

**SACRAMENTO REGIONAL TRANSIT DISTRICT
NOTICE AND GRIEVANCE PROCEDURE
FOR
COMPLAINTS OF DISCRIMINATION BASED ON DISABILITY**

I. PURPOSE

The purpose of this Notice and Grievance Procedure is to establish a process for investigating and resolving complaints alleging discrimination based on disability regarding Sacramento Regional Transit District (SacRT) services, programs, and facilities. [40 CFR § 27.7; 28 CFR § 35.130, 35.140, 35.149] These regulations implement provisions of the Section 504 Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990. This Notice and Grievance Procedure is adopted pursuant to 28 CFR § 35.107 and 49 CFR § 27.13.

Complaints from SacRT employees regarding disability issues are handled under SacRT's Equal Employment Opportunity/Affirmative Action Program. SacRT employees may submit complaints by following the Complaint Review Procedure specified in Chapter 5, Article 2 of RT's Personnel Rules and Procedures Manual, copies of which are available from the SacRT Personnel & Risk Department, phone (916) 321-3800.

II. NOTICE

A. Non-Discrimination Notice

The General Manager or his/her designee shall prepare and provide information (Notice), in accessible formats as necessary, describing the protections against discrimination required by law. The Notice shall be included in information distributed to SacRT employees, to collective bargaining organizations, in SacRT's recruitment material and in its general information, and to the public. The Notice shall be posted at SacRT's Administrative Headquarters and all SacRT facilities as applicable.

B. Notice of Grievance Procedure

SacRT shall publish, in accessible formats as necessary, a description of its procedure for investigating and responding to complaints alleging discrimination based on disability. The notice shall contain SacRT's address and phone/fax numbers for receiving written or verbal complaints.

At a minimum, SacRT's grievance procedure shall be published in RT's *Bus & Light Rail Timetable Book* and shall be posted in a conspicuous place in the public waiting area of RT's offices. Copies shall be available at RT's main office Customer Service desk and at any RT Customer Service Center, with the relevant federal regulations attached.

III. GRIEVANCE PROCEDURE

A. SacRT's ADA Compliance Officer or his/her designee shall designate employees to investigate and respond to complaints of discrimination based on disability. Upon request, SacRT shall provide to complainants the name and phone number of the designated RT employee.

B. Complaints regarding prohibited discrimination based on disability may be submitted to RT as follows:

1. By telephone to SacRT's Customer Advocacy Department (CAD), 916/557-4545.

2. In writing to the Customer Advocacy Department, Sacramento Regional Transit District, P.O. Box 2110, Sacramento, California 95812-2110. Letters of complaint should include the information itemized in Section III-C below. Passenger Service Report (PSR) forms which contain spaces for the required information are also available from the CAD upon request. Written letters or fully completed PSR forms may also be faxed to the CAD at 916/456-1752 or email to customeradvocacy@sacrt.com.
3. In person at 1225 R Street, 8:00 a.m. to 5:00 p.m., Monday through Friday. Blank PSR forms are available to be picked up here, or complaints may be given verbally to CAD supervisor. It is advisable to call the CAD in advance to see if they will be available in person at a specific time.

C. Required Information. SacRT's Customer Advocacy Supervisor shall receive complaints from the public. When a telephone complaint alleges prohibited discrimination based on disability, the CAD shall make a written report including the complainant's name, phone number, address, route number, date, time, location, direction and all details pertaining to specific complaint. Reports with incomplete information may result in delays in response by SacRT beyond the time-lines listed below. SacRT cannot respond to reports without the complainant's mailing address, although such reports will be forwarded for consideration by the appropriate personnel.

Before concluding the interview, the Customer Advocacy Supervisor shall ask if the complainant wishes to have the information reviewed for accuracy, and shall do so if requested, and shall make any requested corrections. Upon request, the CAD shall offer instructions on how to file a written complaint.

The CAD shall forward an acknowledgment letter to the complainant within seven (7) days after receipt of the complaint. The letter shall inform the complainant: 1) that their complaint has been forwarded to designated SacRT personnel, 2) the date by which a response will be sent to the complainant, and 3) how to contact RT in the event the complainant does not receive a response within that time.

- D. Investigation of Complaint. The designated SacRT employee shall investigate the complaint and respond in writing within a reasonable time, not to exceed 30 days from receipt of the complaint. The response shall set out a process for resolution of the issue stated in the complaint. If no action is taken, the response shall state the reasons for the decision and the procedures for the complainant to appeal the decision. (SacRT employee personnel files are confidential; therefore, specific information on disciplinary actions resulting from complaints will not be divulged.)
- E. Appeal of Decision. If the complainant wishes to appeal the decision, the complainant shall make a request for a hearing in writing or other alternative format (such as audio tape, braille) within 30 days from receipt of the response. The complainant shall submit the request for a hearing to the RT General Manager, either by mail to P.O. Box 2110, Sacramento, CA 95812-2110 or in person at 1225 R Street. The complainant may use an appeal form, which is available by mail or in person at 1225 R Street, Sacramento, CA), phone 916/557-4545.
- F. Appeal Process. Within 15 days from receipt of the request for hearing, the General Manager or the General Manager's designee (who has not previously been involved in the investigation of the original complaint) shall schedule a meeting to hear the complaint. The meeting shall be held at an accessible location within 30 days from receipt of the request for hearing. If desired, the complainant may be represented by a person of his or her choice. The General Manager or the General Manager's designee shall issue a final determination in writing within 21 days after the meeting.

G. Time Limits. The parties may extend any time limit set out above by written agreement.

IV. CONTRACTED SERVICES

SacRT shall continue to require its contractors who provide services subject to 28 CFR § 35.107 and 49 CFR § 27.13 (including, but not limited to, ADA paratransit services) to adopt the required grievance procedures for complaints of prohibited discrimination on the basis of disability.