriate County Department Heads of construction contractors, consultant contractors, suppliers, and other County sub-recipients of federal aid highway funds administered through the County
5. Assist in conducting training on Title VI/Discrimination and other related statues for employees and sub-recipients.
6. Developing Title VI information for dissemination to the general public. This includes providing interpretation services when required. Title VI and related information will be provided on the County's website for general public access.
7. Establishing procedures for promptly resolving Title VI/Nondiscrimination deficiencies within 90 days.

Public Notification Process

Title VI Information Dissemination

Title VI information shall be prominently and publicly displayed in Herkimer County facilities. The name of the Title VI coordinator is available on the Herkimer County website, at www.herkimercounty.org. Additional information relating to nondiscrimination obligation can be obtained from the Herkimer County Personnel Officer or his/her designee.

Title VI information shall be disseminated to Herkimer County employees annually, via a payroll stuffer. This form reminds employees of the Herkimer County Policy statement, and of their Title VI responsibilities in their daily work and duties.

Record Keeping

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

Title VI Complaint Procedures

How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to thirty (30) days from the date of the alleged discrimination. The complaint should include the following information:

- Name of complainant, mailing address, and how to contact the complainant (i.e. telephone number, e-mail address, etc.).
- How, when, where, and why the complainant believes he or she was discriminated against. The complainant shall include the location, names, and contact information of any witnesses.
- Other information that is deemed significant by the complainant.

The Title VI Complaint Form (attached) should be used to submit the complaint information. The complaint may be filed in writing with Herkimer County at the following address:

Herkimer County Personnel Office
Attn Personnel Officer
109 Mary St Suite 1304
Herkimer NY 13350

What happens to the complaint once it is submitted?

All complaints alleging discrimination based on race, color, or national origin in a service or benefit provided by Herkimer County will be directly addressed by Herkimer County. Herkimer 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, Herkimer County shall make every effort to address all complaints in an expeditious and thorough manner.

A letter acknowledging receipt of a complaint will be mailed within seven days to the complainant. 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 the complaint?

Herkimer County shall send a final written response letter to the complainant. If a complaint is not substantiated the complainant will be advised of his or her right to 1) file a complaint externally with the US Department of Transportation and/or the Federal Transit Administration and/or 2) file a complaint with the New York State Division of Human Rights.

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

Federal Transit Administration Office of Civil Rights
Attn. Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington DC 20590

NYS Division of Human Rights
333 East Washington St
Syracuse NY 13202
1-888-392-3644

Communication

External

As an agency receiving federal financial assistance, Herkimer County makes the following community outreach efforts:

1. The public is invited to attend and participate in the legislative process
2. Title VI statements are posted in all County facilities for public viewing
3. Herkimer County has a website to enhance community relations efforts. Herkimer County's Title VI plan will be available to the community on the website.

Additionally, Herkimer County will continue to reach out to low income minority and limited english proficiency populations through the relationships with community organizations who have contact with these individuals. These organizations include, but are not limited to: Resource Center for Independent Living, Catholic Charities, Mohawk Valley Community Action Agency, and Herkimer County HealthNet.

Internal

1. Department Heads and other departmental contacts shall be informed by:
 - Written communications from the County Administrator and/or Personnel Officer
 - Title VI Plan shall be posted on the Herkimer County website
 - Special Meetings
 - Training sessions/seminars

Contracting Goals

Herkimer County selects projects based on needs of community oversight area. The Herkimer County Highway Department organizes a list of roads and projects that need to be addressed. The Herkimer County Highway Department searches for available grants and sets goals according to the funding source. State and Federal agencies have set requirements on D/M/WBE contracts and we utilize that framework. State and Federal contracts are monitored using the Equitable Business Opportunities system (EBO). Herkimer County reports monthly on D/M/WBE activity.

