# 第六章計畫

2022-2025

執行摘要



#### 提交者:

民權辦公室(OCR) 聖達卡拉穀交通局

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www.vta.org

#### 執行摘要的目的

VTA 通過積極確保所有政策、服務和計畫的有效性、包容性和可獲得性來認識到其機會和義務。通過採取行動和監測進度,我們可以確保任何人都不會因為種族、膚色或民族血統而被剝奪有效獲得我們的交通服務、計畫和資訊的權利。這就是 VTA 第六章計畫的使命,該計畫指導、監督和記錄 VTA 如何遵守 1964 年《民權法案》。

第六章的監督涉及對與第六章和英語水準有限者有關的所有反歧視政策的政策制定、培訓、合規性、報告和監督的管理。在美國人口普查中,LEP 個人自我報告說英語說得不太好,英語水準與原國籍有關。第六章的監督職責集中在 VTA 的民權辦公室 (OCR)。組織內各部門的員工通力合作,為第六章計畫的成功做出貢獻。

以下執行摘要簡要列出了 VTA 的 2022 年第六章計畫,其中包含諸如以下檔:

- VTA 對基於種族、膚色和民族血統歧視的投訴程式。
- VTA 為英語水準有限的人群提供語言援助服務。
- 自上一次提交第六章計畫以來所做的外聯工作總結。
- VTA 服務區的人口統計資料。

只要有可能,民權辦公室就會總結出最高級別的資訊。除此之外,它還簡要總結了目的, 並向讀者介紹了完整版的第六章計畫。

VTA 支持關於英語水準有限(LEP)和環境正義的第六章和行政命令的目的,為低收入、少數族裔和英語水準有限的人員提供獲取其服務、專案和活動的有效通道。

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第六章告知公眾其自身的權利的通知。

VTA 通過在面向公眾的設施、公交中心以及諸如公車和輕軌列車等內部服務車輛上張貼關於防止歧視的資訊,確保公眾瞭解他們根據《民權法案》第六章應得的權利。這份公告可在 96 個不同的地點看到,並已被翻譯成英語以外的 18 種不同語言。

任何人可以如何提起第六章投訴。

任何人如果認為自己受到了基於種族、膚色或民族血統的歧視性待遇,都可以向 VTA 提起投訴。投訴可以通過電話或書面形式提交給 VTA 的民權辦公室或我們的客戶服務部。

民權辦公室

收件人:第六章協調人 聖達卡拉穀交通局 3331 North First Street, Bldg. B-2 San Jose, CA 95134 (408) 952-8901 vta.org/about/title-vi

客戶服務

(408) 321-2300 (408) 321-2330 TTY

mailto:customer.service@vta.org

VTA 員工或 VTA 承包商也可以向以下機構提起歧視投訴:聯邦捷運系統管理局(FTA)、聯邦高速公路管理局(FHWA)、加州交通部和加州民權部(CRD)。

對 VTA 提起了哪些與公交相關的第六章投訴和訴訟,以及這些投 訴和訴訟是如何進行調查的。

在 2020 年 2 月至 2022 年 6 月期間,共提起了三起第六章訴訟(種族、膚色、民族血統)。提交了四份基於種族的投訴,並且這四份全部得到了證實。對相關司機進行了忠告和重新指導。要全面查看第六章相關投訴的清單,請參見本摘要的附錄一。第六章計畫完整版的清單位於第 4 節,標題為 "與公交相關的第六章調查、投訴和訴訟清單"

公眾參與計畫-VTA 如何吸引公眾。

公眾參與計畫(PPP)指導 VTA 不斷努力,通過提供專案和服務即將變更的資訊來吸引公眾,並尋求公眾對交通規劃決策的意見,特別強調讓少數族裔群體和低收入群體參與進來。

VTA 聯繫社區組織(CBO),為傳統上代表性不足的社區、文化中心、禮拜場所、住宅社區和社會服務機構對各種專案和服務規劃參與過程提供服務。

在考慮環境正義和聯邦公路管理局的要求並代表英語水準有限者、低收入者、少數族裔社區以及殘疾人的情況下,PPP展示了 VTA 以社區為中心的方法、可使用的方法以及滿足和超過 FTA 第 4702.1B 號通告要求的承諾。

