

ERIE METROPOLITAN TRANSIT AUTHORITY
ADA DISCRIMINATION COMPLAINT PROCEDURE

- 1) If you believe you have been discriminated against based on disability by the Erie Metropolitan Transit Authority you may file an administrative complaint with the ADA Coordinator at the EMTA or FTA Office of Civil Rights. Any person who believes she or he has been discriminated based on a disability by the Erie Metropolitan Transit Authority (EMTA) may file an ADA complaint by completing and submitting the ADA Complaint Form available on the EMTA website. A complaint may also be filed by a representative on behalf of such person. EMTA investigates complaints received no more than 180 days after the alleged incident.

With your form, please include the following information on a separate sheet:

- A summary of your allegations and any supporting documentation.
- Sufficient details for an investigator to understand why you believe a public transit provider has violated the ADA with specifics such as dates and times of incidents.
- Any related correspondence from the transit provider.

Mail Complaint Form and Supporting Documentation to:

Meagan Cousins
ADA Coordinator
127 E. 14th Street
Erie PA, 16503

Email: mcousins@ride-the-e.com

Phone: 814-452-3515x 122

Or, you may visit our administrative office at 127 East 14th Street, Erie, PA 16503 to submit complaints in person.

A complaint may also be filed directly with the Federal Transit Administration at the following address:

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

- 2) In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a. The date of the 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, EMTA may extend the time for filing or waive the time limit in the interest of justice, as long as EMTA specifies in writing the reason for doing so.

- 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. In the event that a person makes a verbal complaint of discrimination to an officer or employee of EMTA, the person shall be interviewed by the ADA Coordinator. If necessary, the ADA Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. To receive this assistance please contact EMTA at [insert phone number]
- 4) Within ten (10) business days of receipt of the complaint, the ADA Coordinator will acknowledge receipt of the allegation, inform the complainant of action or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as the State or United States Departments of Transportation.
- 5) Within ten (10) business days after receiving the allegation, the ADA Coordinator will proceed with an investigation. Every effort will be made to complete investigations within thirty (30) business days. Within ten (10) business days after completion of the investigation, a decision will be reached upon consultation with the Executive Director. The decision will be rendered in writing by the ADA Coordinator within ten (10) business days of the decision. A copy of the written decision will be furnished to the complainant within five (5) business days. If corrective or remedial action is found warranted, such decision will state the nature of the action, which will be taken by EMTA.
- 6) If the complainant is dissatisfied with the decision, an appeal may be made within ten (10) business days after notice of decision by the Executive Director has been received by the complainant following the appeals process noted below. The notification will advise the complainant of his/her appeal rights with the state and federal Departments of Transportation and provide addresses if they are dissatisfied with the final decision rendered by the Authority.
- 7) A complaint may also be filed directly with the Federal Transit Administration or the U.S. Department of Transportation.
- 8) All ADA complaints will be recorded on the EMTA Complaint Log. The complaint form, supplemental information, and investigation documentation will be maintained by EMTA for a period not less than five (5) years.

RIGHT TO APPEAL PROCEDURES UNDER THE ADA COMPLAINT POLICY

Any customer has a right to appeal if they disagree with a decision made by the EMTA Administration. To file an appeal **request**, a customer may do so in writing or orally by contacting the EMTA ADA Coordinator. The contact information for the ADA Coordinator office is 814-459-8922, 127 E. 14th Street Erie PA 16503 Attn: ADA Coordinator, or via email at mcousins@ride-the-e.com. **Appellants will receive at least 14 days notice of a hearing date.** The appeal will be brought to the ADA Appeals Committee, which consists of a panel of three people appointed and mutually agreed upon by the Chairperson of the Transportation Council for the Elderly and Disabled of Erie County and the Erie Metropolitan Transit Authority, and which meets on the third Friday of each month. Individuals will be notified as to the date, time and location of when and where the individual's appeal will be presented. Persons appealing are welcome to attend. Every effort is made to resolve appeals within thirty (30) days. The ADA Coordinator will send written notification to the customer of the decision regarding the appeal. Confidentiality will be maintained.