

## **UPTD ADA Complaint Procedures**

1. The Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities be excluded from, denied the benefits of, or subject to discrimination with regards to employment, transportation, public accommodation, communications, and governmental activities. Title II and III of the ADA provide that no entity shall discriminate against an individual who a disability in connection with the provision of transportation services. The law sets forth specific requirements for vehicle and facility accessibility and the provision of services including access to fixed bus routes and complementary paratransit services. UPTD is committed to providing safe and reliable transportation to all people without discrimination based on disabilities.

Any person, who believes that he/she, has been subjected to discrimination prohibited by the ADA may file a complaint with Umpqua Public Transportation District/Umpqua Public Transportation District. A complaint may also be filed by a representative on behalf of such person. All complaints will be referred to the Umpqua Public Transportation District Compliance Manager for review and action.

2. To have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:

- a. The date of alleged act of discrimination; or
- b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case Umpqua Public Transportation District may extend the time for filing or waive the time limit in the interest of justice if Umpqua Public Transportation District specifies in writing the reason for so doing.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the alleged discrimination. If a person makes a verbal complaint of discrimination to an officer or employee of Umpqua Public Transportation District, the person shall be interviewed by the Umpqua Public Transportation District Office Manager. If necessary, the Office Manager will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the Umpqua Public Transportation District's investigative procedures.

4. Within 30 days, the Umpqua Public Transportation District Compliance Manager will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as ODOT and USDOT.

5. Umpqua Public Transportation District will advise ODOT and/or USDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification of ODOT and/or USDOT:

- a. Name, address, and phone number of the complainant(s)
- b. Name(s) and address(es) of alleged discriminating official(s)
- c. Basis of complaint (i.e., race, color, or national origin)
- d. Date of alleged discriminatory act(s)
- e. Date of complaint received by the recipient.
- f. A statement of complaint
- g. Other agencies (state, local, or Federal) where the complaint has been filed
- h. An explanation of the actions Umpqua Public Transportation District has taken or proposed to resolve the issue in the complaint.

6. Within 60 days, the Umpqua Public Transportation District Compliance Manager will investigate the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Umpqua Public Transportation District Legal Counsel and the Umpqua Public Transportation District Board of Directors. The Board of Directors will vote on action based on the report finding. The Board's final decision will be sent to the complainant. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report findings.

7. Within 90 days of receipt of the complaint, the Umpqua Public Transportation District Compliance Manager will notify the complainant in writing of the final decision reached by Umpqua Public Transportation District Legal Counsel and Umpqua Public Transportation District Board of Directors, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ODOT and/or USDOT, if they are dissatisfied with the final decision rendered by Umpqua Public Transportation District. The Umpqua Public Transportation District Compliance Manager will also provide ODOT and/or USDOT with a copy of this decision and summary of findings upon completion of the investigation.