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## **TITLE VI AND NON-DISCRIMINATION PLAN**

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Office of Civil Rights  
Hartsfield-Jackson Atlanta International Airport  
6000 North Terminal Parkway, Suite 4000  
Atlanta, GA 30320

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## Title VI Policy Statement

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**Andre Dickens**  
Mayor

**Balram "B" Bheodari**  
Airport General Manager

**DATE:** Tuesday, May 24 2022

**FROM:** Balram "B" Bheodari  
Airport General Manager  
Hartsfield-Jackson Atlanta International Airport (ATL)

**TO:** All Airport Division Leaders and Partners

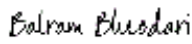
**RE:** Airport Title VI Policy Statement

Hartsfield-Jackson Atlanta International Airport (ATL) assures that no person shall on the grounds of race, color, national origin, sex, sexual orientation, gender identity, creed, age, or disability (hereafter, the "protected bases"), as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (PL 100.259), Section 520 of the Airport and Airway Improvement Act of 1982, and related authorities (hereafter, "Title VI and related requirements"), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

ATL further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not [If applicable: ", including any programs or activities of our sub-recipients"]. Anytime communities may be impacted by programs or activities every effort will be made to involve them and the general public in the decision-making process.

ATL requires nondiscrimination assurances, as proscribed by the Federal Aviation Administration (FAA), from each tenant, contractor, and concessionaire providing an activity, service, or facility at the airport. Assurances must be included in any related lease, contract, or franchise agreement between ATL, each tenant, contractor, and concessionaire, as well as in any similar agreements with their own sub-tenants and sub-contractors.

Steve Mayers (Steve.Mayers@atl.com), Airport Director of Customer Experience and Title VI, is the point of contact for all Title VI matters and related responsibilities, including those required by 49 CFR 21.

DocuSigned by:  
  
Balram "B" Bheodari  
Airport General Manager

Effective Date: 5/23/2022

Expiration Date: May 24, 2025



City of Atlanta | Department of Aviation | P.O. Box 20509 | Atlanta, GA USA 30320-2509  
Tel: (404) 530-6600 | [www.atl.com](http://www.atl.com)    @atlairport

## **Administration**

The Department of Aviation has reviewed and adopted this Title VI Plan for The City of Atlanta. This plan will be updated at least every 3 years. This plan will not be re-adopted following minor changes, such as updating the Airport Director, or equivalents or Coordinator's name. Significant revisions to our policies or federal guidelines may warrant re-adoption by the Department of Aviation, and resubmittal to FAA. In addition to the Title VI Coordinator identified above, the following programs maintain a Title VI liaison responsible for coordinating information, data, and notices related to Title VI and related requirements:

### **Title VI Program Liaisons**

<b>Steve Mayers, Director of Customer Experience, ADA &amp; Title VI Coordinator</b>	<b>Sherif Yasin, Project Manager, Planning &amp; Development, Assistant ADA &amp; Title VI Coordinator (Internal Outreach)</b>	<b>Lara Kim, Special Project Manager, Assistant ADA &amp; Title VI Coordinator (External Outreach)</b>
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## **Grant and Procurement Assurances**

**49 CFR § 21.7 (a)(1); 49 CFR Part 21 Appendix C (b)**

Prior to or upon application for any grant, including grants for the purchase of land or an airport or noise implementation project involving construction, ATL **will** execute the complete standard DOT assurances for Title VI and related requirements applicable to the grant, in the form prescribed by FAA. See [https://www.faa.gov/airports/aip/grant\\_assurances/#current-assurances](https://www.faa.gov/airports/aip/grant_assurances/#current-assurances).

### **Clauses/Covenants**

- All contracts, leases, deeds, licenses, permits or other similar instruments, must contain the contractual requirements and clauses. See [https://www.faa.gov/airports/aip/procurement/federal\\_contract\\_provisions/](https://www.faa.gov/airports/aip/procurement/federal_contract_provisions/).
- **ATL** requires provisions to be included in solicitations and contracts for all subcontractors, subleases, and other agreements at any tier.

