



**PORT HOUSTON**<sup>SM</sup>

## Title VI/Nondiscrimination Plan

April 2025

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## Introduction

As a recipient of federal financial assistance, the Port of Houston Authority of Harris County, Texas (“Port Houston”) is committed to comply with Title VI of the Civil Rights Act of 1964, which provides:

No person in the United States, on the ground of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title VI served as the model for subsequent nondiscrimination laws, including the Federal-Aid Highway Act of 1973 (gender), Section 504 of the Rehabilitation Act of 1973 (disability), and Age Discrimination Act of 1975 (age). Port Houston’s nondiscrimination policy statement includes these protected classes to ensure that no person be subjected to any form of discrimination in our programs or activities ([Attachment 1](#)).

The U.S. Department of Justice (DOJ), as the federal government’s coordinating agency for Title VI, implemented its Title VI program in 28 Code of Federal Regulations (C.F.R.) Part 42 and issued guidance in two main documents: The Title VI Legal Manual and the Complaint Investigation Procedures Handbook.

Title VI authorizes and directs federal agencies to enact “rules, regulations, or orders of general applicability” to achieve the statute’s objectives.

### *Discrimination under Title VI*

It is the responsibility of every Port Houston employee to prevent, minimize, and eradicate any form of discrimination. There are two types of discrimination prohibited under Title VI and its related statutes: (1) **disparate treatment** that alleges similarly situated persons are treated differently because of their race, religion, color, national origin, sex, gender, age, or disability (*i.e.*, intentional discrimination); and (2) **disparate impact/effects** when a facially neutral policy, procedure, or practice results in different or inferior services or benefits to members of a protected group. The focus of disparate impact is on the consequences of a decision, policy, or practice rather than the intent.

Prohibited forms of discrimination may include, but not be limited to, the following:

- The denial of services, financial aid, or other benefits provided under a program;
- Distinctions in the quality, quantity, or manner in which a benefit is provided;
- Segregation or separation of persons in any part of the program;
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others;
- Differing standards or requirements for participation;
- Methods of administration that directly or indirectly, or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination; or

- Discrimination in any activities or services related to infrastructure or facilities built or repaired in whole or in part with federal funds.

Port Houston's efforts to prevent such discrimination must address, but not be limited to, how a program or activity:

- Impacts the public;
- Provides accessibility;
- Provides equal access to benefits;
- Encourages participation;
- Provides services equitably;
- Initiates contracting and training opportunities;
- Investigates complaints;
- Allocates funding; and
- Prioritizes projects.

### ***Authorities***

Port Houston is committed to complying with all applicable laws and regulations addressing discrimination, which, as of the date of the adoption of this Plan, include:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 CFR Part 21 (entitled *Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964*);
- 23 CFR Part 200 (FHWA's Title VI/Nondiscrimination Regulation);
- 28 CFR Part 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964); and,
- Texas Administrative Code §9.4, Civil Rights – Title VI Compliance (to the extent Port Houston is a subrecipient of federal funds from the Texas Department of Transportation)

Port Houston is also committed to complying with all applicable Executive Orders addressing discrimination.

### **Title VI the Law and Port Houston's Title VI Policy**

Port Houston's Title VI Policy seeks to go beyond the definition laid out in the Civil Rights Act and extend protections to other vulnerable and typically underrepresented populations. In order to fulfill its stated mission for all those with whom it interacts or impacts, Port Houston prohibits discrimination based on race, religion, color, national origin, sex, gender, age, and disability in all activities. Issues concerning and accommodations for all these classes of people are covered individually by various departments and programs, but by including these classes in its Title VI non-

discrimination policy, Port Houston pledges to instill a culture of inclusion and protection for these historically underrepresented groups throughout the organization as a whole.

## **Policy Statement**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on federal and federally- assisted projects and programs based on race, color, and national origin. Since 1964, additional statutes have prohibited discrimination based on sex (Federal-aid Highway Act of 1973), age (The Age Discrimination Act of 1975), and disability (Section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990). Additionally, the Civil Rights Restoration Act of 1987 defined the word “program” to make clear that discrimination is prohibited throughout an entire organization if any part of the organization receives federal assistance.

*“The Port Houston Authority of Harris County, Texas, as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. §2000d-3), color, national origin, sex, gender, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities.”*

The nondiscrimination statement signed by Port Houston’s Chief Executive Officer, Charles D. Jenkins, is included as [Attachment 1](#).

## **Organization & Staffing**

### ***Organization***

The Chief People Officer serves as Port Houston’s Title VI/Nondiscrimination Coordinator. With support from Port Houston’s leadership, the Chief People Officer is responsible for all aspects of Port Houston’s Title VI/Nondiscrimination Program and has been delegated sufficient authority and responsibility to effectively carry out the duties assigned to this position.

The Port Houston organizational chart, included as [Attachment 2](#), depicts the relationship the Chief People Officer has with Port Houston’s Chief Executive Officer.

