



## ADA Complaint Policy

Date Board Adopted: December 2021

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. Bay Area Transportation Authority (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, the ADA Coordinator will make contact within 15 days of receiving the complaint. The ADA Coordinator will then work to resolve the issue with the complainant within 30 days of receiving the complaint. This may involve legal assistance and/or mediation. We will document the process including the resolution and will notify our MDOT project manager of the complaint and outcome. 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 facilities.

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

Provide the following information:

- 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).
- If known, the name of the person you believe has committed the discrimination.
- A brief description of the acts of discrimination, the dates they occurred.
- Other information you believe necessary to support your complaint, including copies (not originals) of relevant documents; and
- 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 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 [ada@bata.net](mailto:ada@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:

- Contacting you for additional information or copies of relevant documents.
- Working with you to resolve the issue.
- Referring your complaint for possible resolution through the ADA Mediation Program; or
- 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 and ask to speak with, BATA's ADA Coordinator.



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:

Bay Area Transportation Authority  
Attention: BATA ADA Coordinator  
3233 Cass Road, Traverse City MI 49684  
Fax: 231.941.9091  
Email: [ada@bata.net](mailto:ada@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: \_\_\_\_\_

Describe the acts of discrimination, providing the name(s) where possible, of the individual(s) who discriminated:

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Signature: \_\_\_\_\_

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



## Procedure to File a Complaint Under the Americans with Disabilities Act of 1990 (ADA)

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

Bay Area Transportation Authority  
Attention: BATA ADA Coordinator  
3233 Cass Road, Traverse City MI 49684  
Fax: 231.941.9091  
Email: [ada@bata.net](mailto:ada@bata.net)

**Take the first step:** Before filing your complaint, you may contact BATA's ADA Coordinator to discuss your concerns. The ADA Coordinator will investigate the issue and work towards 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:**

- File a written complaint with BATA's ADA Coordinator as soon as possible, but no later than 180 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 of receiving the complaint, BATA's ADA Coordinator will contact the complainant to discuss the complaint and possible resolutions.
- Within 30 calendar days of receiving the complaint, BATA's ADA Coordinator will respond in writing or by another 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 one year.

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