## **Title VI Coordinator and Responsibilities**

The Title VI Coordinator is responsible for initiating and monitoring activities for Title VI and related requirements, preparing required reports, and ensuring that ATL meets other related responsibilities. This includes ensuring training is conducted, language interpretation and translation resources are available, and appropriate notices are posted. This also includes updating community statistics, and corresponding with the FAA, as necessary.

Among other responsibilities, the Title VI Coordinator:

- Responds to requests by FAA for data and records to determine compliance with Title VI and related requirements.
- Receives, records, and forwards a copy of discrimination complaints covered by Title VI and related requirements to the FAA, within 15 days of receipt.
- Provides the FAA with an explanation of resolution attempts regarding complaints concerning Title VI and related requirements, consistent with 49 CFR Part 21, Appendix C(b)(3).
- Annually reviews the airport's Title VI plan and disseminates information, education materials, etc. for Title VI and related requirements to Title VI program liaisons, identified above.
- Coordinates with Title VI program liaisons, identified above, to collect demographic data for protected bases, showing the extent to which minority groups are beneficiaries of or impacted by airport programs are regularly assessed and readily available, consistent with 49 CFR § 21.9(b) & (c). Data collection methods will include optional demographic questions in surveys of airport guests for customer satisfaction, customer complaints, airport event sign-in sheets, bidders/proposers for airport contracts, and other methods described in the airport CPP. Identifies any disparities or underrepresentation among airport program beneficiaries.
- Maintains demographic data for protected bases for members of appointed planning and advisory bodies for the airport. Identifies any disparities between representation among the members and the airport beneficiaries and community and provides the information to the membership selecting official/committee, particularly when vacancies occur.
- Maintains a copy of 49 CFR Part 21 for inspection by any person asking for it during normal working hours, consistent with 49 CFR Appendix C (b)(2)(i).

## **Title VI Notice to the Public**

49 CFR Part 21 Appendix C(b)(2)(ii)

ATL will conspicuously display the FAA-provided Unlawful Discrimination Posters in areas of the airport with pedestrian activity. The Title VI Coordinator ensures these posters are visible and maintained. The posters use the unmodified template format, available at [https://www.faa.gov/about/office org/headquarters offices/acr/com civ support/non disc pr/](https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr/) and a completed copy is attached.

ATL has posted the Title VI policy statement at its staff offices and disseminated this Title VI Plan among its employees and airport contractors, concessionaires, lessees, and tenants.

Posters are displayed in each area of each terminal, including the following public locations:

<b>Terminal/FBO/Concessions/Other Locations</b>	<b>Quantity in pre-security Area</b>	<b>Quantity in post-security Area</b>	<b>Additional Quantities</b>
Terminal	12	5	
Skytrain	8		
Information Desks	1	4	

## **Title VI Discrimination Complaint Procedures**

### **BASIS FOR TITLE VI COMPLAINT**

Formal written allegations must be based on issues involving race, color, creed, religion, national origin, ancestry, age, sex (gender), sexual orientation, gender identity, domestic partner status, marital status, physical or mental disability, or AIDS/HIV-status race, color, national origin, sex, age, income or disability as defined below:

Any person who feels that he or she has been subjected to discrimination based on race, creed, color, national origin, or sex has the right to file a complaint with the Airport. These procedures do not deny or limit the right of a complainant to file a formal complaint with an outside agency, such as the U.S. Department of Transportation or Federal Aviation Administration (FAA), or to seek private legal counsel regarding discrimination.

Title VI complaints must be filed within 180 days after the alleged discriminatory event, must be in writing, and must be delivered by one of the following:

**By mail to:**

Steve Mayers  
Director - Customer Experience, Title VI and ADA Coordinator  
Office of Civil Rights  
6000 N. Terminal Parkway, Suite 4000  
Atlanta, GA 30320  
Phone: (404) 382-2280  
Fax number: (404) 305-2428 Email: [steve.mayers@atl.com](mailto:steve.mayers@atl.com)

**Complainants may also file a written complaint directly to the FAA:**

Federal Aviation Administration  
Office of Civil Rights, ACR1  
800 Independence Avenue SW  
Washington, D.C. 20591

At a minimum, complaints must include the following information:

- Name, mailing address, and contact information;
- How, when, where, and why complainant alleges they were discriminated against;
- Names and contact information of any witnesses;
- Any other significant information.