The Herkimer County Budget Officer has been designated as the county's Minority Business Officer. This role includes overseeing our DBE and MWBE contracting programs

Employee Annual Education Form 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 Herkimer 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 related to Title VI or discrimination of any kind based on race, color, or national origin, direct him or her to the Herkimer County Title VI Coordinator.

In all dealings with anyone in the community, use courtesy titles (i.e. Mr., Mrs., Ms., or Mis) to Address them without regard to race, color, or national origin.

ENVIRONMENTAL JUSTICE PLAN

Environmental Justice is the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, income, natural origin, or educational level with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Herkimer County's guiding principles are briefly summarized as follows:

- To ensure the full and fair participation by all potentially affected communities in the transportation decision –making process;
- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority or low income populations; and
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority or low income populations.

Herkimer will ensure that these guiding principles are met by disseminating information by the following means:

- Posting information on County bulletin boards;
- Posting information on the Herkimer County Website;
- Public Meeting;
- Building relationships with stakeholders through community leaders, as those leaders are ideally positioned to champion the public engagement process and disseminate information to their constituents.

APPENDIX A

Limited English Proficiency (LEP) Plan

HERKIMER COUNTY

INTRODUCTION

This *Limited English Proficiency Plan Template* has been prepared to address Herkimer County's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency. The Plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations, which states that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, states that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination which is covered under Title VI. It directs each agency (e.g., FHWA) to publish guidance for its respective recipients (e.g., NYSDOT) clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies that receive federal funds and extends to its sub recipients.

Plan Summary

Herkimer County has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and notification to LEP persons regarding the availability of assistance. For detailed guidance regarding LEP, see NYSDOT's LEP Plan at:

[https://www.dot.ny.gov/divisions/policy-and-strategy/public-trans-repository/Attachment%20D-1%20LEP Plan.pdf](https://www.dot.ny.gov/divisions/policy-and-strategy/public-trans-repository/Attachment%20D-1%20LEP%20Plan.pdf).

In order to prepare this plan, Herkimer County used the Federal Highway Administration (FHWA) Four-Factor LEP analysis:

1. The number or proportion of LEP persons in the service area who may be served by Herkimer County.
2. The frequency with which LEP persons come in contact with Herkimer County services.
3. The nature and importance of services provided by Herkimer County to the LEP population.
4. The interpretation services available to Herkimer County and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is found in the following section.

1. The number or proportion of LEP persons in the service area who may be served or are likely to require Herkimer County services

Herkimer County staff reviewed the American Community Survey 5-Year Estimates for New York State and determined that:

- a. 3,497 individuals in the Herkimer County service area comprising 6.0% of the population speak a language other than English;
- b. Of those, 790 individuals have limited English proficiency; that is, they speak English less than “very well” or “not at all.” This is only 1.3% of the overall population in the service area;
- c. In the Herkimer County service area, of those persons with limited English proficiency:
 - 181 speak German
 - 119 speak Spanish
 - 96 speak Chinese
 - 186 speak Russian
 - 43 speak Vietnamese
 - 2 speak French
 - 9 speak Tagalog
 - 77 speak Asian & Pacific Island
 - 56 speak Arabic, Indo-European
 - 21 speak all other languages

2. The frequency with which LEP persons come in contact with Herkimer County services

Herkimer County reviewed the frequency with which their staff have, or potentially have, contact with LEP persons. This includes documenting phone inquiries or office visits.

- a. Herkimer County other staff have had very little contact with LEP persons.

3. The nature and importance of services provided by Herkimer County to the LEP population

There is no large geographic concentration of any type of LEP individuals in the service area for Herkimer County. The overwhelming majority of the population, 95%, speaks only English. As a result, there are few social, service, or professional and leadership organizations within the Herkimer County service area that focus on outreach to LEP individuals. Herkimer County staff is most likely to encounter LEP individuals through office visits, phone conversations, notifications from department staff regarding the results of service delivery, and attendance and participation at public meetings.