### ***Staffing***

#### **Chief People Officer as Title VI/Nondiscrimination Coordinator**

The Chief People Officer works to ensure there is a demonstrated commitment on the part of administration to enforce Title VI and is responsible for overall Title VI program implementation. Specifically, this person has the authority and responsibility to implement the Title VI program by:

- Recommending, developing, disseminating, monitoring, and pursuing policies and guidelines on the implementation of Title VI;
- Providing leadership, guidance, and technical assistance to program areas having

significant impacts on the public and businesses, which are referred to as priority program areas, in carrying out their Title VI responsibilities;

- Reviewing, evaluating, and monitoring the priority program areas activities and programs related to Title VI and effectuating changes to ensure consistency and program effectiveness;
- Ensuring that all complaints of discrimination or complaints alleging non-compliance with Title VI are processed, investigated, and resolved in a fair and timely manner in accordance with Title VI and federal operating regulations; and
- Advising the Chief Executive Officer concerning significant developments in the implementation of Port Houston's Title VI/Nondiscrimination Program.

Any obligations or responsibilities of the Chief People Officer set forth in this Plan shall be performed by or the responsibility of the Chief People Officer and/or by their designee.

### **Interdisciplinary Approach**

The Chief People Officer works with all Port Houston departments in ensuring compliance with Title VI/Nondiscrimination requirements. The Chief People Officer's partnership with the departments helps ensure nondiscrimination in the delivery of Port Houston's programs and activities. Additionally, Port Houston personnel from various Port Houston's departments and divisions serve as Title VI liaisons and are responsible for:

- Attending periodic meetings with the People Division;
- Participating in Title VI training;
- Assisting the People Division in Title VI program review surveys and activities;
- Promoting awareness of Port Houston's Title VI Program;
- Monitoring and implementing any corrective actions necessary for Title VI compliance;
- Assisting the People Division in periodic Limited English Proficiency (LEP) data collection;
- Referring Title VI complaints and allegations to the Chief People Officer; and
- Disseminating Title VI information to the public, and where appropriate, in languages other than English.

### **Chiefs and Directors**

Port Houston is comprised of chiefs and directors across a wide range of disciplines that play an integral role in organization's mission. Chiefs and directors are responsible for familiarizing themselves with the requirements detailed in the Title VI/Nondiscrimination Plan and complying with the Title VI program at Port Houston. The chiefs and directors assist the Chief People Officer with Title VI compliance by:

- Ensuring the Chief People Officer is notified of any Title VI allegations or complaints;

- Providing the necessary resources to the Chief People Officer to investigate and resolve a Title VI complaint;
- Providing support necessary to implement the Title VI requirements related to their divisions or departments; and
- Ensuring specific activities related to Title VI are surveyed and reported to the Chief People Officer for the reporting process.

### ***Subrecipients***

Subrecipients means a non-federal entity that receives a subaward from Port Houston to carry out a part of a federal program. To the extent required by applicable federal funding sources, Port Houston shall review and monitor subrecipients of federal funds to ensure compliance with all federal laws, regulations, and requirements.

### **Program Area and Project Monitoring for Internal Review Processes**

As part of the Title VI internal monitoring program, the Chief People Officer works with priority program areas to perform reviews on specific programs that involve the public. The Chief People Officer, in collaboration with other departments, is responsible for initiating, monitoring, and ensuring the Port Houston compliance with Title VI requirements as follows:

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
Operations, Including Port Security and Emergency Operations	<ul style="list-style-type: none"> <li>▪ Safely, securely, and efficiently operate all Port Houston facilities, including two container terminals and numerous public-use general cargo facilities.</li> <li>▪ Implement Port Houston's commitment to provide safety and security of Port Houston facilities and the Houston Ship Channel.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ensure equal opportunity to access Port Houston facilities and the Houston Ship Channel.</li> <li>▪ Monitor all operations to ensure nondiscrimination throughout all operations.</li> <li>▪ Develop and enhance systems to identify populations affected by operations.</li> <li>▪ Provide information to populations that may be affected by operations, including persons with Limited English Proficiency</li> </ul>	<ul style="list-style-type: none"> <li>▪ Analyze demographic data for residents in and around Port Houston and users of Port Houston facilities and the Houston Ship Channel to support the evaluation of access to facilities and impact of Port Houston operations.</li> <li>▪ Monitor compliance with Title VI requirements in all aspects of operations.</li> <li>▪ Monitor and update outreach efforts for Port Houston operations that may impact the public,</li> </ul>



		(LEP).	including populations covered by Title VI.
Planning	<ul style="list-style-type: none"> <li>▪ Evaluate and prioritize needs in various Port Houston development areas, aligning with Port Houston strategic and business plans.</li> <li>▪ Provide long-range planning, program and capital development and maintain a capital improvement program.</li> <li>▪ Coordinate with local agencies on transportation plans and projects.</li> <li>▪ Conduct studies to access various environmental factors as they relate to Port Houston development programs.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Advance participation from a cross section of the populace (social, economic, ethnic groups, etc.) in the planning processes.</li> <li>▪ Ensure planning process complies with Title VI requirements.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Analyze demographic data for residents in and around Port Houston project locations to support the evaluation of planning and project impacts.</li> <li>▪ Provide updates through outreach efforts to the community and local agencies.</li> <li>▪ Evaluate outreach efforts and effectiveness of reaching cross section of demographics, including Limited English Proficiency (LEP) individuals.</li> </ul>
Procurement	<ul style="list-style-type: none"> <li>▪ Conduct the solicitation for goods and services, evaluate and recommend vendors, consultants, and contractors for final selection, negotiation and award.</li> <li>▪ Award contracts in accordance with applicable law.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Include Title VI language in prime contract award letters to encourage utilization of Small, Minority and Women Owned (S/MWBE) and/or Disadvantaged Business Enterprise (DBE) subcontracts and vendors.</li> <li>▪ Include applicable S/MWBE and/or DBE goals in designated projects and seek to proactively achieve the goal(s).</li> </ul>	<ul style="list-style-type: none"> <li>▪ Maintain necessary data and documentation required for completion of the Title VI Annual Report.</li> <li>▪ Maintain demographic data on the utilization of S/MWBEs and DBEs, when applicable.</li> </ul>