語言可用計畫-VTA 如何向不說英語者伸出援手。

VTA 的語言可用計畫 (LAP)與公眾參與計畫一起使用,作為如何與客戶進行最有效溝通的指導,協助 VTA 工作人員對英語水準有限 (LEP) 者進行宣傳,並不斷徵求社區的回饋意見。本計畫提供的資訊包括:

- VTA 服務區目前最常使用哪種語言
- 最常使用的 VTA 服務專案有哪些
- VTA 客戶如何獲得有關公共交通的資訊
- 客戶在獲取 VTA 服務時遇到的障礙。

#### 2022 年 VTA 諮詢機構中少數族裔代表的水準。

VTA 有兩個諮詢委員會,公民諮詢委員會(CAC)和交通運輸機動性和可達性委員會(CTMA),由 VTA 選出的非選舉成員組成。VTA 鼓勵少數族裔和傳統上代表性不足的群體參與此類委員會。在我們努力確保和增加不同公眾成員參與時,我們會詢問現任成員的種族身份和族裔。

諮詢委員會成員的族裔和種族分類表	公民諮詢委員會 (CAC)	交通無障礙委員會 (CTA)	
經認可的會員職位	13	17	7
已填補的會員職位	10	9	)
完成調查的會員	8	5	5
民族(文化或民族血統)和/或自我認同的種族	公民諮詢委員會 (CAC)	交通無障礙委員會 (CTA)	
西班牙裔、拉丁裔或西班牙血統	0	1	L
白人	6	3	3
非裔美國人/黑人	0	0	)
夏威夷原住民或其他太平洋島民	0	0	)

关则仍是为		
美洲印地安人或阿拉斯加原住民	0	0
亞洲人	2	0
兩個或以上種族	0	1

VTA 通過在公共場所、 <u>各種 VTA 網頁</u> 以及 <u>董事會和委員會議程門戶網站</u>上的委員會登錄頁上公佈空缺,尋求增加代表性不足群體參與這些委員會。

#### VTA 如何監控承包商和分包商。

為了確保分包商遵守 DOT 第六章的規定,主承包商必須監督其分包商是否遵守規定。如果分包商不符合第六章的要求,則主承包商也不符合。

聖達卡拉 VTA(VTA)與 Peninsula Family Service (PFS)簽訂了一項為期兩年的協定,為 DriveForward 車輛貸款計畫提供贈款資金。這是一項消費貸款計畫,可提供價格合理的汽車貸款。通過都市交通委員會(MTC)的第五輪生命線交通計畫,VTA 代表 PFS 申請了 5307 筆資金,總金額為 237,000\$,用於資助貸款計畫。Peninsula Family Service 向 VTA 工作人員提交了第六章計畫。該計畫被確定符合 FTA 第六章第4702.1B 號通知,PFS 沒有任何第六章投訴、調查或訴訟。

#### 以環境正義為指導原則。

VTA 制定了服務標準和指導方針,以追求環境正義。低收入和少數族裔人口不得因任何 VTA 活動而承受不成比例的負擔,例如,VTA 任何交通方式的票價上漲或下跌,對鄰近 社區有影響的建築專案,或某些地區的服務專案減少。VTA 環境正義工作的目的是確保 公平分配與其任何服務或專案相關的利益和負擔。

公共機構需要評估計畫專案所在地或用地的民族和種族構成,以防止在選擇地理位置時既不考慮種族、膚色也不考慮民族血統。從 2020 年到 2022 年,雖然 VTA 沒有建造任何交通設施,但我們有一項針對未來項目的政策,以指導所需的分析和決定, VTA 政策 BSD-PL-001。

#### 全系統服務標準。

聯邦法規禁止任何個人或群體因其種族、膚色或民族血統而在交通服務的路線、時間安排或服務品質方面受到歧視。這適用於分配給各路線的車輛的服務頻率、使用年限和品質等。

#### 服務標準必須包括:

- 每種型號的車輛負荷。
- 每種型號的車輛間隔。

- 每種型號的準時性能。
- 每種型號的服務可用性。

利用公平分析監測服務和票價變化。

VTA 通過定期監控我們的服務並進行**服務和票價公平分析**,努力實現公平服務。每當該機構計畫修改各路線服務或更改票價時,就會這樣做。

在對服務或票價變化進行規劃時,有兩項政策對 VTA 判斷少數族裔或低收入社區是否比其他社區受到的影響更嚴重給予指導:

- **差別性影響政策**:如果少數族裔乘客受到的負面影響更大或正面影響更小,達到 **10%**或以上,則必須避免、儘量減少或減輕對少數族裔群體的差別性影響。
- **不成比例的負擔政策**:如果少數族裔乘客受到的負面影響更大或正面影響更小, 達到 **10%**或以上,則必須避免、儘量減少或減輕對低收入群體的不成比例負擔的 影響。

#### VTA 的 2022 年服務監測報告。

使用全系統服務標準比較主要由少數族裔乘客使用的 VTA 巴士和輕軌路線與主要由非少數族裔乘客所使用的路線的表現,確定任何差別性影響。該報告對 VTA 的服務表現得出了兩個結果:

- 就車輛負荷而言,少數族裔經常乘坐的巴士路線在周日的負荷高於非少數族裔路線。原因是由於新冠肺炎疫情導致司機的可用性降低,這限制了VTA 恢復到疫情前服務水準的能力。周日的乘客需求在少數族裔頻繁乘坐的公交線路上尤其強勁,從而導致了差別性影響。然而,沒有一個負荷超過VTA 的載客量指南,巴士上有充足的容量。由於雇用新司機減輕差別性影響,所以VTA 正在優先恢復全周日服務。
- 第二個結果是,少數族裔輕軌線路(橙線)的**生產率低於**非少數族裔鐵路線路。 這種差別性影響是由於疫情對乘客需求的持續影響。隨著乘客量的恢復和交通需求 在疫情後進入"新常態", VTA工作人員繼續監測少數族裔路線的相對表現。

# VTA 的 2022 年第六章服務公平性分析。

2022 年,VTA 提議在 2023 年恢復到疫情前的全部交通服務水準。該提議被展示給了不同的社區團體,並提交給 VTA 董事會批准。2023 年服務計畫的重要變化包括恢復全面服務,改善運營時間和服務頻率,以及恢復 VTA 乘客的公平公交服務。在以多種語言和在不同場所與社區接觸後,根據回饋意見,在三條路線上增加了新的週末服務,在四條路線上增加了服務頻率,將一條路線重新歸類為頻繁路線,並延長了早晚(21 條路線)的

服務時間。沒有對有色人種社區造成差別性影響,也沒有對低收入社區造成不成比例的負擔。

許多公眾的意見都涉及由於工作人員短缺導致錯過行程和等待更長時間。人們經常表示希 望增加公車站的便利設施,提高車上、巴士和輕軌車站的安全性和潔淨度。

#### VTA 服務區的人口客流量和出行模式。

利用美國人口普查資料,繪製了人口統計圖,可在本執行摘要附錄二至附錄四中找到:

- 人口普查區的基本地圖,以及居住在這些地區的少數族裔人口總數的百分比超過服務區少數族裔人口的平均百分比。
- 顯示居住在超過服務區低收入人口平均百分比地區的各種低收入人口的地圖,以解決環境正義問題,並評估重大服務變更對低收入人群的影響。(由於三藩市灣區的生活成本很高,VTA將低收入定義為聯邦貧困指南的200%。)
- 顯示英語水準有限(LEP)人群的地圖(類似於少數族裔和低收入人口的地圖), 通過提供各自語言的資訊來指導有效的外聯活動。

收集 VTA 乘客的種族、虜色、民族血統、英語水準、家庭收入和出行模式等資訊的另一個資訊來源是客戶調查。上一次調查在 2017 年,根據其結果制定了服務計畫和票價政策。還說明 VTA 獲得資訊,更好地瞭解乘客的需求和期望。該調查旨在收集有關乘客概況、特徵、出發地/目的地和出行模式、對服務品質的看法以及對路線和其他服務改進建議的資訊。VTA 利用這些資訊編制了一份相比於少數族裔乘客和非少數族裔乘客的人口統計資料,其中包括少數族裔乘客與非少數族裔乘客的行程,其目的是説明進行票價公平分析。

這項調查得出了聖達卡拉縣所有公車和輕軌路線的乘客情況。重要的結果:

- 40.5%的 VTA 乘客往返于家庭和工作之間。
- 53.8%的 VTA 乘客的年齡在 18 至 34 歲之間。
- 對於所有 VTA 乘客來說,一路步行主要是來(86%)和回方式(89%)。
- 41.5%的 VTA 公交乘客的家庭年收入低於 40,000\$。
- 32.6%的 VTA 乘客是西班牙裔。
- 43.3%的 VTA 乘客在家裡不說英語,但 81.3%的乘客表示自己的英語說得很好或非常好。

## 結論

第六章計畫指導和跟蹤 VTA 的工作,以確保低收入、少數族裔和英語水準有限者可有效獲得其服務、專案和活動。根據第六章和關於英語水準有限(LEP)及環境正義的行政命令,這是一份不斷更新的使用中的檔案。第六章計畫確保任何人不得以州或聯邦法律規定的任何受保護類別為由,被剝奪參與任何 VTA 項目或活動和享受應得利益的權利,或以其他方式受到歧視。下一次更新將在 2025 年準備妥當。如果您希望向我們提供進一步改進的回饋或建議,請聯繫民權辦公室:

民權辦公室 聖達卡拉穀交通局 3331 North First Street, B-2 San Jose, CA 95134 (408) 952-8901 附錄一: 與公交相關的第六章投訴、調查和訴訟

(第4節,標題為"與公交相關的第六章調查、投訴和訴訟清單"完整版。)

