

HRSD CIVIL RIGHTS COMPLAINT PROCEDURES AND FORM

The complaint form is available for download on the HRSD website. It is also available upon request through Customer Service, by e-mail, and in print through direct mail.

CIVIL RIGHTS COMPLAINT PROCESS

1. Purpose. These procedures cover all complaints under Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (hereinafter referred to collectively as the federal non-discrimination laws), for alleged discrimination with respect to the business operations, services, programs, or activities administered by Hampton Roads Sanitation District ("HRSD"). These procedures also cover all complaints under Title IX of the Education Amendments of 1972 ("Title IX") for alleged discrimination on the basis of sex in HRSD's Apprenticeship Program.

2. Statement of Policy. No person or entity protected by these non-discrimination laws shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any HRSD program or activity, including any education program or activity, as provided by the federal non-discrimination laws, and as implemented by C.F.R 40 Parts 5 and 7.

3. HRSD Civil Rights Coordinator. Brenda Matesig, Chief of Human Resources, is responsible for the coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Parts 5 and 7, and for the investigation of all complaints received under this policy.

Brenda Matesig
Chief of Human Resources
1434 Air Rail Avenue
Virginia Beach, VA 23455
757-460-2261
BMatesig@hrsd.com

4. Non-Retaliation. HRSD does not intimidate or retaliate against any person because they have exercised their rights to participate in actions protected, or oppose action prohibited, by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights. Any claims of intimidation and retaliation will be handled promptly and fairly pursuant to the below grievance procedure in the same manner as other claims of discrimination.

5. How to File a Complaint

a. Any person who believes he or she has been discriminated against on the basis of race, color, national origin, sex, age or disability by HRSD in violation of the federal non-discrimination laws may file a Civil Rights complaint by completing and submitting HRSD's Civil Rights Complaint Form.

Any HRSD Apprenticeship Program applicant, participant, or employee who believes he or she has been discriminated against in the Apprenticeship Program on the basis of sex in violation of Title IX also may file a Civil Rights complaint.

b. Complaint Requirements:

- (i) All complaints must be in written form.
- (ii) A complaint submitted by mail must be addressed as follows:
Hampton Roads Sanitation District
Attention: Civil Rights Coordinator
1434 Air Rail Avenue
Virginia Beach, VA 23455
- (iii) A complaint submitted on HRSD's Civil Rights Complaint Form can be emailed to BMatesig@hrsd.com; Subject: Civil Rights Complaint

c. A copy of the HRSD's Civil Rights Complaint Form may be obtained as follows:

- (i) Website at www.HRSD.com/about-us
- (ii) Phone: Call the Customer Care Center at 757-460-2491. A Customer Service Representative will email or mail a copy of the Form.

d. Complaints must be received within 180 calendar days from the date of the alleged incident and must be complete and provide the requested information.

6. Filing External Complaints. As described above, in the event of an alleged discriminatory act under federal non-discrimination laws, the Complainant has a 180-calendar day window to file a complaint. This can be done by contacting HRSD's Civil Rights Coordinator, or alternatively by filing directly with the U.S. Environmental Protection Agency Office of External Civil Rights; both of these options require that a complaint be filed within 180 calendar days of the alleged discriminatory act(s). It is important to note that following HRSD's grievance procedure does not extend the 180-day requirement for filing a complaint with the EPA, as outlined in the governing regulations at 40 CFR 7.120.

7. How HRSD will Respond to Complaints. The following is a summary of the procedures that HRSD uses for investigation and resolution of Civil Rights complaints.

a. Once a Civil Rights complaint is received, HRSD's Civil Rights Coordinator will review the complaint to determine if the complaint asserts a claim under the Federal Civil Rights Non-Discrimination laws against HRSD pursuant to this policy and thereby providing HRSD jurisdiction to investigate the complaint. Within fifteen (15) business days of the receipt of the complaint, HRSD shall notify the Complainant in writing as to its determination as to whether HRSD has jurisdiction to investigate the complaint. In the event HRSD has jurisdiction, either the Civil Rights Coordinator or their designee shall be the Investigator and initiate the investigation.

b. HRSD has ninety (90) days from the date that jurisdiction is determined to exist to investigate the complaint. A preponderance of the evidence standard will be applied during the analysis of the complaint. If more information is needed to resolve the case, the Investigator may contact the Complainant. The Complainant has thirty (30) days from the date of the request, whether written or oral, to send requested information to the Investigator. If the Investigator does not receive the additional information or other response from the Complainant within thirty (30) days, the Investigator can administratively close the case. A case also can be administratively closed if the Complainant no longer wishes to pursue their case.

c. After the Investigator completes their review and necessary investigation of the complaint, the Investigator will notify the Civil Rights Coordinator of the findings and conclusions. The Civil Rights Coordinator will promptly issue one of two letters to the Complainant: (1) a Closure Letter or (2) a Letter of Finding (LOF). A Closure Letter describes the investigative process, summarizes the allegations, and provides the conclusion that a violation of Federal non-discrimination laws was not found and that the case will be closed. An LOF describes the investigative process, summarizes the allegations and the findings regarding the allegations in the complaint, and describes the remedial action HRSD will take.

d. If the Complainant is not satisfied with the findings of the investigation, the Complainant, if the 180-day window has not yet expired, will be advised of their right to file a complaint directly with the EPA.

(i) **Mail information to:**

U.S. Environmental Protection Agency
Office of External Civil Rights
Mail code 231A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

(ii) **Email information to:** Title_VI_Complaints@epa.gov

(iii) **Fax information to:** (202) 565-0196

(iv) **Additional information:** [Filing a Discrimination Complaint Against a Recipient of EPA Funds | US EPA](#)

8. Assistance with Filling out a Complaint Form. The Civil Rights Coordinator may assist with writing a complaint if the Complainant is unable to do so. The Civil Rights Coordinator shall also provide appropriate assistance to complainants, including persons with disabilities or those who are limited in their ability to communicate in English. You may contact the Civil Rights Coordinator by phone at 757 460-2261 or email at BMatesig@hrsd.com.