Once the correspondence is deemed a complaint, the Title VI Coordinator will acknowledge acceptance of the complaint via a written or electronic (e-mail) statement. If an attorney submits the complaint on behalf of a complainant, the Title VI Coordinator must contact the attorney and must request permission to contact the complainant directly. The Title VI Coordinator will review the complaint for complete information in order to proceed with processing, investigation, and resolution. For a complaint to be complete it must include the required information and any additional written details regarding the alleged discrimination that may be requested by the coordinator.

Once the basis of the complaint investigation is determined, the Title VI Coordinator will initiate the investigation. The complaint investigation may involve: Interviews with the parties to the complaint; Interviews with third parties involved with the issue, incident, or event; Collection and review of supporting documentation; Review of applicable regulations; and/or other methods of data collection and analysis as warranted. All parties to the complaint, including the complainant, must comply with all requests for information from the Title VI coordinator. The Title VI Coordinator has 90 business days to conduct and complete the investigation and prepare an investigative report, except in cases of a disparate impact investigation, and to provide the findings, in writing, to the complainant.

The Title VI Coordinator may decline to proceed with a complaint for one or more of the following reasons:

- The complaint is not supported by the regulations, is lacking in detail, or without merit, and cannot be considered to be grounded in fact.
- The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- Litigation has been filed by the complainant with the same basis and issues involved in the complaint. In such cases, the complaint should not be held in abeyance, but dismissed.
- The complainant withdraws the complaint.

If a complainant disagrees with the response of the Title VI Coordinator, he/she may request reconsideration by submitting a written request to the ATL Legal Department. The written request for reconsideration must be submitted within 10 calendar days after receipt of the Title VI Coordinator's response and must be sufficiently detailed to contain any items the complainant feels were not fully understood or investigated. If the request for reconsideration is denied by the Legal Department, the complainant may appeal by submitting a written appeal to the Office of Civil Rights. A request for appeal must be submitted in writing within 10 calendar days of the Airport's response rejecting the reconsideration. If the complainant is unable to or incapable of preparing a written request for appeal the Airport must provide the complainant assistance in converting a verbal request into a written request.



## **Minority Businesses**

49 CFR 21 Appendix C (a)(1)(x)

Bids for airport concessions and other business opportunities are solicited from area minority businesses through the following methods:

### **Minority Business Outreach Methods**

ATLNEXT Industry Day

Maynard H. Jackson Jr. Legacy awards

Partnering With A Purpose

Selections are in compliance with Title VI, Part 21, and related requirements. Information on the award process and documentation for specific bid decisions is kept with the Department of Aviation Business Diversity.

## **Title VI Training**

ATL is committed to supporting and enforcing ADA and Title VI through training. All personnel will receive basic Title VI training as part of the new hire orientation and badging process. Basic training will cover overall Title VI obligations. Airport personnel may receive specialized training on Title VI in their specific work areas. Title VI procedures training will be incorporated into the orientation activities for new hires to ensure that all Airport personnel is kept aware of federal requirements. Further, Airport personnel will periodically receive additional refresher Title VI training and be reminded of Title VI nondiscrimination obligations regularly.

## **ATL ADA/Title VI Public Participation Committee**

ATL's ADA/Title Public Participation Committee is a collaborative body of individuals and organizations working together on the common goal of "ensuring that guests and passengers with disabilities and other functional needs are provided a safe and enjoyable travel experience."

The committee ensures success by involving the people most affected by the issues. It creates a collaborative environment and a chance to get to know and work with new partners. It nurtures an environment of mutual learning and understanding of members' strengths, assets, and limitations, and it provides sharing of resources and creative ideas to address the public needs.