#### VTA - List of Title VI Lawsuits, Investigations and Complaints 2020

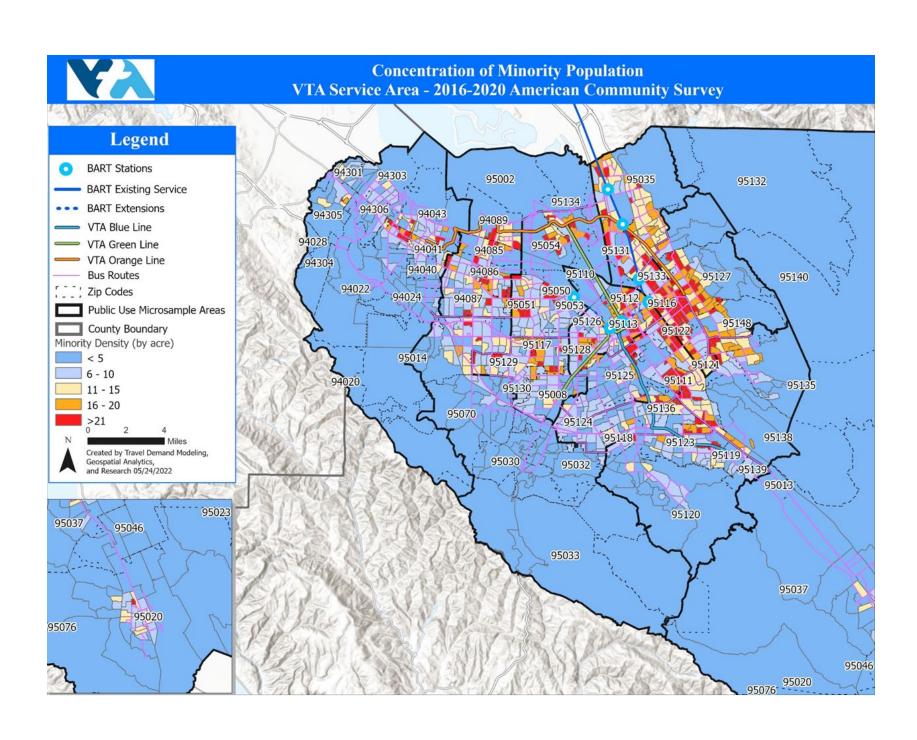
	Date	Summary	Status	Action(s) Taken
Lawsuits				
# 1.	6/23/2020	Marital status, race.	Closed	Dismissal and notice of 'Right to Sue' letter on 8/15/2021.
Complaints and Investigations				
#1.	3/10/2020	Race. The caller is an elderly Asian and said that as soon as he ran up to the bus, the driver told him that he shouldn't run because of the coronavirus. The first thing the driver did when the Asian man approached the doors was put on her mask. The caller said that the driver also told him he's not supposed to be outside. The caller told the operator that he needed to go to the store and that she didn't have the right to tell him not to be outside. Caller said the driver kept saying that she needed to protect her kids. Caller felt that the driver was going on with this tirade because the caller is Asian. The caller gave coach number 8342.	Closed	Office of Civil Rights reviewed CCTV footage. The operator did not mention the Coronavirus to either of the two other males (possibly of Hispanic ethnicity) when they entered the coach, but as soon as the Asian man attempted to board, the operator put on their mask and began lecturing that person about the Coronavirus and how they wanted to keep family safe. The operator was also observed saying, "I don't want people with coronavirus on my bus." This is discriminatory behavior based on the passenger's race by the operator. VTA's Title VI/Non-Discrimination 100.013 (formerly policy AS-HR-PL-2580) policy was violated.  Supervision met with operator and re-shared policy for reinstruction on March 19, 2020.
# 2.	7/30/2020	Race. The caller is upset after witnessing two male passengers yelling at each other and then kicking one of them off of the bus. The caller stated that the bus operator was nice to everyone else except the passenger that was kicked off. Caller called back to add that the operator then came to a stop where police officers were visible and commented, "I should have dropped him off here." Both passengers were equally disruptive but the operator only kicked off the Black passenger and not the white passenger.	Closed	According to the Operator Rulebook, Section 4, #10.9, the operator should have called Operations Control Center (OCC) to ask for direction because of the disturbance but did not. The operator forced the Black passenger to deboard although the white passenger who had instigated the altercation was not requested to do so, which indicates favoritism for the white passenger. The operator continued to show favoritism toward the white passenger when repeatedly asking the white passenger if they were okay (after the Black passenger had deboarded). The operator is seen in the footage walking near that passenger's seat to apologize for the Black passenger shoald deboarded). The operator is seen in the footage walking near that passenger's seat to apologize for the Black passenger should have been let off where police had stopped along the road. The operator, the white passenger and a white, female companion were observed laughing at this comment. Operator then added, "I knew that he was going to pull that race card stuff at one point," indicating that the operator regarded this a racial issue. By favoring the white passenger over the Black passenger despite the white passenger because of their race and therefore violated VTA's Title VI/Non-Discrimination 100.013 (formerly policy AS-HR-PL-2580) policy. OCR recommended that Operations management meets with operator to review VTA policy Title VI/Non-Discrimination 100.013 (formerly policy AS-HR-PL-2580), to instruct how operator actions can be perceived as discriminatory, and to remind the operator to be mindful of this in future encounters with passengers.  Supervision met with the operator and reviewed the Title VI video. Operator was also reinstructed regarding Titl VI policy and procedures.
#3.	12/1/2020	Race. The complainant stated that he was at the bus stop and waved the operator down. The operator stopped a little past the bus stop area and as the complainant was walking towards the bus to board, the operator drove off. The complainant stated that two other people were able to board the bus, but that the operator did not wait for him. The complainant stated there was no signage stating that the bus was full and felt that this was racially motivated. The complainant also mentioned that they had previous issues with other Middle-Eastern bus operators. The complainant felt that the operator closed the door in their face because they were an African-American male.	Closed	Office of Civil Rights reviewed the CCTV footage for this incident. It was observed that as soon as two of the people boarded the bus, the operator closed the door and began to pull away from the stop (even though one passenger had not even put his money in the farebox and was not behind the yellow line). The complainant was just approaching the door when the operator shut it. It does appear that the operator was in a hurry to leave th stop and African American man waiting to board the bus behind. In addition to VTA's Title VI/Non-Discrimination 100.013 (formerly policy AS-HR-PL-2580) policy, the pass-up violated Coach Operator's Rulebook rule 4-9.6: The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify Operations Control Center (OCC) and follow instructions.  The operator, with union representation, met with supervision/management and was counseled regarding this incident. Supervision/management reviewed with the operator how to properly service stop, the pass-up policy and reminded operator of notifying Operations Control Center (OCC) when a pass-up occurs.

