



*Manatee County, Florida
Board of County Commissioners
Transit Division Procedures Manual*

Procedure # 17-1228	Title: Americans with Disabilities Act (ADA) Complaint Procedures	Date Issued: 12/28/2017
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PURPOSE:

The Manatee County Public Works/Transit Division is committed to compliance with all Federal Transit Administration (FTA) implementing regulations related to civil rights including the Americans with Disabilities Act (ADA) regulations. This procedure hereby is established to meet the requirements of the Americans with Disabilities Act implementing regulations (hereafter the "ADA"), as amended. Any person who believes that they have been discriminated against or denied full participation in transportation service provision or programming based upon disability status by the Manatee County Public Works/Transit Division, may file an ADA complaint.

PROCEDURE:

A. Making an ADA Complaint

1. An ADA complaint may be submitted to the Transit Division via a completed online ADA Complaint Form, and forwarded via US mail, email: or a personal phone interview, if necessary. The online complaint form can be accessed via the Manatee County website, or by contacting the Transit Division at (941) 747-8621 and requesting a copy via mail or email. Forms should be submitted to the attention of the Paratransit Operations Superintendent, at the address listed below. Alternative means of filing complaints, such as personal interviews by staff, are available for persons with disabilities upon request. To summarize, an ADA complaint is submitted by one of the following methods:

a. Mail:

ATTN: Paratransit Operations Superintendent
Manatee County Area Transit
2411 Tallevast Road
Sarasota, FL 34243; or

b. E-mail: ADAcomplaint@mymanatee.org; or

c. Phone: (941) 747-8621 (i.e. personal interview).

2. An individual may also file their ADA complaint directly with the Federal Transit Administration (FTA) Office of Civil Rights. The link below connects to the FTA Civil Rights Complaint Form Online.

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/fta-civil-rights-complaint-form>

The completed FTA complaint form can also be mailed to:

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

B. Investigation of ADA Complaints

1. Upon receipt of an ADA complaint, Transit Operations and Planning Section staff will review the submitted information; then send the complainant an acknowledgement letter informing them whether or not the complaint will be investigated as an ADA complaint or simply as a service complaint. The distinction in the determination is whether the complaint, on its face, is disability-related.
2. Each ADA complaint received will be entered into a separate, discrete “ADA Complaints” database. This database is managed by the Paratransit Superintendent.
3. Transit Operations and Planning Section staff will only investigate those ADA complaints received within 90 days of the alleged incident. Complaints that are more than 90 days old are too distant to validate accurately.
4. Up to 30 calendar days are provided to investigate an ADA complaint. If additional information is required in order to resolve the complaint, staff may contact the complainant for more information and details.
5. If the complainant cannot provide the needed additional information or details within 10 business days, staff may administratively close the complaint. This is only done when the complaint lacks sufficient details to substantiate.
6. A complaint can also be administratively closed if the complainant no longer wishes to pursue the complaint.

C. Resolving ADA Complaints

1. Once the investigators have fully reviewed a substantive ADA complaint, they will issue one of two letters to the complainant: 1) a Closure Letter; or 2) a Letter of Finding (LOF).

2. A Closure Letter summarizes the complaint and investigative findings; and explains how/why an ADA violation did not occur; and therefore the complaint is closed.
3. A Letter of Finding (LOF) summarizes the complaint and investigative findings; and explains what corrective actions, (i.e., additional training) or potential changes in procedure, will occur.
4. If the complainant wishes to submit a written appeal with respect to the resolution of their ADA complaint, they will have 30 calendar days from the date of the letter to do so. Appeals are then decided by the Transit Division Manager in consultation with the Operations Chief.
5. All ADA Complaints, Closure Letters and Letters of Finding are archived after one year; and retained for three years before disposal of hard copies. The ADA Complaint database is maintained indefinitely.
6. Staff will ensure that confidential medical/disability information remains confidential and is protected from public disclosure in accordance with federal implementing regulations.

ORIGINATOR, TITLE, AND DEPARTMENT NAME:

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AUTHORIZATION:

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RELATED POLICY:

N/A

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