### **The Key Principles of ATL's Public Participation Committee are:**

- The partner has a genuine interest in and commitment to the ADA and Title VI community.
- Everyone recognizes the strengths and contributions of all partners.
- Ensures that each member of the partnership is treated equally.
- Fosters a safe environment for clear and open communication that values feedback from all partners.
- Values the knowledge and expertise of the partners.
- Believes community input is essential.
- Is community-driven.
- Values diversity.

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

### **Introduction**

Hartsfield-Jackson Atlanta International Airport (ATL) is a global gateway, offering nonstop service to more than 150 domestic and nearly 70 international destinations. These locales include major commercial centers in Europe, Asia, the Caribbean, Africa, and South and Central America. ATL also stands as the first airport in the world to serve more than 100 million passengers in a single year.

ATL has developed this Limited English Proficiency Plan (LEP) to identify reasonable steps for providing language assistance to LEP persons who wish to access services. The purpose of this LEP is to ensure that LEP individuals have meaningful access to information and equal opportunity for services offered by the City of Atlanta's Department of Aviation (DOA). Following these guidelines is essential to the success of our mission "to provide the Atlanta region a safe, secure, and cost-competitive gateway to the world that drives economic development operates with the highest level of customer service and efficiency, and exercises fiscal and environmental responsibility."

ATL assures that no person shall, on the grounds of race, color, national origin, disability, sex, or age, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (Public Law 100.259), and subsequent nondiscrimination laws and related authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. This LEP has been prepared to address ATL's responsibilities as a recipient of federal financial assistance related to the needs of individuals with limited English proficiency language skills.

### **Background**

On August 11, 2000, President Clinton signed Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

### **Key Definitions**

- LEP Persons: Individuals who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English.
- Primary Language: The language in which an individual is most effectively able to communicate.
- Language Assistance Services: The provision of interpretation and/or translation services to customers who are LEP.
- Interpretation: The act of listening to a communication in one language and orally converting it to another language while retaining the same meaning
- Translation: The replacement of written text from one language with an equivalent written text in another language.
- Bilingual: The ability to speak fluently and communicate directly and accurately in two languages.

### **Determining Need: Four-Factor Analysis**

This plan uses the recommended four-factor analysis of an individual assessment considering the four factors outlined below. Each of the following factors is examined to determine the level and extent of the language assistance measures required to ensure access to public services within the scope of ATL. Recommendations are then based on the results of the analysis.

#### **Factor 1: Number or proportion of LEP persons served or encountered in the eligible service population.**

The U.S. Census Bureau has a range of four classifications of how well people speak English. The classifications are (1) "very well," (2) "well," (3) "not well," and (4) "not at all." According to Migration Policy Institute tabulations of the U.S. Census Bureau American Community Survey (ACS) and Decennial Census, there were 1,085,782 foreign-born Georgia residents in 2019 ages 5 and over, and out of that number, 41.3 percent are LEP individuals. Georgia's neighboring state, Alabama, had 173,021 foreign-born residents, and 45 percent are considered LEP individuals.

**Table 1: English Proficiency Data**

LEP English Proficiency 2019			
Language Spoken at Home-Less than very well			
GEORGIA		ALABAMA	
Spanish	343,659	Spanish	71,510
French (Including Cajun)	7,838	French	1,127
Haitian	4,709	Haitian	713
Italian	999	Italian	54
Portuguese	6,046	Portuguese	1,015
German	3,831	German	743
Yiddish	335	Yiddish	115
Russian	3,494	Russian	1233
Persian	2,529	Persian	341
Gujarati	8,934	Gujarati	658
Hindi	5,703	Hindi	394
Urdu	2,294	Urdu	801
Bengali	3,575	Bengali	97
Nepali	6,497	Nepali	391
Chinese (including Mandarin, Cantonese)	23,152	Chinese (including Mandarin, Cantonese)	5,478
Japanese	4,157	Japanese	876
Korean	19,254	Korean	5594
Vietnamese	38,519	Vietnamese	2,923
Thai	5,060	Thai	723
Arabic	6,202	Arabic	1,545
Hebrew	1,096	Hebrew	167
Yoruba	4,123	Yoruba	37
Yoruba	3,596	Swahili	460
Georgia-English Proficiency (age 5 and older) (%) Foreign Born 1,085,782 LEP% 41.3%			
Alabama-English Proficiency (age 5 and older) (%) Foreign Born 173,021 LEP% 45%			