		<ul style="list-style-type: none"> <li>▪ Include Title VI assurance and provision language in all federally funded contracts. Periodically review documents and language to ensure compliance with current laws and regulations.</li> <li>▪ Ensure consultants, and contractors with S/MWBE and/or DBE requirements award contracted work to qualified DBEs.</li> </ul>	
Design and Engineering	<ul style="list-style-type: none"> <li>▪ Maintain Capital Improvements Program (CIP) and secure environmental permitting for projects, which can include environmental assessments.</li> <li>▪ Coordinate with local agencies on transportation plans and projects.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Complete necessary assessments and documentation to comply with National Environmental Policy Act (NEPA), as needed.</li> <li>▪ Ensure design and engineering process complies with Title VI requirements.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Analyze demographic data for residents in and around Port Houston project locations to support the evaluation of planning and project impacts.</li> <li>▪ Provide updates through outreach efforts to the community and local agencies.</li> <li>▪ Evaluate outreach efforts and effectiveness of reaching cross section of demographics, including Limited English Proficiency (LEP) individuals.</li> </ul>
Right-of-Way and Other Real Estate Interests	<ul style="list-style-type: none"> <li>▪ Manage and coordinate the acquisition or disposition process for right- of-ways and/or other real estate interests, which entails</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ensure equal opportunity in all aspects of procuring real estate service contracting and appraisal agreements.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Follow applicable laws and regulations regarding acquisition or disposition of right-of-ways and/or other real estate interests, including Title VI and</li> </ul>

	<p>appraisal of property, negotiations of terms and conditions for acquisition and assistance in the relocation of displaced individuals, businesses, etc.</p>	<ul style="list-style-type: none"> <li>▪ Ensure the preparation of deeds, permits and leases contain the appropriate Title VI clauses.</li> <li>▪ Follow adopted Port Houston vendor procurement policies in the acquisition of contracted services.</li> <li>▪ Ensure that relocation advisory assistance services are provided when appropriate equitably to all displaced persons and entities.</li> </ul>	<p>Section 504.</p> <ul style="list-style-type: none"> <li>▪ Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of business related to the property acquisition process.</li> <li>▪ Apprise property owners and tenants of their rights and options under eminent domain acquisition including appraisal, negotiation, relocation, condemnation, and other aspects of the acquisition process.</li> <li>▪ Ensure that relocation advisory assistance services are provided equitably to all displaced persons and entities.</li> </ul>
Construction and Maintenance	<ul style="list-style-type: none"> <li>▪ Administer construction contracts and maintenance agreements and provide oversight and administration of construction projects.</li> <li>▪ Effectively develop and maintain Port Houston facilities and the Houston Ship Channel by economically utilizing the resources of Port Houston maintenance crews,</li> </ul>	<ul style="list-style-type: none"> <li>▪ Include any applicable DBE provisions in all federally funded projects with designated goals, as appropriate.</li> <li>▪ Include Title VI language in solicitation announcements and applicable construction documents.</li> <li>▪ Monitor all maintenance and construction operations to ensure</li> </ul>	<ul style="list-style-type: none"> <li>▪ Maintain necessary data and documentation required for completion of the Title VI Annual Report.</li> <li>▪ Maintain demographic data on the utilization of S/MWBEs and DBEs, when applicable.</li> </ul>

	contractors, equipment, services and materials.	nondiscrimination throughout all operations.	
Environmental	<ul style="list-style-type: none"> <li>Analyze environmental issues, acquiring permits and approvals, and evaluating pending regulations to achieve regulatory compliance and avoid or minimize adverse project impacts.</li> <li>Complete necessary assessments and documentation to comply with National Environmental Policy Act (NEPA), as needed.</li> </ul>	<ul style="list-style-type: none"> <li>Develop and enhance systems to identify population affected by a project.</li> <li>Provide information to populations that may be affected by the project, including persons with Limited English Proficiency (LEP).</li> </ul>	<ul style="list-style-type: none"> <li>Monitor compliance with Title VI requirements in all aspects of conducting environmental justice assessments.</li> <li>Monitor and update outreach efforts for Port Houston projects that may impact the public, including populations covered by Title VI.</li> </ul>

### Program Review Procedures

Internal Title VI reviews are performed annually in the form of a Title VI questionnaire. Port Houston's priority program areas are notified of the review by the Chief People Officer. The internal review request from the Chief People Officer includes a questionnaire with questions that focus on gathering information about the implementation of Title VI/Nondiscrimination requirements.

