



U.S. Department
of Transportation
**Federal Highway
Administration**

1200 New Jersey Avenue, SE.
Washington, DC 20590

MAY 10 2017

In Reply Refer To: HCR-20
DOT# 2017-0215

(b) (6)

Subject: Dismissal of Complaint DOT#2017-0215

(b) (6)

This letter acknowledges that the Federal Highway Administration's (FHWA) Office of Civil Rights is in receipt of your complaint, which alleged violations of Title VI of the Civil Rights Act of 1964 (Title VI) and USDOT's implementation regulations at 49 C.F.R. Part 21 and/or 23 C.F.R. Part 200. To be accepted for investigation, a complaint must meet the jurisdictional requirements described in FHWA's Investigations Manual, which conforms to the U.S. Department of Justice's procedures and standards for investigating complaints of discrimination. First, the complaint must describe an alleged discriminatory act that, if true, would violate FHWA's nondiscrimination regulations (i.e., an alleged discriminatory act based on race, color, national origin). Second, complaints must be filed against a recipient of financial assistance from the FHWA.

Your complaint alleges that (b) (6) discriminated against you on the basis of disability when they terminated your employment.

After careful consideration, the FHWA has concluded it will administratively dismiss this complaint based on the claim not being covered under Title VI. Additionally, FHWA lacks jurisdiction over complaints filed against entities that do not receive financial assistance from the FHWA, and will close our agency's investigation on this matter. However, it appears you have also submitted this complaint to the Iowa Equal Employment Opportunity Commission (EEOC). The Iowa EEOC has jurisdiction over the matters raised in your complaint and are more appropriate in resolving your issue.

If you have any questions about this complaint, please contact Kevin Resler at 202-366-2925 or kevin.resler@dot.gov.

Sincerely,

Irene Rieco

Associate Administrator for Civil Rights

cc: Karen Bobo, Division Administrator, FHWA Iowa Division Office
Mark Johnson , Assistant Division Administrator, FHWA Iowa Division Office
Karla Kudart, Civil Rights Specialist, FHWA Iowa Division Office
Lisa MacPhee, Senior Attorney-Advisor, FHWA Office of Chief Counsel
Yvette Rivera, Associate Director, Office of the Secretary of Transportation, Equal
Employment Opportunity Programs Division