

Title VII Complaint Process

The Oklahoma Department of Transportation (ODOT) uses the following detailed internal procedures for prompt processing and resolution of all Title VII complaints received under Title VII of the Civil Rights Act of 1964.

Any person who believes that they, individually, as a member of any specific class, has been subjected to discrimination or retaliation prohibited by any of the civil rights authorities has the right to file a complaint directly with ODOT's Contract Compliance Division (CCD).

Title VII covers the bases of race, color, sex, religion, national origin, age, disability, retaliation, and genetic information. A representative may also file a complaint on behalf of such a person.

Filing a Formal Discrimination complaint with the Contract Compliance Division

1. Complaints filed directly with the CCD must be filed no later than one hundred and eighty (180) calendar days following:
 - The date of the alleged act of discrimination; or
 - In the case of pervasive, continuing conduct, the date of the most recent incident.

The CCD may reasonably extend the time period up to 365 calendar days. Under the appointing authority's direction, the agency may address incidents outside the required time frames.

2. Complaints shall be filed using the department's Title VII complaint form (available online <https://oklahoma.gov/odot/business-center/contract-compliance/title-vii.html> or by contacting the CCD). Complaints shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. ***(Note that complaints of sexual harassment do not require completion of the complaint form, and can be received verbally or using any type of written notice.)***

Complaints should be directed to:
Oklahoma Department of Transportation
Contract Compliance Division
Attention: Katrina Fire, Compliance Manager
Katrina.Fire@odot.ok.gov
200 N.E. 21st Street
Oklahoma City, OK 73105

3. Upon receipt of the complaint, the Compliance Manager will forward it to the CCD Manager, who will log it and determine its basis and authority/jurisdiction. The complaint will then be assigned to and investigated by a Certified Discrimination Investigator (CDI).

4. The CCD Manager reviews and determines the appropriate action regarding every Title VII complaint. The department will not proceed with or continue a complaint investigation if:
 - The complaint is, on its face, without merit.
 - The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions.
 - The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identity) has made it impossible to investigate further.
5. Within ten (10) business days, the CCD Manager will acknowledge receipt of the allegation and assign the complaint to a CDI, if appropriate. The CDI will then inform the complainant of action taken or proposed action to be taken to process the allegation(s) and advise the complainant of other avenues of redress available, such as mediation or the Equal Employment Opportunity Commission. The notification letter contains:
 - The basis of the complaint.
 - A brief statement of the allegation(s).
 - An indication of when the parties will be contacted.
6. The CDI will conduct an in-depth, personal interview with the complainant(s). Information gathered in this interview includes: identification of each complainant by race, color, sex, age, national origin, religion, genetic information, or disability; name of the complainant; a complete statement concerning the nature of the complaint, including names, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information the CDI feels is relevant to the complaint. The interviews are recorded either on audio tape or by taking notes. Every effort will be made to obtain early resolution of complaints at the lowest possible level.
7. Within forty-five (45) calendar days from the date the original complaint was received, the CDI will conduct and complete an investigation of the allegation(s) and based on the information obtained, will render a recommendation for action in a report of findings to the Director within sixty (60) calendar days from the date of the original complaint, who shall issue a decision on the merits of the complaint. The Director reviews the findings and recommendations. They may affirm, set aside, or alter the recommendation, or any part thereof, as they deem proper under the circumstances. Such a review shall be confined to the record.
8. Once the Director has made a final decision on the complaint, the CDI will send a summary of the final written decision to the complainant, the accused, and the District Engineer or Division Manager/Engineer.

9. The CDI will send a copy of the final written and signed decision on the discrimination complaint to the applicable Senior Staff member. The signed decision will also be uploaded to the secure SharePoint location to be available to General Counsel and Human Resources. The District Engineer or Division Manager/Engineer will be responsible for carrying out any discipline as a result of the investigation.
10. All investigative reports shall be maintained as property of the CCD in a confidential manner, separate and apart from personnel records. **Investigation case files are not subject to the Freedom of Information Act (FOIA) or the Open Records Act (ORA).**
11. If, for some reason, the investigation cannot be completed within this timeframe, a status report shall be submitted to the complainant at this stage, and the report shall follow upon completion.
12. After ninety (90) calendar days, the CCD will follow up with the complainant and parties involved on the status of implementing the complaint's outcome.

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, or genetic information, be excluded from participation in, be denied the benefits of, be retaliated against, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors. To request an accommodation, please contact the ADA Manager at 405-490-0381 or the Oklahoma Relay Service at 1-800-722-0353. If you have any ADA or Title VI questions, email ODOT-ada-titlevi@odot.org.