

**OCALA MARION
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD
GRIEVANCE PROCEDURES**

Article 1: Preamble

The following will set forth the grievance procedures which shall serve to guide the Ocala Marion TPO Transportation Disadvantaged Local Coordinating Board (TDLCB). The Community Transportation Coordinator (CTC) will receive and attempt to satisfy any concerns by any person(s). If for any reason the complainant is not satisfied with the resolution determined by the CTC then the procedures herein will assist in acquiring a satisfactory resolution. This will provide procedures and policies for fulfilling the requirements of chapter 427, Florida Statutes, Rule 41-2 of the Florida Administrative Code (FAC), and subsequent laws setting forth requirements for the establishment of grievance procedures.

Article II: Name and Purpose

Name: The Grievance Committee is a Subcommittee of the Transportation Disadvantaged Local Coordinating Board, but will hereinafter be referred to as the Grievance Subcommittee.

Purpose: The primary purpose of the Grievance Subcommittee is to process, investigate and make recommendations to any and all unresolved grievances and/or complaints. To provide a formal grievance process by the Local Coordinating Board (LCB) to address concerns by any person or agency including but not limited to, users, potential users, agencies, and other interested parties. The Grievance Subcommittee will provide a mechanism for issues to be brought before the committee which shall meet as often as necessary to address unresolved complaints in a timely manner.

Article III: Definitions

1. **Community Transportation Coordinator (CTC):** An entity and or person appointed to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area.
2. **A Grievance** is defined as any ongoing service problem that interferes with accessing a major life activity, such as work, healthcare, employment, education, shopping, social activities, or other life sustaining activities.
3. **Service Complaint-** any routine incidents and/or dissatisfaction that occur, are reported to the driver, dispatcher, or other individuals involved with the daily operations, and are resolved within the course of a reasonable time period suitable to the complainant.
Service complaints may include but are not limited to:

- a. Late trips (late pickup, late drop off, and/or late returns)
 - b. No-show by Transportation Operator
 - c. No-show by client
 - d. Client Behavior
 - e. Driver Behavior
 - f. Passenger discomfort
 - g. Refusal of service to client for any reason
4. Formal Grievances- a written complaint to document any concerns or an unresolved service complaint regarding the operation or administration of TD services by the Transportation Operator, Community Transportation Coordinator, agencies, or Local Coordinating Board. Formal Grievances may include, but are not limited to:
- a. Chronic or unresolved service complaints
 - b. Violation of specific laws governing the provision of Transportation Disadvantaged Services (i.e., Chapter 427 of Florida Statutes, Chapter 41-2 of Florida Administrative Code and accompanying documents, Sunshine Law and/or ADA violations)
 - c. Contract disputes (Agencies/Operators)
 - d. Bidding disputes
 - e. Agency compliance
 - f. Conflicts of interest
 - g. Supplanting of funds
 - h. Billing and/or accounting procedure violation
 - i. Denials of applications for paratransit services

Article IV: Membership

1. Members of the Grievance Subcommittee shall serve on a voluntary basis and shall consist of at least five (5) voting members.
2. Each member of the Grievance Subcommittee shall serve at the discretion of the TDLCB.
3. The CTC shall not serve on the Grievance Subcommittee.
4. Grievance Subcommittee members will meet if a grievance is brought before the committee.
5. When a meeting of the Grievance Subcommittee is necessary, staff to the TPO shall schedule the meeting. Meetings shall be held at the time and place as the Grievance Subcommittee may determine.

6. The Members shall serve a term of one year, with allowances for multiple terms.
7. The Grievance Subcommittee shall elect a Chairperson and Vice-Chairperson.
8. A simple majority shall be present in any official action.
9. No voting member will have a vote on an issue that is deemed a conflict of interest.

Article V: Filing Complaints and Grievances – STEP 1

10. All formal grievances must contain the following:
 - a. Must submit in writing
 - b. Name and address of complainant
 - c. A clear and concise statement of the grounds for the grievance and supplemented by supporting documentation
 - Exact date and time of incident
 - Exact location of incident
 - Any witnesses to incident (including name and address)
 - Vehicle unit number, license number, color and type
 - Any other information affiliated with the complaint
 - d. An explanation by the complainant of the improvements needed to address the complaint

All written complaints can be sent to:

Marion Senior Services
1101 SW 20th Court
Ocala, Florida 34471

A complaint form has been created (see page 7) indicating all of the above mentioned items.

11. The CTC must post the contact person and telephone number for access to information regarding reporting service complaints or filing a formal grievance in each of their vehicles in plain view of riders.
12. The CTC will have ten (10) working days from the date of notification of the complaint to address or investigate the problem.

13. The CTC will investigate the problem and respond in writing, within ten (10) working days of notification to the complainant as to what action was taken. Such action will contain an explanation of the facts that lead to the CTC's decision and provide a method or ways to bring about a resolution.
14. The Grievance Subcommittee and TDLCB Board will receive a copy of all grievances and responses.

Article VI: Appeal Process – STEP 2

1. If the complainant is dissatisfied with the CTC's response and/or recommendation they may file an appeal with the Grievance Subcommittee.
2. The complainant may only file after they have sought satisfaction directly from the CTC and received a response. Complainant must demonstrate that they have unsuccessfully attempted to resolve the issue with the CTC. Every effort will be made by the CTC to resolve service problems. However, if unable to resolve the problem and/or the complainant wishes to take further action, then the CTC will provide the complainant with assistance in following the Grievance Procedures.
3. The appeal must be filed within ten (10) days from the date of notification of final decision from the CTC.