4. The resources available to Herkimer County, and overall cost to provide LEP assistance

Herkimer County reviewed its available resources that could be used to provide LEP assistance and inventoried its documents to determine which are suitable for translation if the need arises.

Herkimer County contacted local citizens and organizations willing to provide voluntary language translation and interpretation services if needed within a reasonable time period. Other language translation options could be provided by bilingual staff or by telephone from a professional interpretation service for which Herkimer County would pay a fee.

LANGUAGE ASSISTANCE

A person who does not speak English as her primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be eligible to language assistance with respect to Herkimer County services. Language assistance can include interpretation (that means oral or spoken transfer of a message from one language into another language) and translation (that means the written transfer of a message from one language into another language).

How the Herkimer County staff can identify an LEP person in need of language assistance:

- Post notices of the LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- Providing Herkimer County staff with language identification cards to assist in identifying the language interpretation services needed if the occasion arises.
- Periodically surveying Herkimer County staff regarding their interaction with LEP persons during the previous period (e.g., quarterly, semi-annually, and annually).
- Greeting participants at Herkimer County sponsored informational meetings or events. Conversational interaction with participants can help determine LEP needs for future events.

Language Assistance Measures

Although there is a very low percentage of LEP individuals in the Herkimer County service area, (i.e., persons who speak English less than “very well” or “not at all”,) Herkimer County will take the following actions:

1. Herkimer County staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
 - Volunteer Spanish language interpreters will be provided within a reasonable time period.
 - Language interpretation services for all other languages will be accessed through a professional telephone interpretation service.

STAFF TRAINING

The information below will be disseminated to staff. Training opportunities on these topics also will be provided and will be held by no later than September of 2018 and annually thereafter:

- Title VI Policy and LEP responsibilities
- Description of language assistance services offered to the public
- Proper use of interpreter service provider's language identification cards
- Documentation of language assistance requests
- Handling of Title VI/LEP complaints

All contractors or subcontractors performing work for Herkimer County are required to follow the Title VI/LEP guidelines.

TRANSLATION OF DOCUMENTS

Herkimer County weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating documents, the likelihood of frequent changes in documents and other relevant factors, Herkimer County has determined that it is an unreasonable burden to translate documents at this time.

Due to the very small LEP population, Herkimer County does not have a formal outreach procedure in place as of 2018. Translation resources have been identified and are limited in this region. However, if the need arises to conduct outreach to LEP individuals, Herkimer County will consider the following options:

- When staff prepares documents or schedules public meetings whose audience is expected to include LEP individuals, Herkimer County will provide meeting notices, flyers, and agendas in the appropriate non-English language(s).
- Herkimer County will assess requests for the translation of documents based on the potential effect and known LEP population.

MONITORING

Monitoring and Updating the LEP Plan – Herkimer County will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when recent data from the U.S. Census and the American Community Survey is available, or when it is clear that higher concentrations of LEP individuals are present in the Herkimer County service area. Updates to the LEP Plan will include the following:

- The number of documented LEP contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area (census data, surveys, information from community-based organizations, and other sources).
- Determination as to whether the need for translation services has changed.
- Determination of the effectiveness of language assistance efforts
- Determination of the adequacy of Herkimer County financial resources to fund language assistance resources.
- Determination of Herkimer County's full compliance with the goals of the LEP Plan.
- Determination of Herkimer County processing of LEP complaints

DISSEMINATION OF THE HERKIMER COUNTY LEP PLAN

Herkimer County will:

- Post signs in public areas informing LEP persons of the LEP Plan and how to access language services.
- Notify LEP persons of the availability, upon request of documents in other languages. This should be placed on agendas and public notices and in the language that LEP persons would understand.
- On the Herkimer County website, post the LEP Plan and procedure to access language services.
- Prepare and post press releases in non-English languages as necessary.
- Distribute copies of press releases to advocacy groups and other organizations serving LEP populations.