Source: <https://www.migrationpolicy.org/data/state-profiles/state/language/GA>

Source: <https://www.migrationpolicy.org/data/state-profiles/state/language/AL>

**Factor 2: The frequency with which LEP persons encounter LEP services.**

Different sources were used to determine the frequency in which LEP individuals utilize Airport services, one of which is Language Line. Language Line is a translation service ATL offers in which LEP individuals can be connected to a translator. This translation phone service is offered in over 240 languages at no cost to the LEP individual. It is available at any Airport information desk and can be accessed by calling its communication center. The report below shows Spanish as the most requested language service.

**Table 2: Language Translation Phone Line Usage**

Data reflects language translation services provided over a 24-month period of January 2018 through December 2020.

Language	Billed Calls	Minutes	% of Billed Calls	% of Minutes
HAITIAN CREOLE	3	15	2.03	1.51
ARABIC	3	12	2.03	1.21
KOREAN	2	6	1.35	0.6
HINDI	2	16	1.35	1.61
RUSSIAN	1	17	0.68	1.71
SWAHILI	1	21	0.68	2.12
BURMESE	1	6	0.68	0.6
ROMANIAN	1	5	0.68	0.5
TURKISH	1	4	0.68	0.4
HEBREW	1	3	0.68	0.3
PORTUGUESE BR.	1	5	0.68	0.5
	148	992	100.03	99.97

Source: <http://www.LanguageLine.com>

**Factor 3: The nature and importance of services provided by ATL to the LEP population.**

ATL is the busiest and most efficient Airport in the world and, by some accounts, the best in North America. ATL serves as a key transportation resource for many LEP persons. With Atlanta being a major tourist destination, it receives many national and international visitors with limited English proficiency.

#### **Factor 4: The resources available to ATL and the overall cost to the person requiring LEP assistance.**

Assessing available resources for LEP services is a continuous process. However, ATL is committed to providing the resources needed to assist LEP individuals. ATL currently offers the following:

- Oral interpretation – When feasible bilingual staff can communicate with LEP persons in their primary languages for assistance. Spanish is the most common non-English language at ATL. Upon hiring, bilingual employees are screened for language proficiency and are compensated through the DOA's Bilingual Employee Program. Currently, the DOA employs staff members who speak Spanish, Korean, Arabic, French, Thai, and sign language (ASL).
- Bilingual and international signs – Signs located in the International Customs area are in Spanish and English, and universal symbols are used throughout the terminals.
- Over-the-phone language interpretation – Over-the-phone interpreters are accessible through Language Line at all information desks. Phone translation connects individuals needing LEP translation services to a translator who speaks their primary language.
- Airport interactive directories – Interactive directories throughout the Airport feature seven language options for persons requiring assistance.
- The Plane Train display screen – ATL Plane Train display is available in seven languages that repeat in intervals at each stop.

#### **Training**

The Department of Aviation trains Airport staff on LEP services ATL offers and specific procedures to be followed when encountering LEP individuals. Training will be ongoing, ensuring that the Airport staff is up to date on proper translation techniques, ethics, specialized terminology, and other topics as needed. Additionally, training is available for all staff who can communicate with LEP individuals.

#### **Monitoring**

As part of the ongoing commitment to bridging the gaps in communication with LEP persons, ATL will maintain the current LEP outreach efforts as well as the following:

- Update Census data as it becomes available.
- Regularly review LEP needs with ATL employees, tenants, and other businesses operating at ATL.
- As opportunities arise, coordinate with agencies serving LEP individuals who may have resources to share.
- Document language assistance requests.
- Access the FAA Civil Rights Connect System (Connect System) for compliance review and complaint information and provide updates.