Process for issuing the questionnaires and completing the review:

- Priority program areas, listed in previous section, will be evaluated annually;
- The Chief People Officer will review each questionnaire response and analyze the data to determine if any discriminatory trends exist. In the event Title VI deficiencies are identified, the Chief People Officer will work closely with that program area, division or department to resolve the issue;
- Where an issue requires corrective action, the Chief People Officer will work with the program area, division, or department to schedule and complete the corrective actions; and
- The Chief People Officer will prioritize, plan, and complete extended audits for program areas, divisions, or departments where:
  - There have been Title VI Complaint(s) regarding a Port Houston process or procedure;
  - A federal agency recommends an audit;

- There are issues with Title VI data collection;
- Questionnaire responses are incomplete;
- Title VI issues are identified with corrective action procedures; and
- Deficiencies concerning minority or LEP populations exist in the public participation process.

### ***Findings***

The findings will be used to determine what areas the Chief People Officer may need to provide additional training or assistance and identify strategic goals for the next federal fiscal year. If a program area, division, or department does not respond to the questionnaire or extended audit, the issue will be escalated to Port Houston's Chief Executive Officer.

### ***Follow-up Monitoring***

The Chief People Officer will determine if additional monitoring and training are needed to ensure on-going compliance with Title VI requirements. If action items identified are not completed, then follow-up monitoring will document the non-compliance and the Chief Executive Officer will be notified.

## **Data Collection/Reporting/Analysis**

Port Houston focuses its data collection, reporting and analysis efforts on federally funded projects and public-accessible projects, as well as projects that might impact individuals residing in neighborhoods adjacent to Port Houston and its projects. The Chief People Officer reviews demographic data from several sources, including the US Census and American Community Survey (ACS). The data is used to guide Port Houston's public involvement strategy and make improvements as appropriate.

For federally funded projects, data collection, reporting and analysis is tailored to the specific project. The Chief People Officer will work with Port Houston staff to determine the project's area of impact for each project, collect appropriate data and create an outreach and engagement strategy to prevent and mitigate where necessary disproportionate adverse impacts on Limited English Proficiency (LEP), minority, and low-income populations affected by the project. Outreach efforts may include the creation of a dedicated project webpage with a direct channel for the public to provide feedback, ask questions and/or share concerns, as well as digital and print mailings in English and Spanish, with other languages available on request, to provide access for LEP persons.

## **Title VI Training**

Port Houston's Title VI/Nondiscrimination Training Program consists of an internal and external component.

### ***Internal***

In keeping with the adopted Port Houston policy of nondiscrimination, departmental procedures will

be established or followed for employees to have equal access to applicable educational and training opportunities. Port Houston staff will maintain program administration documentation and data necessary for preparation of Title VI reports.

The Chief People Officer is responsible for overall Title VI-related training, implementation and staff development for Port Houston employees. The Chief People Officer will specify and/or conduct a minimum of one internal Title VI training session annually.

### ***External***

The Chief People Officer is available to provide technical assistance to subrecipients to ensure they understand their roles and responsibilities in meeting the Title VI/Nondiscrimination requirements. Port Houston encourages subrecipients to utilize the TxDOT Title VI Subrecipient Compliance Assessment Tool Technical Assistance Guide to assist subrecipients in understanding and implementing their Title VI requirements.

To potentially expand the target subrecipient audience, Port Houston encourages potential subrecipients to utilize the Title VI Program templates that are available on TxDOT's Subrecipient Monitoring and Compliance website. The templates accompany the compliance assessment tool questions and assist Port Houston and subrecipients in achieving compliance with Title VI requirements. Port Houston also encourages subrecipients to attend or view the TxDOT Technical Assistance Workshops and training videos available on TxDOT's website.

## **Complaint Procedures**

### ***Filing a Complaint***

Any person who feels that they have been subjected to discrimination on the basis of race, religion, creed, color, sex, gender, or national origin, including limited English proficiency, in any program or activity administered by Port Houston has the right to file a complaint with Port Houston. Complaints must be filed within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. If a complaint is initially made by phone, it must be supplemented with this Complaint Form within 180 days after the discriminatory event. Port Houston advises potential complainants to utilize the form included as Attachment 3 [add link before finalizing]. This is not intended to deny or limit the right of a complainant to file a complaint with an outside agency or to seek private legal counsel regarding discrimination.

Such written complaints may be submitted by any of the following methods:

1. Mailing or emailing Port Houston's Title VI Coordinator:

Carlecia Wright  
Chief People Officer  
111 East Loop North  
Houston, Texas 77029  
713.670.2436

[cwright@porthouston.com](mailto:cwright@porthouston.com)

2. E-mailing [communityrelations@porthouston.com](mailto:communityrelations@porthouston.com)
3. Following the instructions contained in Port Houston's Misconduct Reporting Policy, available at [https://porthouston.com/wp-content/uploads/2022/11/Misconduct\\_Reporting\\_Policy\\_June\\_2014\\_FINAL.pdf](https://porthouston.com/wp-content/uploads/2022/11/Misconduct_Reporting_Policy_June_2014_FINAL.pdf).
4. Using the online portal at <https://secure.ethicspoint.com/domain/media/en/gui/65635/index.html>.

For questions or a full copy of Port Houston's Title VI policy and complaint procedures, potential complainants can call 713.670.2436, visit [www.porthouston.com](http://www.porthouston.com), or email [cwright@porthouston.com](mailto:cwright@porthouston.com).