Appendix B

HERKIMER COUNTY

AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN

ADA Transition Plan

This ADA Transition Plan reflects *Herkimer County's* long-term commitment to ADA compliance, and details the stages of *Herkimer County's* plan and timeline for: (1) evaluating accessibility by identifying any structural barriers associated with public facilities; (2) identifying accommodations and/or modifications that can be provided to make programs and services accessible; and (3) prioritizing the remediation of any deficiencies and formulating a budget and schedule for those improvements.

This Draft ADA Transition Plan will be revised and updated as the steps of the Plan are completed.

INTRODUCTION

ADA regulations prohibit discrimination against individuals on the basis of disability and require state and local governments to make their programs and services accessible to persons with disabilities. These requirements focus on providing accessibility by addressing and eliminating structural barriers associated with public facilities.

As detailed below, *Herkimer County* has made a significant and long-term commitment to improving the accessibility of its public facilities. The purpose of this Plan is to ensure that *Herkimer County* identifies prohibited structural barriers to its public facilities, and, where structurally feasible, schedules and implements ADA-required improvements in order to remove those barriers.

The ADA requires that the Transition Plan include the following components:

- 1) Identification of physical barriers in a public entity's facilities that limit the accessibility of its programs, activities, or services to individuals with disabilities;
- 2) Identification of the methods to be used to remove any barriers limiting accessibility;
- 3) A schedule for completion of the necessary steps to achieve accessibility in public facilities; and
- 4) The name of the public entity's ADA Coordinator.

The ADA Coordinator for Herkimer County shall be the Herkimer County Personnel Officer. The ADA Coordinator shall be responsible for implementing the County's ADA Transition Plan

STEP 1: IDENTIFICATION OF PHYSICAL BARRIERS IN *Herkimer County* FACILITIES

The first phase of the ADA Transition Plan is to evaluate the *Herkimer County's* public facilities for accessibility. Officials from Maintenance, Highway, and Personnel Departments will coordinate to conduct accessibility evaluations of the following facilities:

- Sidewalks, crosswalks, and curb ramps
- Publicly accessible buildings
- Parking lots serving publicly accessible buildings

For each facility evaluated, a Survey of *Herkimer County* Public Facilities ("the Survey") will be completed. Any deficiencies, suggested improvements, and observations relating to structural feasibility of improvements will be noted and recorded on the Survey.

An Inventory of Public Facilities ("the Inventory") will also be created, and will serve as the central database for identified structural barriers, suggested improvements, and comments relating to structural feasibility of improvements.

Evaluation of Sidewalks, Crosswalks, and Curb Ramps

The Survey will contain the following ratings to assess the condition of each *Herkimer County* sidewalk, crosswalk, and curb ramp:

Rating 1 – Not Applicable: A facility not considered to require accessibility, for example, limited-access highways.

Rating 2 – Not Accessible: Significant discontinuity such as steps, no ramps, more than 100 feet of unpaved walkway, heaving, vertical displacement, other severe distress, flooding, etc.

Rating 3 – Partially Accessible: Not designed to current standards, problems with geometry of sidewalks, ramps and landings, no detectable warnings, handrails, etc.

Rating 4 – Accessible: May need additional improvements, for example circuitous routes, insufficient width, etc.

Rating 5 – Fully Accessible: Designed to current standards, but reasonable accommodations may still be required for individual cases.

Evaluation of Parking Lots and Publicly Accessible Buildings

For the evaluation of publicly accessible buildings and the parking lots serving those buildings, the Survey will incorporate relevant portions of the ADA Checklist for Existing Facilities (based on the 2010 ADA Standards for Accessible Design), produced by the Institute for Human Centered Design.

