



ADA GRIEVANCE PROCEDURE &



COMPLAINT PROCESS

The Butte County Association of Governments (BCAG) and Butte Regional Transit, B-Line, is dedicated to ensuring that all programs, services, benefits, activities and facilities operated or funded by BCAG and B-Line are fully accessible to and useable by people with disabilities.

SERVICE REQUESTS AND INFORMAL COMPLAINT PROCESS

Service Requests

Individuals who need a modification or accommodation to a program, service, or activity of BCAG may file a written Request for Accommodation or Barrier Removal with BCAG's ADA Coordinator. In addition to requesting modifications or accommodations, individuals should use the same form to request the removal of a physical barrier.

If your request is urgent and you need a response immediately, please indicate that in your request and we will do our best to respond as quickly as possible.

If your request is not urgent, the ADA Coordinator will contact you to acknowledge receipt within five (5) business days after your request is received.

After reviewing the request and conducting an investigation, the ADA Coordinator will notify you within thirty (30) business days whether BCAG staff will require additional time to provide the service or barrier removal that you request, BCAG will notify you of what the proposed action is and in what time frame.

Requests or complaints relating specifically to curb ramps or sidewalk repairs can be made to the appropriate city Public Works Department.

FORMAL COMPLAINT PROCESS

If informal efforts to remedy accessibility or service issues are not successful, formal complaints should be addressed in writing, if possible, to the ADA Coordinator. To file a formal complaint, fill out the Formal Written Complaint form. If assistance in the filing of a complaint is needed, contact the ADA Coordinator as listed below.

Complaints should be filed within one hundred eighty (180) days from the date the complainant becomes aware of the problem.

Complaints should include the following information, if available:

- Name, address, and telephone number or e-mail address of the complainant or complainant's representative. If an address or telephone number is unavailable, then some other means of contacting the complainant should be provided.
- A brief description of the alleged violation, the location of the alleged violation, dates of violation and names and contact information of any contact persons or witnesses.
- Any supporting evidence, such as photographs, diagrams, letters, policies or other documents which indicate the nature of the alleged violations and any attempts that have been made to resolve the issue.
- Any suggested proposals to resolve the complaint.

Within five (5) business days of receipt of the complaint, the complainant shall be notified acknowledging receipt of the complaint. The BCAG office will oversee investigation of the complaint, which will be completed within thirty (30) business days of receipt of the complaint.

Upon completion of the investigation, the ADA Coordinator, or his/her designee, will advise the complaining party of the result of the investigation in writing. If it is determined that any of the violations alleged in a complaint are unfounded, BCAG will include the factual and legal basis for that determination in the letter.

In the event that the investigation determines that there is a violation of state or federal disabled access laws and regulations, a final resolution,

which will include a proposed remedy and timeline for the remedy, will be reached with respect to such ADA Complaint Procedure within ninety (90) days from confirmation of the violation.

The complainant can appeal the decision to the BCAG office in instances where he or she is dissatisfied with the resolution. The request for appeal should be made within ten (10) business days of receipt of the ADA Coordinator's response, and addressed to BCAG's Executive Director.

The ADA Coordinator shall maintain the files and records relating to the complaints filed, for a period of seven (7) years, unless there is reason to maintain the file for a longer period of time. Copies of complaints may be requested from the ADA Coordinator in accordance with the California Public Records Act. Names and addresses of the complainants will be redacted to protect the individuals' privacy rights, if copies of complaints are produced.

The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies, such as the filing of an ADA complaint with the responsible state or federal department or agency. Use of this complaint procedure is not a prerequisite to the pursuit of other remedies.

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