Complaints related to any federal-aid programs may be filed directly with the federal funding agency. The following are addresses where Title VI complaints may be filed directly:

- a. Texas Department of Transportation (TxDOT)  
Civil Rights Division  
125 East 11th Street, Austin, TX 78701  
Email: [CivilRights@TxDOT.gov](mailto:CivilRights@TxDOT.gov)  
Website: <https://www.txdot.gov/about/contact-us/complaints.html>  
Phone: 512-416-4700  
Fax: 512-486-5539
- b. US Department of Transportation (USDOT)  
Federal Highway Administration Office of Civil Rights  
Title VI Program Coordinator  
East Building, 5th Floor - SE HCR-40, Room E81-101  
1200 New Jersey Ave.  
Washington, DC 20590;  
Website: <https://highways.dot.gov/civil-rights/title-vi-complaint>  
Email: [CivilRights.FHWA@dot.gov](mailto:CivilRights.FHWA@dot.gov)  
Phone: 202-366-0693  
Fax: 202-366-1599  
TTY: 202-366-5751
- c. US Department of Transportation (USDOT)  
Federal Transit Administration Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor - TCR 1200  
New Jersey Avenue, SE  
Washington, DC 20590  
Website: <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/file->

complaint-fta

Email: FTACivilRightsCommunications@dot.gov

Phone: 888-446-4511.

d. US Department of Justice

Federal Coordination and Compliance Section

NWB Civil Rights Division – 4CON,

950 Pennsylvania Avenue, NW

Washington, DC 20530

Website: <https://civilrights.justice.gov/report/>

Phone: (888) 848-5306 - English and Spanish (Ingles y Español)

(202) 307-2222 (voice)

(202) 307-2678 (TDD)

e. U.S. Environmental Protection Agency

Office of External Civil Rights

Mail code 2310A

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Website: <https://www.epa.gov/external-civil-rights/filing-discrimination-complaint-against-recipient-epa-funds>

Email: Title\_VI\_Complaints@epa.gov

Phone: (202) 564-3316

Fax:(202) 565-0196

f. US Department of Transportation

United States Maritime Administration

Office of Civil Rights

West Building, 2nd Floor MAR-130

1200 New Jersey Avenue,

SE Washington, DC 20590

Website: <https://www.maritime.dot.gov/about-us/file-complaint-marad>

Email: [civilrights.marad@dot.gov](mailto:civilrights.marad@dot.gov)

### ***No Retaliation***

Federal law prohibits retaliation against any individual because they have filed a discrimination complaint or otherwise participated in a discrimination investigation.

### ***Receipt of Complaints***

All Title VI complaints are logged. The Complaint Log must contain the following information for each complaint filed:

- The name and address of the person filing the complaint.



- The date of the complaint.
- The basis of the complaint.
- The disposition of the complaint.
- The status of the complaint.

Port Houston will retain the Complaint Log and investigation files in accordance with its records retention schedules and all federal guidelines.

### ***Confidentiality***

Complaints and investigation files are confidential. Except as otherwise required by law or as otherwise necessary to fulfill the objectives of the Title VI. The contents of such files will only be disclosed to appropriate Port Houston personnel and federal authorities in accordance with federal and state laws.

### ***How are complaints processed?***

The Chief People Officer is charged with the primary responsibility of processing Title VI external discrimination complaints received by Port Houston. All external discrimination complaints received by employees in any department must be referred to the Chief People Officer for review and action. NOTE: Internal discrimination complaints should be reported to Human Resources or as otherwise set out in the reporting procedures set forth in the Employee Handbook.

Upon receipt, the Chief People Officer will immediately log the complaint in the Title VI Office, assign a tracking number, and open a new file.

Upon review of the complaint, any additional information will be gathered from the complainant and/or listed parties, including the respondent. This information will then be added to the file. The complete file may be submitted to the Legal, Human Resources, and/or Internal Audit Department for full investigation. Findings will be submitted to the Chief People Officer to communicate to the complainant and respondent, then close the file. All decisions issued by Port Houston are final.

### ***What Are the Outcomes of Filing a Complaint?***

Port Houston's complaint process is an administrative process that does not provide for compensatory or punitive damages. These Port Houston complaint procedures do not preclude the complainant from filing formal complaints with other state or federal agencies. Upon receipt and review of the complaint, there are four potential outcomes. All complaints are recorded in the Title VI Complaint Log, available for review federal agencies upon written request.

1. **Accept.** If a complaint is filed timely, contains sufficient information to support a claim under the Title VI laws and listed assurances, and concern matters under the jurisdiction of Port Houston, the complaint may be accepted and a written notice that it has been accepted for investigation will be sent to the complainant.
2. **Preliminary Review.** The Chief People Officer will gather additional information from the

complainant and/or respondent prior to deciding whether to accept, dismiss or refer the complaint.

3. **Procedural Dismissal.** If a complaint is not filed timely, is not in writing and signed, or lacks any required information, the complainant and any respondent are sent a written notice that the complaint is dismissed.
4. **Referral/Dismissal.** If the complaint is procedurally sufficient but is not in the jurisdiction of Port Houston or its departments, the complainant and respondent will receive written notice of the complaint being referred to the appropriate federal agency or dismissed. A copy of the referral will be sent to the appropriated federal agency.