- 28 CFR Part 36: Nondiscrimination based on Disability by Public Accommodations and in Commercial Facilities (1991 and 2010 ADA Standards for Accessible Design)
- 49 CFR Part 37: Transportation Services for Individuals with Disabilities (Americans with Disabilities Act Title II and Title III)

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

70 FR 74087;  49 CFR 21.5	<p>Does the Airport collect data to determine its LEP population using the four-factor analysis? The following are the four factors:</p> <ol style="list-style-type: none"> <li>1. The number or proportion of LEP individuals served or encountered in the Airport's service area</li> <li>2. The frequency of contact between LEP individuals and the Airport's programs, activities, or services</li> <li>3. The nature and importance of the program, activity, or service provided by the Airport</li> <li>4. The resources available to the Airport and related costs</li> </ol> <p>Yes                      No</p>
70 FR 74087;  49 CFR 21.5	<p>Does the Airport use any additional process(s) for determining their LEP population? (e.g., surveying travelers, collecting and recording language assistance requests, etc.)</p> <p>Yes                      No</p>
70 FR 74087;  49 CFR 21.5	<p>Has the Airport checked with Airport employees, airlines, concessionaires, etc., to learn what languages, other than English, they encounter?</p> <p>Yes                      No</p>



49 CFR 21.5	Based on the results of the four-factor analysis, does the Airport analyze their programs and services to determine the need for language assistance for LEP individuals?	
	Yes	No
	Not applicable, have not conducted four-factor analysis	
49 CFR 21.5	Are resources currently in place to provide meaningful access for LEP individuals?	
	Yes	No
49 CFR 21.5	<ul style="list-style-type: none"> <li>Does the Airport have an LEP plan? The following are the five elements of an LEP Plan: <ul style="list-style-type: none"> <li>Identification of LEP individuals (first two factors of the four-factor analysis)</li> <li>Language assistance measures (services available)</li> <li>Staff training (training staff on the LEP Plan, their role and responsibilities)</li> <li>Provide notice (informing LEP individuals, as appropriate in languages other than English, of the availability of language assistance services)</li> <li>Monitoring and updating (how the LEP Plan will remain current)</li> </ul> </li> </ul>	
	Yes	No
	If not, Does the Airport inform LEP individuals of the availability of language assistance services (e.g., conduct outreach to LEP communities regarding language assistance services, signage to direct LEP persons to sources of assistance, etc.)?	
AC 150/5200-31C	Yes	No
	Does the Airport Emergency Plan identify how LEP individuals/populations will be assisted in an emergency?	
	Yes	No

AC 150/5200-31C

Does the Airport Emergency Plan identify how LEP individuals/populations will be assisted in an emergency?

Yes

No

If yes selected, Are they included with other special needs individuals?

Yes

No

Not applicable, "No" selected

If yes selected for 24, Are they mentioned separately?

Yes

No

Not applicable, "No" selected

## **Exhibits**

### **Exhibit A-Section 18.08 General Civil Rights Provisions (Required by the FAA)**

This Appendix contains the general Civil Rights Provisions, which are incorporated in all grant agreements between a sponsor and the FAA.

- A. Concessionaire agrees that it will comply with pertinent statutes, Executive Orders, and such rules as are disseminated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or handicap be excluded from participating in any activity conducted with or benefiting from Federal assistance. This provision is in addition to that required by Title VI of the Civil Rights Act of 1964.
- B. This provision also obligates the Concessionaire or its transferee for the period during which Federal assistance is extended to the airport through the Airport Improvement Program, except where Federal assistance is to provide or is in the form of personal property; real property, or interest therein; structures or improvements thereon.
- C. In these cases, the provision obligates the party or any transferee for the longer of the following periods:
  - 1. The period during which the property is used by the airport sponsor or any transferee for a purpose for which Federal assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - 2. The period during which the airport sponsor or any transferee retains ownership or possession of the property.