Schedule for Completion

Herkimer County officials from its Maintenance, Highway, and Personnel Departments will be coordinating over the next several months to evaluate public buildings, parking lots, sidewalks, crosswalks, and curb ramps. Numerous facilities will be subject to this evaluation, and consequently this will be a substantial undertaking for the reviewing officials. The evaluations will be scheduled so as to evaluate outdoor facilities prior to the winter months (to avoid snow cover that may impede a thorough review), with any remaining evaluations of outdoor facilities to be completed by April 2019. Evaluations of indoor facilities will continue during the winter months. Therefore, it is estimated that Step 1 will be completed by **April 2019**.

STEP 2: IDENTIFICATION OF METHODS TO REMOVE BARRIERS

The second phase of the **Herkimer County** ADA Transition Plan is to develop a method to remove barriers. This includes identification of the nature of needed improvements and a determination regarding structural feasibility of improvements under the ADA standards, and prioritization of necessary improvements.

Once the necessary improvements have been identified and prioritized, this information, along with a list of any improvements determined to be physically unfeasible, will be presented at a meeting of the **Herkimer County's Properties Committee**. It is Herkimer County's practice to provide public notice of the dates and agendas of Committee meetings on the **Herkimer County** website. This will provide the public with an opportunity to participate in the formulation of the ADA Transition Plan.

A. Nature of Improvements and Structural Feasibility

The nature of necessary improvements will be determined during Step 1 – the accessibility evaluation of **Herkimer County** facilities – and will be incorporated into the ADA Transition Plan after completion of Step 1. Any improvements that **Herkimer County** officials determine are not structurally feasible, based on ADA regulations, will also be incorporated into the Plan.

B. Priority of Improvements

Sidewalks; Crosswalks; Curb Ramps

With respect to sidewalks, crosswalks and curb ramps, the primary focus of this ADA Transition Plan is to address all ADA noncompliant facilities, defined as those locations that have a rating of "2" and "3" on the scale discussed above.

The priority of improvements to these facilities will be as follows:

- 1) Those serving publicly accessible **Herkimer County** facilities;
- 2) Those serving commercial and employment centers; and
- 3) Those serving other areas.

Parking Lots and Publicly Accessible Buildings

The priority of improvements to parking lots and publicly accessible spaces in **Herkimer County** buildings will be based on the severity of the accessibility barrier and the frequency of public presence at the facility. Notably, the general assessment of Herkimer County facilities where public meetings take place are in substantial compliance with the ADA. All new construction or renovations to existing facilities have complied with ADA standards. As such, Herkimer County does not expect that its publicly accessible buildings and parking lots will require major structural improvements.

STEP 3: SCHEDULE FOR COMPLETION OF NECESSARY IMPROVEMENTS

Once the Inventory of Public Facilities has been completed, and necessary improvements have been prioritized as provided above, the **Herkimer County** will formulate an estimated budget for the improvements. The schedule for improvements will depend heavily upon the number and severity of the deficiencies identified during the accessibility evaluation, and the costs associated with the improvements. Herkimer County however, reiterates its commitment to making its public facilities accessible to all persons, regardless of disability. Herkimer County's ADA Transition Plan will outline a specific schedule for improvements after Completion of Step 2, and this schedule will reflect Herkimer County's commitment to ADA compliance.

ADA COORDINATOR

Steve Billings, Personnel Officer
ADA Coordinator
Herkimer County
109 Mary St Suite 1304
Herkimer NY 13350
Telephone Number: 315-867-1115
Email Address: srbillings@herkimercounty.org

Herkimer County Complaint of Discrimination Form

Name _____
Address _____ City _____ Zip _____
Telephone: Home _____ Work _____ Cell _____

Basis of Complaint

- Race
- Color
- Sex
- National Origin
- Age
- Disability (ADA)
- Low-Income
- Limited English Proficiency

Who allegedly discriminated against you?

Name _____
Address _____ City _____ Zip _____
Telephone _____

If an organization, what is its name?

Name of Organization _____
Address _____ City _____ Zip _____
Telephone _____
Name of Contact _____

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

What can the Department do to resolve the complaint?

