



PETERSBURG AREA TRANSIT

AMERICANS WITH DISABILITIES ACT COMPLAINT PROCEDURE

The Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973 prohibits discrimination against individuals with disabilities be excluded from, denied the benefits of, or subject to discrimination with regards to employment, transportation, public accommodation, communications, and governmental activities. Under the ADA, a person has a disability if he or she has a physical or mental impairment that substantially limits a major life activity. This Complaint Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the Petersburg Area Transit. Complaints may filed a complaint with PAT, Yvette Seliem Poindexter at 804-733-2450 or email at yseliem-poindexter@petersburg-va.org.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and PAT may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Americans with Disabilities Act.

The following measures will betaken to resolve complaints:

- A formal complaint must be filed within 30 days of the alleged occurrence. Complaints shall be in writing and signed by the individual of his/her representative, and will include the complainant's name, address and telephone number; A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints. The complaint form may be found at

Petersburg Area Transit strongly encourages the use of the PAT ADA Complaint form located at <http://www.petersburg-va.org/299/petersburg-area-transit>

This complaint procedure is available in accessible formats upon request.

ADA Coordinator
Petersburg Area Transit

100 West Washington Street
Petersburg, Virginia 23803

- In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the ADA coordinator. Under these circumstances, the complainant will be interviewed, and the ADA Coordinator will assist the Complainant in converting the verbal allegations to writing.
- When a complaint is received, the ADA Coordinator will provide written acknowledgment to the Complainant, within ten (10) days by registered mail.
- If a complaint is deemed incomplete, additional information will be requested, Complainant will be provided sixty (60) business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- Within fifteen (15) business days from receipt of a complete complaint, PAT will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Transit Administrative Manager or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
 - ✓ If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - ✓ If the complaint is to be investigated, the notification shall state the grounds of PAT jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- When PAT does not have sufficient jurisdiction, the ADA Coordinator or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
- If the complaint has investigative merit, the ADA Coordinator or his/her designee will fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Director of Mass Transit within sixty (60) days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed and a finding with recommendations and conciliatory measures when appropriate. If the investigation is delayed for any reason, the ADA Coordinator will notify the appropriate authorities, and an extension will be requested.

- The Director of Mass Transit or his/her authorized designee will issue letters of finding to the Complainant and Respondent within ninety (90) days from receipt of the complaint.
- If the Complainant is dissatisfied with PAT's resolution of the complaint, he/she has the right to file a complaint with;

US Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – 1425 NYA
Washington, D.C. 20530
Fax: (202) 307-1197
You may also file a complaint by E-mail at ADA.complaint@usdoj.gov.

OR

U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
Room #W78-306
Washington, DC 20590