Upon receipt of the final decision of a filed complaint, a complainant may:

1. Accept the final decision;
2. Submit the complaint to the appropriate state or federal agency within 180 days (see addresses and contact details above).

### ***Investigative Process for Subrecipient Complaints***

Federal agencies may delegate a Title VI complaint filed on a subrecipient to Port Houston for investigation. Within 60 days of receipt of the complaint, the Chief People Officer will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the federal agency. The federal agency or Port Houston will issue final decisions in all cases. The complaint will be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

### **Dissemination of Title VI Information and Notice of Title VI Rights**

Port Houston is committed to providing the public easy access to Title VI policy and information. A detailed and dedicated webpage was created on the port website to allow the public easier access to the port Title VI/Civil Rights policy and information. The public is invited to share their feedback and concerns to the port through a variety of methods including attending a Port Commission meeting (in-person or virtually), sending an email, calling or visiting Port Houston, as well as speaking with Port Houston staff attending regular neighborhood community meetings. Our goal is to make communicating any concerns, questions or input from the public as easy as possible.

### **Public Participation**

Port Commission meetings are open to the public and held at Port Houston's executive office and via WebEx. The public is invited to provide comments at Commission meetings in person or virtually, allowing for easier access to the public including disabled, underserved and minority populations.

In addition to port Commission Meetings, Port Houston communicates with the public through a variety of methods. Port Houston seeks input from community members via an online Community Feedback form, a Community Relations email address, and a Community Information line. Port

Houston participates in a Port Commission Community Advisory Council with individuals representing different communities along the Houston Ship Channel and various special interest groups. Port Houston staff members regularly attend community events and neighborhood and local government meetings, which provides an opportunity for the public to directly ask questions or share any concerns with a Port Houston representative. Public boat tours are also available. Port Houston also creates webpages for specific projects that may impact the public and where public feedback is requested.

Port Houston's communication efforts are reviewed and updated periodically, using demographic data, feedback from the public and/or any accommodation requests Port Houston receives. This information is used to adjust the communications strategy and to enhance outreach efforts to the community, including minority and Limited English Proficiency individuals.

### **Limited English Proficiency (LEP)**

Executive Order 13166, guidance entitled "Improving Access to Services by Persons with Limited English Proficiency" requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP, cannot fully and equally participate in or benefit from those programs and activities. LEP individuals are those who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English as a result of their national origin. These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

The U.S. DOJ's LEP Guidance advises each federal department or agency to "take reasonable steps to ensure 'meaningful' access to LEP individuals to the information and services they provide." It further explains that the identification of "reasonable steps" to ensure meaningful access will be contingent on a number of factors. Among the four factors to be considered are:

- The number or proportion of LEP persons in the eligible service population;
- The frequency with which LEP individuals come in contact with the program;
- The importance of the service provided by the program;
- The resources available to the organization.

Port Houston's Language Assistance Plan (LAP) has been developed to assist employees in any department in their efforts to ensure information and services are accessible to LEP individuals by providing guidance on translation, interpretation, and outreach services for LEP individuals seeking access to Port Houston programs. Port Houston's LAP is available on [\[insert link\]](#).

### **Review of Directives**

Development and issuance of Title VI policy, procedures, directives, and policy interpretations are functions of the Chief People Officer. Port Houston will incorporate Title VI policy and mission statements into its procedures and manuals. Additionally, by conducting program process reviews, the Chief People Officer ensures that Title VI requirements are met.

The Chief People Officer monitors federal-aid contracts to ensure the inclusion of any required non-discrimination provisions, such as those in Appendix A and Appendix E from the U.S. DOT Standard Title VI Assurances.

## **Compliance and Enforcement Procedures**

### ***Identifying and Eliminating Discrimination***

Port Houston will actively pursue the prevention of Title VI deficiencies and will take the necessary steps to ensure compliance with all administrative program requirements. To further enhance the ability to identify and eliminate patterns of discrimination, the Chief People Officer will ensure that staff, subrecipients, and beneficiaries are educated and informed regarding their Title VI roles and responsibilities.

The Chief People Officer conducts compliance reviews to: 1) ensure compliance with Title VI; 2) provide technical assistance in the implementation of Port Houston's Title VI/Nondiscrimination Program; and 3) correct deficiencies, when found to exist. When conducting Title VI compliance reviews, any deficiencies will be communicated in writing with the remedial action agreed upon by the Chief People Officer within a period not to exceed 90 days. Efforts to secure voluntary compliance will be undertaken at the outset in every noncompliance situation and will be pursued through each enforcement action. The Chief People Officer will seek the cooperation of Port Houston staff and subrecipients in correcting deficiencies found during the review. The Chief People Officer will also provide technical assistance, guidance, and assistance in finding methods, strategies, and processes to ensure effective Title VI implementation and enforcement. When a subrecipient fails or refuses to comply with the requirements within the time frame allotted, the Chief People Officer will initiate administrative remedies.

### ***Process to Resolve Deficiencies Identified By Federal Funding Agencies***

Effective Title VI compliance requires Port Houston to take prompt action to achieve voluntary compliance in all instances in which deficiencies are found by any federal funding agencies. Port Houston will correct any deficiencies found within a reasonable time period, not to exceed 90 days in order to implement Title VI compliance in accordance with required guidelines.

