



## ADA Complaint Procedures

REVISED 7/12/2018

### **ADA Policy Statement**

RTA is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of a person's disability under Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. Any person who believes she or he has been subjected to discrimination on the basis of disability by the Regional Transit Authority (hereinafter referred to as "RTA") may file a complaint under this procedure. It is against the law to retaliate against anyone who files a complaint or cooperates in the investigation of a complaint. The RTA investigates complaints received no more than 180 days after the alleged incident.

The ADA Compliance Officer or his/her designee shall be responsible for overseeing investigations and responses to complaints of discrimination based on disability.

### **How to File a Complaint**

Fill out an ADA Discrimination Complaint Form. Forms and process information are available online at the agency's website [www.norta.com](http://www.norta.com) or by request at RTA, 2817 Canal St., New Orleans, LA 70119, (504) 827-8345.

Complaints can be filed orally or in writing and should contain:

- 1) The name, address and telephone number of the individual or representative filing the complaint; complaints filed on behalf of third parties must describe or identify the alleged victims of the discrimination;
- 2) An explanation of the discrimination or denial of service;
- 3) The date the alleged violation(s) occurred; and
- 4) Signature of the person filing the complaint.

Complaints may be submitted to RTA as follows:

1. Mail completed form to RTA, Attn: Karen Sider, ADA Compliance Officer, Canal St, New Orleans, LA 70119;
2. Complaints may also be faxed to (504) 827-8428;

3. In person at RTA's main office, 2817 Canal St. New Orleans, LA 70119. Hours of Operation: Monday – Friday 8:30am – 4:30pm.
4. The complaint may be submitted over the telephone by calling (504) 827-8323.

If assistance is needed in filling out the complaint form or information is needed in another language or other accessible format, call RTA Administration at (504) 827-8345. The ADA Compliance Officer or RTA staff member will offer instructions on how to file a written complaint or provide other accessible format as requested.

Once the complaint is received, the RTA will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

### **Eligibility**

All complaints are considered formal and shall be investigated unless:

The complaint is withdrawn;

The complainant fails to provide required information after numerous requests;

The complaint is not filed within the 180-day time frame of the incident or event;

The basis of the complaint is not covered by ADA Title II.

### **Complaint Review and Investigation**

The RTA has 60 days to investigate the complaint from the receipt of the complaint. If more information is needed to resolve the case, the RTA may contact the complainant. The complainant has 30 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 30 business days, the RTA can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

If the decision is made not to investigate the complaint, the complainant will be notified in writing within 20 calendar days and the notification shall state the specific reasons the complaint was deemed to not have investigative merit.

The investigation process will include review of any and all relevant documents, reports, video, etc. As well, focused interviews with key contacts will be conducted as applicable to obtain facts and evidence regarding the allegations in the complaint. The investigator will elicit information from all contacts and witnesses that can provide firsthand information about the incident, event or action specified in the complaint. All relevant documentation, including interview notes and/or recordings will be dated. Additionally, a chronological contact sheet will be maintained in the case file throughout the investigation.

The investigation will address only those issues relevant to the allegations of the complaint and confidentiality will be maintained to the maximum extent feasible.

### **Resolution**

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding. A closure letter summarizes the allegations and states that there was not a Title II violation and that the case will be closed. A letter of finding summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 60 days after the date of the letter or the letter of finding to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590

### **File Retention**

The ADA Compliance Office shall maintain the files and records relating to the complaints filed, for a period of seven (7) years.