

Americans with Disabilities Act Complaint Procedure

EFFECTIVE DATE OF POLICY:

August 1, 2016

ACTS staff is dedicated to compliance of the Americans with Disabilities Act (ADA).

ACTS has a procedure in place to address issues and designate an employee to coordinate compliance, and to specifically address alleged ADA violations.

Any person believing that he/she has been unfairly treated, or has any concern or grievance with the certification, service provisions, operation and administration of the Ashtabula County Transportation System (ACTS) shall be advised of the formal complaint procedure and have a written copy of this complaint procedure made available to them. Formal Complaints include but are not limited to: chronic, recurring or unresolved service complaints, violations of specific rules governing ADA Paratransit Service, and suspension of service. Upon receipt of the complaint, the ACTS ADA Transportation Coordinator will immediately contact The Ohio Department of Transportation (ODOT).

Complaint Policy:

Any ADA Transportation Service Complaints received by ACTS or Ashtabula County will be immediately investigated and every effort made to seek an appropriate and prompt resolution. By promptly identifying deficiency areas, ACTS and Ashtabula County will work with the ADA Transportation Service Provider to make the necessary corrections or adjustments to alleviate the situation.

Step 1: File a Complaint Form

Any and all ADA Transportation Service complaints shall be submitted in writing to the ACTS Project Manager /ADA Coordinator. Any and all complaints shall be filed no later than thirty (30) days after the complainant becomes aware of an alleged violation. The written documentation shall include:

- The name, address and telephone number, or e-mail address of the complainant or complainant's representative.
- The names, addresses and telephone numbers of associated witnesses;
- A narrative and/or statement, in sufficient written detail including date and time of the incident to fully define and explain the alleged violation of the ADA Transportation regulations. Any other written information or documentation to more fully explain or identify the alleged violation;
- A narrative and/or statement, in sufficient written detail, identifying proposed recommendations, from the complainant's viewpoint, to adequately resolve the alleged violation; and

All formal ADA Transportation Service complaints should be mailed, e-mailed or delivered to:

Carol Lennon

ACTS Program Manager / ACJFS Transportation Supervisor/ ADA Transportation Coordinator

Ashtabula County Job & Family Services

2924 Donahoe Drive

Ashtabula, Ohio 44004

Office 440-994-2502

Toll Free 800-935-0242

Fax 440-998-1538

Carol.Lennon@jfs.ohio.gov

NOTE: Alternative means of filing complaints, will be made available for persons with disabilities upon request. In addition to these Complaint Procedures, a complaint may be submitted to the Ashtabula Transportation ADA Coordinator at 440-994-2502.

Step 2: An Investigation is conducted

- An investigation, as may be appropriate, shall be initiated following the filing of a complaint. The investigation shall be under the administrative direction of the ADA Transportation Coordinator and involve appropriate County personnel and ADA Transportation Service Provider staff as deemed necessary.
- This procedure anticipates informal but thorough investigations, affording the complainant, ADA Transportation Service Provider staff and all other interested parties and their representative if required, an opportunity to further explain or provide additional evidence beyond that submitted or known when the complaint was filed.
- The Transportation ADA Coordinator, at his or her discretion, may meet in person with the complainant, ADA Transportation Service Provider staff members or other interested parties or representatives to discuss the alleged violation, the resulting investigation and any pertinent aspects of the complaint situation.

Step 3: A Written Decision is Prepared and Sent to the Complainant

- A written determination as to the validity of the written complaint filed along with the description of resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than thirty (30) days after the initial complaint filing.
- This thirty (30) day period may be extended upon the approval of the complainant and the ADA Transportation Coordinator in instances where investigation or research requires additional time for proper complaint consideration.
- The ADA Transportation Coordinator shall maintain the files and records of any and all ADA complaints filed along with copies given to the agency's Executive Director.

Step 4: A Complainant May Appeal the Decision

- The complainant can request a reconsideration of the case if he or she is dissatisfied with the resolution. The request for reconsideration should be made to the Ashtabula County Board of County Commissioners through the County Administrator within 10 days of the date of the resolution. The complainant should forward his/her concerns in writing with documentation concerning the complaint and disagreement with the response of the ADA Transportation Coordinator to the Board of County Commissioners through the County Administrator. The County Administrator will investigate the matter and may choose to refer the matter to the Board of County Commissioners for final action.

ADA Transportation Complaint and Appeal Procedures

Any individual denied ADA Transportation eligibility or denied inclusion in Ashtabula County Transportation, may appeal the determination as follows:

Any person believing that he/she has been unfairly treated, or has any concern or complaint with the certification or service provisions of the ADA Transportation, should contact the ADA Transportation Coordinator of the Ashtabula County Transportation System (ACTS) either by phone or in writing, and give all information available concerning the issue. The ACTS Transportation ADA Coordinator will thoroughly investigate the request for appeal and/or complaint and respond to the person within ten (10) working days.

Any person not satisfied with the response of the ADA Coordinator, or action taken concerning the grievance, should forward his/her concerns in writing and provide all information concerning the complaint and disagreement with the response of the ADA Transportation Coordinator of the Ashtabula County Transportation System (ACTS) to the Board of County Commissioners through the County Administrator. The County Administrator will investigate the matter and schedule the complaint for the next appropriate Board meeting. The person will be notified of the meeting time and place and offered the opportunity to appear and present the issue to the Board of County Commissioners.

Reasons for the Policy:

To ensure all transit services be provided in a way that does not discriminate against persons with disabilities and to full comply with the intent of the Americans with Disabilities Act.