Within 30 days from the receipt of a deficiency, the Chief People Officer will develop a corrective action plan (CAP) to include:

- The identified deficiency;
- Applicable laws, rules, regulations;
- Actions to be taken by the Chief People Officer to correct the deficiency;
- The timeframe to correct the deficiency;
- The plan for monitoring the progress of the CAP; and
- The timeframe for providing updates to the federal funding agency.

The CAP will be submitted to federal funding agency for approval. Upon approval, the Chief People

Officer will implement the CAP and provide periodic updates to federal funding agency. If necessary, the Chief People Officer will update procedures or work with the affected program area to update its procedures to reflect the outcome of the CAP.

***Reporting to Federal Funding Agencies***

Port Houston will submit reports to federal funding agencies in accordance with any applicable agreements or laws.

APPROVED BY: *Charlie Jenkins*  
Charlie Jenkins (May 28, 2025 13:31 CDT)  
Chief Executive Officer

Effective Date: \_\_\_\_\_, 2025

Plan Owner: Chief People Officer

Plan Version: Original



**PORT HOUSTON**<sup>SM</sup>

## Title VI/Nondiscrimination Plan **Attachments**

April 2025

Attachment 1 – Title VI/Nondiscrimination Statement

The Port of Houston Authority of Harris County, Texas (“Port Houston”), as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. § 2000d-3), color, national origin, sex, gender, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Port Houston programs or activities.

APPROVED BY: *Charlie Jenkins*  
Charlie Jenkins (May 28, 2025 13:31 CDT)  
Chief Executive Officer

Effective Date: \_\_\_\_\_, 2025

Statement Owner: Chief People Officer  
Statement Version: Original

## TITULO VI YE ESTATUTOS RELACIONADOS

### DECLARACION DE NO DISCRIMINACION

The Port of Houston Authority of Harris County, Texas ("Port Houston"), como recipiente de Asistencia Financiera Federal y segun el Acta de Derechos Civiles Titulo VI del 1964 Y estatutos relacionados, asegura que ninguna persona sera excluida a causa de raza, religion (donde el objetivo principal es asistencia financiera para proveer empleo segun 42 U.S.C. § 2000d-3), color, origen nacional, sexo, género, edad o incapacidad de participacion en, o negados los beneficios de, o de otra manera sea sujeto a discriminacion en cualquiera de los programas o actividades del Port Houston.

APPROVED BY: *Charlie Jenkins*  
Charlie Jenkins (May 28, 2025 13:31 CDT)  
Chief Executive Officer

