

WINTER HAVEN

The Chain of Lakes City

Title VI Non-discrimination Policy

Policy Statement:

Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any City of Winter Haven service, program, or activity because of race, color, national origin, sex, age, disability, marital or religious status or any other status protected by law.

It is the City's policy that regardless of race, color, national origin, sex, age, disability, marital or religious status, all persons will be afforded equal opportunity to pursue and partake of City programs and activities, access City facilities, and utilize City services. The City will endeavor at all times to assure services, programs, and activities are accessible to the public and administered in a non-discriminatory manner.

The City will endeavor to improve accessibility to its facilities, programs, and other activities by members of the public and incumbent employees. Barriers to accessing important benefits, exercising rights and generally participating in City offered facilities and functions will be identified and minimized, or eliminated, without unduly burdening the fundamental mission of the City. The City's objective will be to attain a balance that ensures meaningful access to critical services by everyone, including LEP persons.

Complaint Procedure:

Any individual who feels discriminated against because of race, color, national origin, sex, age, disability, marital or religious status or any other reason prohibited by local, state or federal law, may file a complaint with the City's EEO/Non-Discrimination Officer:

Shawn Dykes, HR Director
EEO/Non-Discrimination Officer
500 Third Street NW, Winter Haven, FL 33881
P.O. Box 2277, Winter Haven, FL 33883-2277
sdykes@mwwinterhaven.com
(863) 291-5651 (Office)
(863) 291-5617 (Fax)
Hearing Impaired: 711 Relay or 1-800-955-8770

If possible, and preferably within 20 days of the alleged discrimination occurring, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e. race, color, national origin, sex, age, disability, marital or religious status), and a description of the alleged discrimination with the date of the occurrence. If the complaint cannot be submitted in writing, the complainant should contact the EEO/Non-discrimination

Officer for assistance.

The EEO/Non-discrimination Officer will conduct a fair and impartial investigation, making a finding of fact, preparing an investigatory report, which shall be available for the complainant and the party against whom the complaint was filed, and recommend an appropriate course of action to the City Manager. If no discrimination is found, the EEO/Non-discrimination Officer will recommend to the City Manager that the complaint be dismissed. If discrimination is found, the EEO/Non-discrimination Officer will recommend to the City Manager an appropriate relief and the steps to be taken to eliminate the discriminatory condition which led to the complaint.

Within 30 calendar days of the complaint being received, the EEO/Non-discrimination Officer will inform the complainant of the reasonable steps taken to resolve the matter. Should the City be unable to resolve a complaint, the City will forward the complaint and support documentation to the appropriate District of the Florida Department of Transportation (FDOT).

Should a complainant be unable or unwilling to complain to the City, the written complaint may be submitted directly to the:

Florida Department of Transportation
Equal Opportunity Office
Attn: Title VI Complaint Processing
605 Suwannee Street MS 65
Tallahassee, FL 32399

If it is determined, the complaint originated from a Local Agency Program (LAP) project, the complaint will be provided to the FDOT and/or Federal Highway Administration (FHWS). The City will attempt to resolve all issues; however, only FHWA can accept, investigate and issue findings under Title VI, which is specific to the classes of race, color, and national origin.

FDOT will serve as a clearing house forwarding the complaint to the appropriate state or federal agency.

Americans with Disabilities Act (ADA) and 504 Statement:

The 1990 Americans with Disabilities Act (ADA), the ADA Amendments Act of 2008, and Section 504 of the Rehabilitation Act of 1973 (Section 504), as well as related federal and state laws and regulations, forbid discrimination against individuals who have a disability, a record of having a disability, or are regarded as having a disability that substantially limits one or more major life activities or bodily functions.

Provisions of these acts extend to employment, public services and public accommodations. Pursuant to these acts, it is the City's policy that discrimination on the basis of a disability, perceived disability or a record of a disability will not occur or be condoned. The City will make every effort to ensure its facilities, programs, services, and activities, to include advisory committee, public involvement and transportation programs, are accessible to and representative of those with disabilities. Moreover, the City will take affirmative steps to reasonably accommodate the disabled and ensure their needs are equitably met.

Persons who advise the City of legally recognized disabilities will be given full consideration as it relates to seeking access to and use of public services and accommodations. Upon

request, the City will consider accommodation alternatives that are reasonable, do not create an undue hardship on the City, nor pose a direct threat to the health and safety of the requesting person or others, to the extent provided or authorized by law.

The City encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the City will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the City asks that requests be made at least five (5) calendar days prior to the need for accommodation.

Present requests for accommodation or related assistance to:

Andy Palmer, Parks Planning & Strategic Initiatives Manager
Americans with Disabilities Act (ADA) Officer
Florida Citrus Building – 500 3rd St. NW, Winter Haven, FL 33881
P.O. Box 2277, Winter Haven, FL 33883-2277
apalmer@mywinterhaven.com
(863) 291-5656 (Office)
(863) 291-5660 (Fax)
Hearing Impaired: 711 Relay or 1-800-955-8770

Limited English Proficiency Plan:

Executive Order 13166 entitled "Improving Access to Services for Persons with Limited English Proficiency," which was endorsed August 11, 2000, establishes that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination and federal agencies, as well as their benefactors, are obligated to take steps to ensure such discrimination does not occur.

As a recipient of federal funds the City of Winter Haven (City) is expected to and will take reasonable steps to ensure persons with Limited English Proficiency (LEP) skills have meaningful access and an equal opportunity to participate in City provided services, activities, and programs.

The City will inform LEP persons of the availability of language assistance by posting a notice in intake areas and other points of entry to City facilities, and a link to Title VI of the Civil Rights Act of 1964, Executive Order 13166, and the LEP Plan on the City's website, www.mywinterhaven.com.

For questions or comments regarding this LEP Plan; requests for language assistance, or to file a complaint alleging an LEP need has not be met, contact:

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P.O. Box 2277, Winter Haven, FL 33883-2277
sdykes@mwinterhaven.com
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Assurances:

Every three years, or commensurate with a change in City executive leadership, the City will certify to the Federal Highway Administration (FHWA) and FDOT that its programs, services and activities are administered in a nondiscriminatory manner. The public may view the annual assurance on the City's website, www.mywinterhaven.com, or visiting a City office.

Approved by: 
Mike Herr, City Manager

Date: 8/31/22

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