Have you filed your complaint with anyone else?

Who _____

When _____

Complaint number, if known _____

Do you have an Attorney in this matter?

Name _____

Address _____ City _____ Zip _____

When did you acquire _____

Signed _____ Date _____

Mail to:

Steve Billings, Personnel Officer
Herkimer County
109 Mary St
Herkimer NY 13350

Employee Acknowledgement or Receipt of Title VI Plan

I hereby acknowledge the receipt of the Herkimer 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 its transportation services on the basis of race, color, or national origin, as protect by Title VI in Federal Administration (FTA) Circular 47002.1.A.

Employee Signature

Print Name

Date

**APPENDIX F: NYSDOT Public Transportation Programs
Title VI Investigations, Complaints & Lawsuits Log**

AGENCY: Herkimer County

TITLE VI OFFICER: Steve Billings, Personnel Officer

E-MAIL: srbillings@herkimercounty.org

CONTACT: 315-867-1115

FISCAL YEAR FY:2019

REPORTING PERIOD (check appropriate box):

1st Half
(July-December)

2nd Half
(January-June)

Complete Fiscal Year
(July-June)

1. Were any investigations, lawsuits or complaints filed during this time period? NO
2. If YES, please provide the following information for each investigation, lawsuit or complaint received during this time period:

Date the investigation, lawsuit or complaint was filed, and Summary of the allegation(s) and status if resolved.
3. Based on the investigations, lawsuits or complaints filed during the Fiscal Year, please provide a status of each allegation. **(Report on separate paper at the end of the Fiscal Year).**
4. Please indicate if or what actions were taken by the sub recipient in response to the investigation, lawsuit or complaint. **(Report on separate paper at the end of the Fiscal Year).**

**APPENDIX F: NYSDOT Public Transportation Programs
Title VI Investigations, Complaints & Lawsuits Log**

AGENCY: Herkimer County

TITLE VI OFFICER: Steve Billings, Personnel Officer

E-MAIL: srbillings@herkimercounty.org

CONTACT: 315-867-1115

FISCAL YEAR FY:2020

REPORTING PERIOD (check appropriate box):

1st Half
(July-December)

2nd Half
(January-June)

Complete Fiscal Year
(July-June)

1. Were any investigations, lawsuits or complaints filed during this time period? NO

2. If YES, please provide the following information for each investigation, lawsuit or complaint received during this time period:

Date the investigation, lawsuit or complaint was filed, and Summary of the allegation(s) and status if resolved.

3. Based on the investigations, lawsuits or complaints filed during the Fiscal Year, please provide a status of each allegation. **(Report on separate paper at the end of the Fiscal Year).**

4. Please indicate if or what actions were taken by the sub recipient in response to the investigation, lawsuit or complaint. **(Report on separate paper at the end of the Fiscal Year).**

**APPENDIX F: NYSDOT Public Transportation Programs
Title VI Investigations, Complaints & Lawsuits Log**

AGENCY: Herkimer County

TITLE VI OFFICER: Steve Billings, Personnel Officer

E-MAIL: srbillings@herkimercounty.org

CONTACT: 315-867-1115

FISCAL YEAR FY:2021

REPORTING PERIOD (check appropriate box):

1ST Half
(July-December)

2ND Half
(January-June)

Complete Fiscal Year
(July-June)

1. Were any investigations, lawsuits or complaints filed during this time period? NO
2. If YES, please provide the following information for each investigation, lawsuit or complaint received during this time period:

Date the investigation, lawsuit or complaint was filed, and Summary of the allegation(s) and status if resolved.
3. Based on the investigations, lawsuits or complaints filed during the Fiscal Year, please provide a status of each allegation. **(Report on separate paper at the end of the Fiscal Year).**
4. Please indicate if or what actions were taken by the sub recipient in response to the investigation, lawsuit or complaint. **(Report on separate paper at the end of the Fiscal Year).**