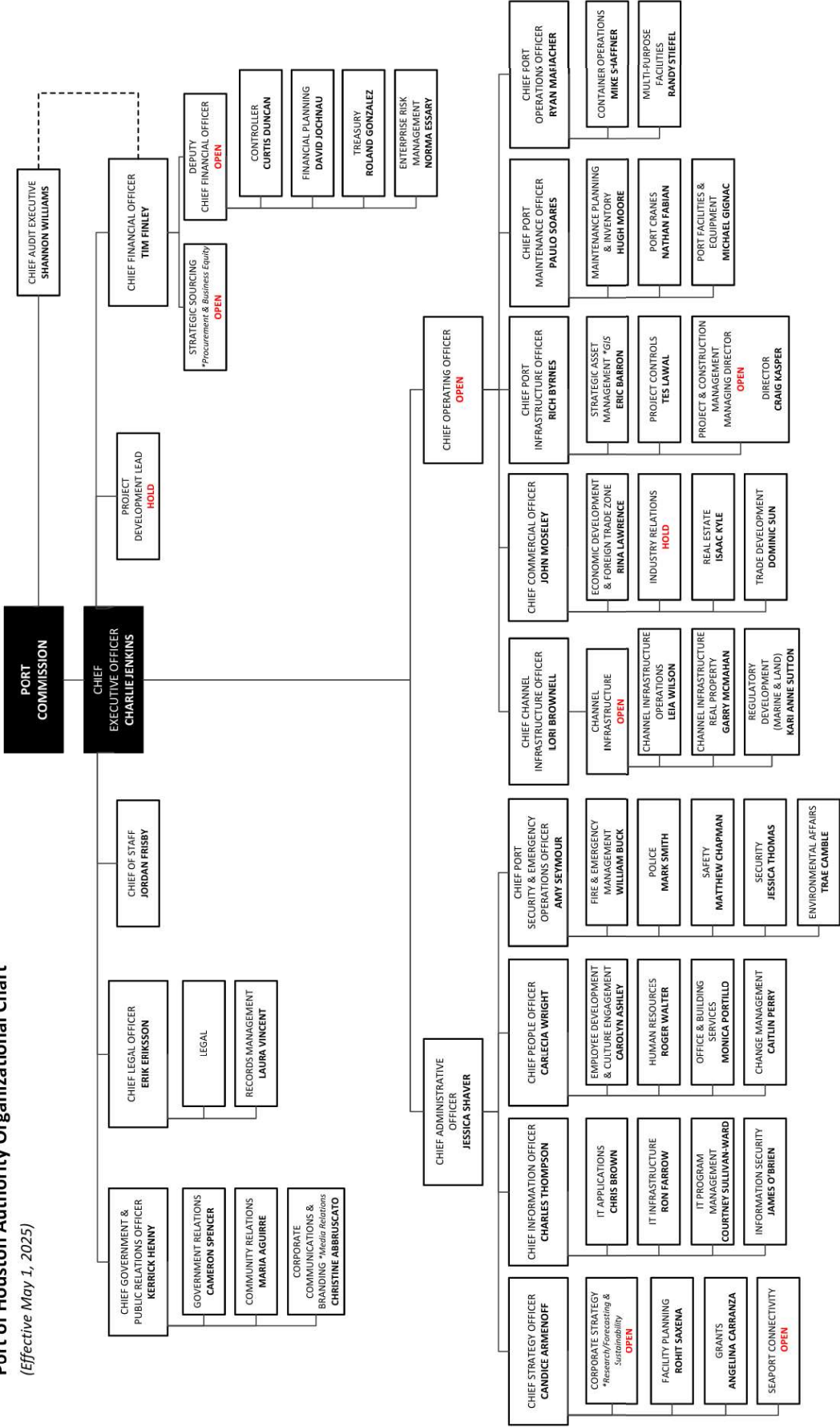
Effective Date: \_\_\_\_\_, 2025

Statement Owner: Chief People Officer  
Statement Version: Original



Attachment 2 – Port Houston Organizational Chart

Port of Houston Authority Organizational Chart  
(Effective May 1, 2025)



Attachment 3 – Title VI Complaint Form

**Instructions**

Any person who believes he or she has been subjected to discrimination on the basis of race, creed, color, gender, or national origin, including limited English proficiency, in any program or activity administered by Port Houston has the right to file a complaint with Port Houston. Complaints must be filed within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. If a complaint is initially made by phone, it must be supplemented with this Complaint Form within 180 days after the discriminatory event. This is not intended to deny or limit the right of a complainant to file a complaint with an outside agency or to seek private legal counsel regarding discrimination.

Such written complaints may be submitted by any of the following methods:

1. **Mailing or emailing Port Houston's Title VI Coordinator:**

**Carlecia Wright**  
Chief People Officer  
111 East Loop North  
Houston, Texas 77029  
713.670.2436  
[cwright@porthouston.com](mailto:cwright@porthouston.com)

2. E-mailing [communityrelations@porthouston.com](mailto:communityrelations@porthouston.com)
3. Following the instructions contained in Port Houston's Misconduct Reporting Policy, available at [https://porthouston.com/wp-content/uploads/2022/11/Misconduct\\_Reporting\\_Policy\\_June\\_2014\\_FINAL.pdf](https://porthouston.com/wp-content/uploads/2022/11/Misconduct_Reporting_Policy_June_2014_FINAL.pdf).
4. Using the online portal at <https://secure.ethicspoint.com/domain/media/en/gui/65635/index.html>.

For questions or a full copy of Port Houston's Title VI policy and complaint procedures, call 713.670.2436, visit [www.porthouston.com](http://www.porthouston.com) or email [cwright@porthouston.com](mailto:cwright@porthouston.com).

Please fill in your information on the following page.

Attachment 3 – Title VI Complaint Form

Name:	Home address (street no., city, state, zip):
Email Address:	Phone #:
Are you filing the complaint on your own behalf? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If you answered “NO”, provide the name and relationship of the person submitting this for you.	
Name:	Relationship:
Please explain the reason you are completing this form for this complainant:	
Have you received permission from the complainant to submit on his/her behalf?	
If applicable, name(s) and position(s) of person(s) who allegedly discriminated against you or complainant:	
Location of incident(s), if known:	Date(s) of incident(s):
Discrimination because of (check as many as apply):  <input type="checkbox"/> Age <input type="checkbox"/> Color <input type="checkbox"/> Creed <input type="checkbox"/> Language Proficiency <input type="checkbox"/> National Origin <input type="checkbox"/> Race <input type="checkbox"/> Religion  <input type="checkbox"/> Sex <input type="checkbox"/> Gender <input type="checkbox"/> Other (List) _____	

Attachment 3 – Title VI Complaint Form

How were you or complainant discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you or complainant. (Attach additional pages, if necessary).

The law prohibits intimidation or retaliation against anyone because they have either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have or anyone else has been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you believe was the cause for the alleged retaliation.

Please provide any additional information and/or photographs, if applicable, that you believe will assist with an investigation.

Attachment 3 – Title VI Complaint Form

Please list below any person(s) we may contact for additional information to support or clarify your complaint (such as witnesses):

Name:	Address:	Phone Number:

What is the most convenient time for us to contact you about this complaint?

Have you discussed the complaint with any Port Houston representative? If yes, provide the name, position, and date of discussion.

Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court?

☐ Yes ☐ No

If yes, check all that apply:

☐ Federal agency    ☐ Federal Court    ☐ State court  
☐ Local agency    ☐ State agency

If filed at an agency and/or court, please provide information about a contact person at the agency/court where the complaint was filed.

Agency/Court:	Contact's Name:	Address:	Phone number:

I affirm that I have read the above claim and it is true to the best of my knowledge.

Signature (Complainant):		Date of filing:	
Received by:	Date Received:	Department:	