### **Exhibit B- Non-Discrimination Contract Provisions for Contractors**

**Nondiscrimination.** In the performance of this Agreement, the Contractor will not discriminate on the basis, whether in fact or perception, of a person's race, color, creed, religion, national origin, ancestry, age, sex (gender), sexual orientation, gender identity, domestic partner status, marital status, physical or mental disability, or AIDS/HIV-status against (1) any employee of the City working with the Contractor in any of Contractor's operations within Atlanta or (2) Any person seeking accommodations, advantages, facilities, privileges, services, or membership in all business, social, or other establishments or organizations operated by the Contractor. The Contractor agrees to comply with and abide by all applicable federal, state, and local laws relating to non-discrimination, including, without limitation, Title VI of the Civil Rights Act of 1964, Section V of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

**Nondiscrimination in Employment.** In all hiring or employment made possible by, or resulting from this Agreement, there (1) will not be any discrimination against any employee or applicant for employment because of race, color, religion, gender, age, physical or mental disability, national

origin, sexual orientation, creed, culture, or ancestry, and (2) where applicable, affirmative action will be taken to ensure that the Contractor's personnel are treated during employment without regard to their race, color, religion, gender, age, physical or mental disability, national origin, sexual orientation, creed, culture, or ancestry. This requirement shall apply to, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. All solicitations or advertisements for personnel shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, age, physical or mental disability, national origin, sexual orientation, creed, culture, or ancestry. The Contractor will require all subcontractors to comply with the requirements of this article.

#### **Exhibit C - Section 18.09 Title VI Civil Rights Provisions (Required by the FAA)**

- A. During the performance of this contract, Concessionaire, for itself, its assignees, and successors in interest agrees as follows:
1. **Compliance with Regulations:** Concessionaire (hereinafter includes consultants) will comply with the Title VI List of Pertinent Nondiscrimination Statutes and Authorities, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
  2. **Nondiscrimination:** Concessionaire, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The concessionaire will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program outlined in Appendix B of 49 CFR part 21.
  3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Concessionaire of the Concessionaire's obligations under this Lease and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
  4. **Information and Reports:** The concessionaire will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the sponsor or the Federal Aviation Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any

information required of Concessionaire is in the exclusive possession of another who fails or refuses to furnish the information, Concessionaire will so certify to the sponsor or the Federal Aviation Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of the Concessionaire's noncompliance with the Nondiscrimination provisions of this contract, the sponsor will impose such contract sanctions as it or the Federal Aviation Administration may determine to be appropriate, including, but not limited to:

- a. Withholding payments to Concessionaire under this Lease until Concessionaire complies; and/or
- b. Cancelling, terminating, or suspending this Lease, in whole or in part.

6. **Incorporation of Provisions:** The concessionaire will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations, and directives issued pursuant thereto. The concessionaire will act with respect to any subcontractor procurement as the sponsor or the Federal Aviation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Concessionaire becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Concessionaire may request the sponsor to enter litigation to protect the interests of the sponsor. In addition, the Concessionaire may request the United States to enter litigation to protect the interests of the United States.

- B. Title VI List of Pertinent Nondiscrimination Authorities—During the performance of this contract, Concessionaire, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination based on race, color, and national origin);
- 49 CFR part 21 (Non-discrimination In federally-assisted Programs of The Department of Transportation—Effectuation of Title VI of The Civil Rights Act of 1964);
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination based on disability); and 49 CFR part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination based on age);

- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964,
- The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all the programs or activities of the Federal-aid recipients, sub-recipients, and contractors, whether such programs or activities are federally funded or not);
- Titles II and III of the Americans with Disabilities Act of 1990, prohibits discrimination based on disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination based on race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100)
- Title IX of the Education Amendments of 1972, as amended, prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

