

COMPLAINT PROCESS

1.A.1 SCOPE

These procedures are for complaints of discrimination under Title VI and related laws (hereafter “Title VI Complaints.” In order to be a Title VI Complaint, the complaint must:

1. Allege discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age or violations of administrative requirements under Title VI or related laws.
2. Not only be for employment matters¹
3. Allege misconduct by the Authority with regard to Airport-related services including misconduct by Airport employees, contractors, concessionaires, lessees, or tenants.
4. Concern an Airport facility or actions by the Authority with regard to Airport related services including actions by Airport employees, contractors, concessionaires, lessees, or tenants.

1.A.2 RIGHTS

Any person who believes that he or she has been subjected to discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age has the right to file a complaint with the Title VI Coordinator for the Friedman Memorial Airport. Alternatively, they can file a formal complaint with an outside agency, such as the U.S. Departments of Justice or Transportation, or the Federal Aviation Administration (FAA), or seek other legal remedies. The Airport Complaint form is attached hereto as Appendix A.

1.A.3 RECEIPT OF COMPLAINT

The Airport Title VI Coordinator will log in the complaint and promptly send copies of the complaint to:

- Airport Director
- Airport Counsel
- Office named in the complaint

Complaints must be filed within 180 days of the alleged discriminatory event, must be in writing, and must be delivered to:

Brian Blackburn
Deputy Director, Airport Finance & Administration
1616 Airport Circle, Hailey, ID 83333
208-788-4956
brian@iflysun.com or SUNtitlevicordinator@iflysun.com

If a complaint is initially made by phone, it must be supplemented with a written complaint prior to expiration of the 180-day period following the alleged discriminatory event. If a verbal complaint is

¹ Complaints of employment discrimination must be addressed as required by EEOC and other applicable authorities with jurisdiction over employment matters. If an Airport sponsor employment activity is supported by FAA-provided financial assistance or it is alleged that the employment discrimination affects the broader airport program, complaints about that activity must also be reported to FAA.

received, the complainant should be given a copy of the Airport Discrimination Complaint Procedures and instructed to submit a written complaint. Reasonable accommodations will be provided upon request to individuals unable to file a written complaint due to a disability.

1.A.4 INITIAL PROCEDURE

The Airport Title VI Coordinator may meet with the complainant to clarify the issues, obtain additional information, and determine if informal resolution might be possible in lieu of an investigation. If successfully resolved, the Coordinator will issue a closure letter to the complainant, record the disposition in the complaints log, and report the resolution to FAA.

B. DISCRIMINATION COMPLAINT REFERRAL PROCEDURE

1.B.1 INTERNAL COMPLAINT REFERRAL

All Title VI complaints must be promptly forwarded to the Coordinator with 48 hours of receipt.

1.B.2 INITIAL FAA NOTIFICATION

A copy of each Title VI complaint will be forwarded to the FAA within 15 days of initial receipt (not the date that the Coordinator was notified). The Coordinator will forward a copy of the complaint and a statement describing all actions taken to resolve the matter, and the results thereof to the FAA Civil Rights staff. (Note: complaints based on disability do not have to be forwarded to FAA.) To transmit complaint information to the FAA, the Coordinator will upload the information to the FAA Civil Rights Connect System which issues automated notices to FAA staff. The Coordinator will also seek technical assistance from FAA, as needed, throughout complaint intake, investigation, and resolution process.

1.B.3 ASSIGNMENT OF INVESTIGATOR

The Coordinator will immediately begin the investigation or designate an investigator.

1.B.4 COOPERATION WITH FAA

The Coordinator will promptly investigate all Title VI complaints, including those referred by the FAA for investigation. If the FAA is investigating a complaint against FMAA, the Coordinator will avoid interfering with the FAA investigation, cooperate with the FAA when needed, and share factual information with the FAA.

1.B.5 PROMPT INVESTIGATION

The Coordinator will make every effort to complete discrimination complaint investigations within 60 calendar days after the complaint is received by the Coordinator. Some investigations may take longer with a justification for the delay and assurance that the investigation is being completed as quickly as possible.

1.B.6 CONTACT WITH COMPLAINANT

The Coordinator will meet with the complainant to clarify the issues and obtain additional information, and also speak with community members and potential witnesses, as appropriate.

1.B.7 INVESTIGATION REPORT

After completing the investigation, the Coordinator will prepare a written report regarding whether unlawful discrimination occurred.

1.B.8 CONSULTATION WITH LEGAL COUNSEL

In each case, the Coordinator will consult with Legal Counsel regarding the investigation and the report. Airport Legal Counsel will ensure that the report is consistent with the DOT and FAA Title VI nondiscrimination requirements.

1.B.9 PROMPT RESOLUTION OF DISPUTES

The Coordinator will emphasize voluntary compliance and quickly and fairly resolve disputes with complainants, or with contractors, tenants, or other persons, through alternate dispute resolution, negotiation, and/or mediation.

1.B.10 FORWARDING REPORT AND RESPONSE TO COMPLAINANT

At the completion of the investigation and any applicable resolution of the complaint, the Coordinator will issue a written decision to the complainant and respondent setting forth the Coordinator's finding and its determination of the investigation and any applicable resolution. The letter transmitting the findings and any applicable resolution will state FMAA's conclusion regarding whether unlawful discrimination occurred and will describe the complainant's appeal rights. A summary of the investigation report, any appeal, or follow-up actions will be sent to the FAA via the FAA Civil Rights Connect System.

1.B.11 APPEAL RIGHT

The complainant must be notified of their right to appeal the findings or determinations, and of the procedures and requirements for an appeal. The procedure for an appeal is set forth below:

- The complainant may appeal the Coordinator's decision by submitting a written appeal to the Airport Director.
- The written appeal shall be filed with the Airport Director within 30 business days after receipt of the date the complainant receives the Coordinator's written decision.
- The written appeal must contain all arguments, evidence, and documents supporting the basis for the appeal.
- The Friedman Memorial Airport Director will issue a final written decision in response to the appeal. The Director's decision shall be deemed final.

1.B.12 AVOIDANCE OF FUTURE DISCRIMINATION

In addition to taking action with respect to any specific instances of discrimination, the Authority will identify and implement measures to reduce the chances of similar discrimination in the future.

1.B.13 INTIMIDATION AND RETALIATION PROHIBITED

FMAA employees, contractors, and tenants will not intimidate or retaliate against a person who has filed a complaint alleging discrimination.

For information on filing a complaint with DOT/FAA, please contact Brian Blackburn, Friedman Memorial Airport Authority Title VI Coordinator.