VTA - List of Title VI Lawsuits, Investigations and Complaints 2021				
	Date	Summary	Status	Action(s) Taken
Lawsuits				
# 1.	3/3/2021	Race, color, age, disability.	Closed	VTA submitted Position Statement on 4/16/2021.
# 2.	3/24/2021	Retaliation, national origin, sex.	Closed	VTA submitted Position Statement on 4/30/2021.
Complaints and Investigations				
#1.		Race. Caller stated that she felt that the operator was being racist because operator wouldn't let passenger deboard from the front doors with a baby in a stroller. Caller mentioned that the operator refused to let them use the front ramp with the consequence that passenger had to exit through the rear door instead.	Closed	Office of Civil Rights reviewed the CCTV footage for this incident. A female passenger was observed requesting to deboard at the front of the coach with a baby in a stroller and young child at her side. The operator's response was, "No, go out the other doors." When she attempted to explain why she needed the ramp at the front doors with her limited English proficiency, the operator said, "I don't know or speak whatever it is you're saying!" He then repeatedly told the Hispanic female passenger to go out the rear doors instead of lowering the ramp for he as she requested. The passenger eventually made her way to the back doors and received help from a fellow passenger so that she could deboard and lower her stroller with the baby safely from the bus. Office of Civil Rights has determined that the operator responded to this passenger disrespectfully and dismissively after observing her limited English proficiency. In addition to VTA's Title VI/Non-Discrimination 100.013 (formerly policy AS-HR-PL-2580) policy, the denial of the ramp violated Coach Operator's Rulebook rule 4-8.5: "The operator shall deploy ramp on request. Anyone may request use of the ramp."  The operator, with union representation, met with management regarding this incident. The operator recalled incident and insisted on not intending to offend the Hispanic female customer. Management discussed operator training policies and procedures as well as the Title VI and retaliation policies in case of meeting the same customer again, following this complaint. The operator expressed remorse and agreed to be more sensitive whe interacting with passengers with strollers in the future.

VTA - List of Title VI Lawsuits, Investigations and Complaints 2022				
	Date	Summary	Status	Action(s) Taken
Lawsuits				
		There were no Title VI lawsuits during this timeframe.		
Complaints and Investigations				
		No violations were found as of June 30, 2022.		

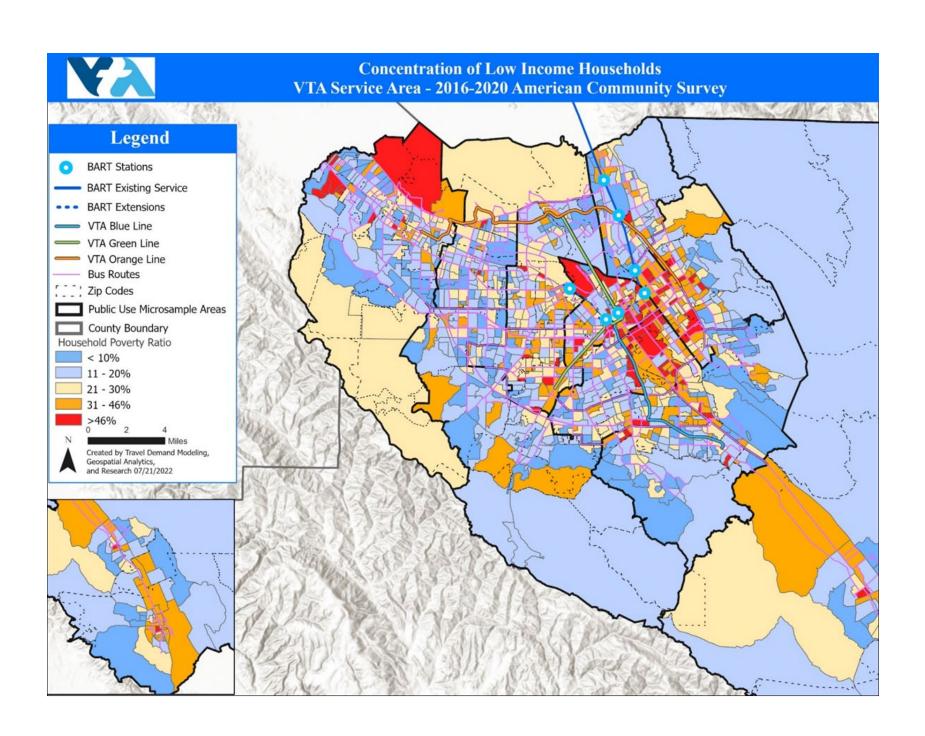
附錄二:少數族裔人口的密度一VTA 公交服務區

(圖 12 完整版。)



附錄三: 低收入人口的密度—VTA 公交服務區

(圖 11 完整版。)



附錄四:服務區範圍英語水準有限(LEP)人群的密度(圖4完整版。)