## TITLE VI DISCRIMINATION COMPLAINT FORM

PLEASE PRINT

Name of Complainant	Telephone Number: (    )	Email:
Mailing Address		
What is the most convenient time for us to contact you about this complaint?		
Basis of Discrimination <ul style="list-style-type: none"> <li>▪ Race/Disability</li> <li>▪ Color/Age</li> <li>▪ Nationality / Origin /Sex</li> <li>▪ Other (please specify)</li> </ul>	If you have a representative, please provide the following information:  Name: Firm Name: Address: Telephone Number: (    )	
Date and place of the alleged discrimination.		
Explain as clearly as possible what happened and why you believe you were discriminated against. Include how other persons were treated differently from you. Attach additional page(s) if necessary.		
Names of individuals responsible for the discriminatory action(s):		
The laws prohibit retaliation against anyone because he/she has taken action, or participated in an action, to secure rights protected by these laws. Please explain the circumstances below if you feel you have been retaliated against (separate from the discrimination alleged above). In addition, please explain what action you took, which you believe was the basis for the allegation.		
What remedy, or action, are you seeking for the alleged discrimination?		

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:

\_\_\_\_ U.S. Equal Employment Opportunity Commission \_\_\_\_ Federal or State Court

\_\_\_\_ Department of Fair Employment and Housing \_\_\_\_ Federal Highway  
Administration/U.S. Dept. of Transportation

\_\_\_\_ Federal Transit Administration/U.S. Dept. of Transportation

If you have already filed a charge or complaint, please provide the following information:

Agency/Court: \_\_\_\_\_

Attorney Name: \_\_\_\_\_

Address: \_\_\_\_\_

Firm Name: \_\_\_\_\_ Date Filed: \_\_\_\_\_

Address: \_\_\_\_\_ Case Number: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_

Date of Trial Hearing: \_\_\_\_\_

Status of Case:

Please provide any additional information that you believe would assist in the investigation:



Note: The use of this complaint form is not mandatory. You may submit your complaint in any form that includes your signature. If you have completed this form, please sign and date below.

Signature of Complainant:

Date of Filing:

Complaints may also be filed with the Federal Highway Administration by contacting  
(202) 366-0693 or [Civilrights.FHWA@FHWA.DOT](mailto:Civilrights.FHWA@FHWA.DOT).

## Unlawful Discrimination Poster

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### Unlawful Discrimination

It is unlawful for airport operators and their lessees, tenants, concessionaires and contractors to discriminate against any person because of race, color, national origin, sex, creed, or disability in public services and employment opportunities. Allegations of discrimination should be promptly reported to the Airport Manager or:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Federal regulations on unlawful discrimination are available for review in the Airport Manager's Office.

**Coordinator:** Steve Mayers  
**Phone:** 404-382-2280  
**Address:** 6000 North Terminal Parkway, Suite 4000  
Atlanta, GA 30320

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### Discriminacion Ilegal

Se prohíbe a los operadores de aeropuertos y a sus arrendatarios, inquilinos, concesionarios y contratistas discriminar contra cualquier persona por motivo de raza, color, nacionalidad de origen, sexo, creencias religiosas, impedimento físico o discapacidad en lo que respecta a servicios públicos y oportunidades de empleo. Las alegaciones de discriminación deberán ser dirigidas inmediatamente al Administrador del Aeropuerto o a:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Los reglamentos sobre discriminación ilegal están a la disposición de los interesados para su examen en la oficina del Administrador del Aeropuerto.

**Coordinador:** Steve Mayers  
**Teléfono:** 404-382-2280  
**Dirección:** 6000 North Terminal Parkway, Suite 4000  
Atlanta, GA 30320



U.S. Department of Transportation  
Federal Aviation Administration

HQ-101038

## **References**

28 CFR Part 35: Nondiscrimination based on Disability in State and Local Government Services (Americans with Disabilities Act - Title II)

49 CFR Part 27: Nondiscrimination based on Disability in Programs or Activities Receiving Federal Financial Assistance (Section 504 of the Rehabilitation Act)

49 CFR Part 21: Nondiscrimination in Federally Assisted Programs of Department of Transportation

14 CFR Part 382: Nondiscrimination based on Disability in Air Travel (Air Carrier Access Act)

**END OF DOCUMENT**