

B.G. Transit
Policy Manual
304 North Church Street, Bowling Green, Ohio 43402

SUBJECT: **TITLE VI AND GENERAL COMPLAINT PROCEDURES** SECTION: Customer Service

EFFECTIVE DATE: 8/18/15 REPLACES: Policy adopted 11/20/12
APPROVED BY: Transportation Advisory Committee
APPROVAL DATE: 8/18/15

DIRECTIVE:

To establish a method for passengers to communicate complaints; including all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, for alleged discrimination in any program or administered by the City of Bowling Green.

Procedure:

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the City of Bowling Green (B.G. Transit) (hereinafter referred to as “the Agency”) may file a Title VI complaint by completing and submitting the agency’s Title VI Complaint Form. The Agency investigates complaints received no more than 180 days after the alleged incident. The Agency will process complaints that are complete.

Once the complaint is received, the Agency will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The Agency has 15 days to investigate the complaint. If more information is needed to resolve the case, the Agency may contact the complainant. The complainant has 15 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, the Agency can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 15 days after the date of the letter or the LOF to do so.

For transportation-related Title VI matters, a person may also file a complaint directly with the Ohio Department of Transportation, at ODOT Office of Equal Opportunity, Attention: Title VI Coordinator, 1980 West Broad St., Columbus, OH 43223.

For transportation-related Title VI matters, a person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

A. SUBMITTING A COMPLAINT (GENERAL AND TITLE VI)

1. Complaint Procedure

- a. If information is needed in another language, then contact 419-354-6203. Copies of the B.G. Transit Complaint Report form and accompanying procedure for making complaints (including those related to Title VI) will be kept in each transit vehicle. Drivers shall provide these forms to patrons wishing to make a complaint (including Title VI complaints). The completed Complaint Report should be mailed, faxed or hand delivered to the City's Grants Administrator.
- b. The Complaint Report form and procedure are also posted on the City's website (www.bgohio.org/grants). These documents can be downloaded, printed and completed for submission as well.
- c. City of Bowling Green staff who encounter persons wishing to make a complaint (either in speaking with them in person or on the telephone) shall provide them with a Complaint Report form and procedure.
- d. Complaints:
 - 1) Must be in writing (using the City's B.G. Transit Complaint Report form);
 - 2) Must be signed and dated;
 - 3) Title VI complaints must be submitted within 180 calendar days; all other complaints must be submitted within 15 calendar days of the date of offense; and
 - 4) Must be submitted to the:

Grants Administration Division
City Administrative Services Building
304 N. Church Street
Bowling Green, Ohio 43402

In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint may be made to the City of Bowling Green Grants Administrator, Grants Administrative Secretary or, in both parties' absence, any other available staff. Under these circumstances, the complainant will be interviewed and the staff person receiving the complaint will convert the verbal allegations to writing. The staff person recording the complaint will sign and date the B.G. Transit Complaint Form.

B. COMPLAINT REVIEW AND RESPONSE

1. The Grants Administrator will review and investigate all Complaint Reports received.
2. The Grants Administrator will respond to all protests in writing (certified mail), addressing each substantive issue raised in the protest. Response will be made by the Grants Administrator within fifteen calendar days after receiving the complaint. A copy of the response will be forwarded to the Municipal Administrator. The written response will advise the Complainant that she/he has the ability to submit a written request for second review of the matter.

C. SECOND REVIEW

1. In the event the Complainant believes that the situation has not been resolved satisfactorily, she/he may submit a written request for second review of the matter. This written request must be received by the Grants Administrator within fifteen calendar days of the date noted on the Grants Administrator's response letter. The request for second review must be addressed to:

Grants Administrator's Office
City Administrative Services Building
304 N. Church Street
Bowling Green, Ohio 43402

2. Once received, the Grants Administrator will forward the written request to the Municipal Administrator, who will render a written response to the Complainant. The written response will be sent via certified mail to the Complainant within 15 calendar days after being received by the City.
3. The written response will also inform the Complainant that he/she has the right to appeal the secondary review decision. The request for appeal must be in written form, and submitted to the Grants Administration Division within fifteen calendar days of the date noted on the response letter sent by the Municipal Administrator.

D. APPEALS PROCESS

1. Within five working days after receiving the written request for appeal, the Mayor (or designee) will appoint an ad hoc committee of no less than two members to serve as an appeal review body;
2. The request for Appeals hearing must be sent to:

Grants Administrator's Office
City Administrative Services Building
304 North Church Street
Bowling Green, Ohio 43402

4. Notification date of hearing must be mailed (certified mail) to complainant within 10 working days of date of receipt of request for an appeal hearing.

E. If the complainant is dissatisfied with the City's final resolution of the complaint, he/she has the right to file a complaint with the Ohio Department of Transportation, Office of Transit. The written complaint may be sent to the following address:

Ohio Department of Transportation, at ODOT Office of Equal Opportunity, Attention: Title VI Coordinator, 1980 West Broad St., Columbus, OH 43223.

F. If the complainant is dissatisfied with the Ohio Department of Transportation's resolution of the complaint, he/she has the right to file a complaint with the:

Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

RESPONSIBILITIES:

Responsibilities defined above.