



Date Board Adopted: July 2015

## **ADA Complaint Policy**

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Title II and III of the American Disability Act of 1990 (ADA) provides that no entity shall discriminate against an individual with 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 service, including access to fixed route bus and complementary paratransit service. BATA is committed to providing safe and reliable transportation to all people without discrimination based on disabilities.

### **BATA's Responsibility**

If BATA receives a complaint regarding discrimination against an individual under the ADA, we will respond within 30-days of receiving the complaint and will work to resolve the issue with the complainant as quickly as possible. This may involve legal assistance and/or mediation. We will document all of the process including the resolution and will notify our MDOT project manager of the complaint and the resolution. We will keep the complaint and all related documents on file for at least one year. We will keep a summary of all complaints filed for at least five years. Records will be made available to MDOT upon request.

The attached flyer will be posted in all public buses and facilities.

If additional information is requested, the following will be provided.

### **What information should my ADA complaint include?**

Provide the following information:

- A. Your full name, address, the telephone numbers where we can reach you during the day and evening, and the name of the party discriminated against (if known);
- B. If known, the name of the person you believe has committed the discrimination;
- C. A brief description of the acts of discrimination, the dates they occurred;
- D. Other information you believe necessary to support your complaint, including copies (not originals) of relevant documents; and
- E. Information about how to communicate with you effectively. Please let us know if you want written communications in a specific format (e.g., large print, Braille, electronic documents).

To guide you in providing the requested information, you may use the attached complaint form. (Attachment A)

### **How do I file an ADA complaint by email?**

Include all of the information listed above, either in the body of the email or in an attachment. Attach relevant documents to your email. Send your complaint to [info@bata.net](mailto:info@bata.net). You will receive a reply email confirming that your complaint has been received within 48 business hours. Please keep a copy of your complaint and the reply email for your records. If you do not receive a reply email, please contact BATA at 231.941.2324.

### **What happens after my complaint is received?**

After the complaint is received, we will inform you of our action, which may include:

- A. Contacting you for additional information or copies of relevant documents;
- B. Working with you to resolve the issue;
- C. Referring your complaint for possible resolution through the an ADA Mediation Program; or
- D. Referring your complaint to another federal agency with responsibility for the types of issues you have raised.

### **How can I find out the status of my complaint?**

We will review each complaint carefully. If you have not heard from us within three weeks, please contact us at 231.941.2324.

Attachment A

**Title II of the Americans with Disabilities Act  
Section 504 of the Rehabilitation Act of 1973  
Discrimination Complaint Form**

Instructions: Please fill out this form completely, sign and mail, fax, or email to:

BATA ADA Coordinator/Eric Lingaur

3233 Cass Road, Traverse City, MI 49684

231.941.9091 fax

[info@bata.net](mailto:info@bata.net)

Complainant: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone: Home: \_\_\_\_\_

Business: \_\_\_\_\_

Person Discriminated Against: \_\_\_\_\_  
(if other than the complainant)

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone: Home: \_\_\_\_\_

Business: \_\_\_\_\_

When did the discrimination occur? Date: \_\_\_\_\_

[illegible]

Date: \_\_\_\_\_



## Procedure to File a Complaint Under the Americans with Disabilities Act (ADA)

If you believe you, or another person has been discriminated against under Title II and III of the American Disability Act of 1990 by BATA or one of our employees, you can file a complaint by mail, fax, or email at:

BATA ADA Coordinator/Eric Lingaur  
3233 Cass Road, Traverse City, MI 49684  
231.941.9091 fax  
[info@bata.net](mailto:info@bata.net)

**Take the first step:** Before filing your complaint, you may contact BATA's ADA Coordinator to discuss your concerns. The ADA Coordinator can look into the issue and try to come up with an acceptable resolution to the situation. If you would like additional information you may contact BATA's ADA Coordinator.

**You can file a complaint against BATA using the following procedures:**

1. File a written complaint with BATA's ADA Coordinator as soon as possible, but no later than 60 calendar days after the alleged violation.
  - The written complaint should be submitted by the grievant and/or designee.
  - Alternative means of filing complaints – such as a personal interview or a tape recording – will be made available on request by people with disabilities.
  - The written complaint should contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem.
  - Within 15 calendar days after receiving the complaint, a BATA official will meet with the complainant to discuss the complaint and possible resolutions.
  - Within 15 calendar days of the meeting, BATA's ADA Coordinator will respond in writing or by other appropriate accessible format. The response will explain the position of BATA and offer options for substantive resolution of the complaint.
  - If the response by BATA's ADA Coordinator does not resolve the issue, the complainant and/or designee may appeal the decision within 15 calendar days after receiving the response to the Federal Transit Administration Office for Civil Rights.
  - All written documents in the process will be retained by BATA for at least 1 year

Alternative formats and language translations for this document are available on request.