



JOHNSON CITY TRANSIT SYSTEM (JCT) ADA COMPLAINT PROCEDURE

JCT is committed to ensuring that no person is denied access to its services, programs, or activities on the basis of their disabilities, as provided by of 1990 (ADA) 42 USC § 12101 e.t. sec; Section 504 of the Rehabilitation Act of 1973, as amended, 29 USC § 794; and section 16 of the Federal Transit Act, as amended, 49 USC app § 1612.

Any person who believes JCT may have an accessibility issue (including if the person submitted a request for reasonable modification which JCT denied) or a discrimination issue based on disability, may file a signed, written ADA complaint with JCT. **ADA complaints must be filed within 180 days from the date of the alleged incident.**

A complaint may be filed using the *JCT ADA Complaint Form*, which is available to download/print from the Civil Rights section of the JCT website. The JCT Complaint Form is also available at the JCT Transit Center, 137 W. Market St., Johnson City, TN 37604, and it will be mailed upon request by contacting Brad Osborne, Transit Planner, by phone at (423) 434-6269, or by email at bosborne@johnsoncitytransit.org.

It is not necessary to use the *JCT ADA Complaint Form* to file a complaint. However, a written complaint should, at a minimum, provide the following information:

- The specific alleged ADA accessibility (including request for reasonable modification denied by JCT) incident or the alleged JCT act of discrimination based on disability;
- The date(s) of occurrence of the alleged ADA accessibility issue or the alleged JCT act of discrimination based on disability;
- A description of the alleged ADA accessibility (including request for reasonable modification denied by JCT) incident or the alleged JCT act of discrimination based on disability, including all pertinent facts and details. Please include the location(s), time(s), and names of JCT employees, if available and applicable.
- The name and address of the complainant (or the person alleging she/she has been discriminated against by JCT if different from the person submitting the complaint).

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Although written complaints are preferable, verbal complaints will be accepted and transcribed. Please contact Brad Osborne, Transit Planner, at (423) 434-6269 to set a time to submit a verbal ADA complaint.

Upon receipt of the written ADA Complaint, the JCT Transit Planner will investigate the act(s) of non-compliance with ADA regulations alleged in the complaint. The investigation activities may include, as applicable, review of JCT ADA service procedures, as well as interviews with:

- JCT “front-line” service provision employees (drivers, dispatchers);
- The complainant; and
- Witnesses to the alleged discrimination or accessibility issue, if available.

Upon completion of the investigation by the Transit Planner, the original complaint and all information obtained during the investigation of the complaint will be submitted to the JCT Transit Director. Upon review of the complaint investigation submission by the Transit Planner to the Transit Director, and following any independent investigation deemed appropriate conducted by the Transit Director, the Transit Director will either:

- Render a decision which will be final, and advise the complainant (or the person alleging he/she has been discriminated against by JCT, if different from the person submitting the complaint); or
- At his/her sole discretion, the Transit Director may conduct an informal hearing at which the complainant will be afforded an opportunity to present his/her respective position, including facts, documents, justification, relevant witnesses, and technical information in support thereof.
 - The informal hearing will not be subject to formal rules of evidence or procedures.
 - Following the informal hearing, the Transit Director will render a decision, which will be final, and advise the complainant thereof in writing.

Decisions for any ADA complaint submitted to JCT will be rendered, and the complainant notified, within 30 days of the date the complaint is submitted to JCT by the complainant (or by person preparing the complaint on behalf of the complainant, if other than the complainant).

A complainant(s) dissatisfied with the final decision of the Transit Director, whether following review of the written submission or the informal hearing, may contact FTA at: Federal Transit Administration, Office of Civil Rights, 230 Peachtree, NW, Suite 1400, Atlanta, GA 30303.