The appeal must be in writing and addressed to:

Ocala Marion Transportation Planning Organization
ATTN: TDLCB Grievance Subcommittee
2710 E. Silver Springs Blvd.
Ocala, Florida 34470

4. Once an appeal has been received, the Grievance Subcommittee shall meet and render its recommendation within thirty (30) working days of the date the appeal was filed.
5. The complainant shall be notified in writing of the mutually agreed upon date, time and place where the appeal shall be heard. This written notice shall be mailed at least ten (10) working days in advance of the meeting.
6. A written recommendation will be rendered to all parties involved within ten (10) working days from the date of the recommendation and will include the following, in writing:

- a. Statement that a meeting was held and the involved parties were given an opportunity to present their position(s).
 - b. The issues discussed and clearly defined
 - c. Reason(s) for the recommendation based on the information provided
7. Grievance Subcommittee must report all grievances and recommendations to the full Transportation Disadvantaged Local Coordinating Board.

Article VII: Appeal to the Transportation Disadvantaged Local Coordinating Board – STEP 3

1. If the complainant is dissatisfied with the recommendation of the Grievance Subcommittee he/she may continue the appeal process with the TDLCB as follows.
2. The appeal must be in writing and filed within ten (10) working days from the date of final recommendation from the Grievance Subcommittee.
3. Appeal to the TDLCB can only be filed after the complainant has sought satisfaction directly from the Grievance Subcommittee.
4. The appeal should demonstrate a clear violation of a specific law, regulation, contractual agreement, or circumstance.

Address all appeals to:

Ocala Marion Transportation Planning Organization
 ATTN: TDLCB
 2710 E. Silver Springs Blvd.
 Ocala, Florida 34470

5. Once an appeal has been received, the TDLCB shall meet and render its recommendation within sixty (60) working days of the date the appeal was filed.
6. The complainant shall be notified in writing of the mutually agreed upon date, time and place where the appeal shall be heard. This written notice shall be mailed at least ten (10) working days in advance of the meeting.
7. A written recommendation will be rendered to all parties involved within ten (10) working days from the date of the recommendation and will include the following, in writing:
 - a. Statement that a meeting was held and the involved parties were given an opportunity to present their position(s).

- b. The issues discussed and clearly defined
- c. Reason(s) for the recommendation based on the information provided

Article VIII: Appeal to the Commission for the Transportation Disadvantaged – STEP 4

If the complainant is dissatisfied with the recommendation of the TDLCB, he/she may continue the process with the TD Ombudsman Program by calling the following number(s): 1-800-983-2435. For hearing and speech impaired customers call, 711 (Florida Only) Florida Relay System or (850) 410-5708 for TTY via written correspondence to:

Florida Commission for the Transportation Disadvantaged
Attn: Ombudsman Program
605 Suwannee Street, MS-49
Tallahassee, FL 32399-0450

Article IX: General

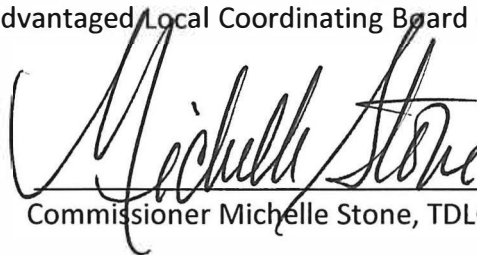
The Transportation Disadvantaged Local Coordinating Board Grievance Procedures may be amended by a two-thirds (2/3) vote of members present, if a quorum exists, and all Members have been notified of proposed changes at least seven (7) working days in advance of the meeting.

The implementation of these rules and procedures will ensure quality control and the ability to provide an impartial body to hear complaints and submit recommendations regarding the grievance as indicated.

Apart from this grievance/appeal process, aggrieved parties with proper standing may also have recourse through Chapter 120, Florida Statutes Administrative Hearing Process, or the judicial court system.

CERTIFICATION

The undersigned hereby certifies that he/she is the Chairperson of the Ocala Marion TPO Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true and correct copy of the Grievance Procedures of this Local Coordinating Board as adopted by the Ocala Marion TPO Transportation Disadvantaged Local Coordinating Board on the 15th day of October 2020.



Commissioner Michelle Stone, TDLCB Chairperson

**OCALA MARION
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD
COMPLAINT FORM**

| | |
|---|-------------------------|
| Complainant(s) Name: | Complainant(s) Address: |
| Complainant(s) Phone Number: | Complainant(s) Email: |
| Complainant(s) Representative's Name, Address, Phone Number and Relationship (e.g. friend, attorney, parent, etc.): | |
| Names of the Individual(s) Whom You Allege a Complaint Against (If Known): | |
| Name and Address of Agency, Institution, or Department Whom You Allege a Complaint Against: | |

| | | |
|-------------------|-------------------------------------|-------------------|
| Date of incident: | Vehicle Unit/License No.-Color-Type | Time of Incident: |
|-------------------|-------------------------------------|-------------------|

| |
|--|
| Please list the name(s) and phone number(s) of any person, if known, that can be contacted for additional information to support or clarify your allegation(s): |
| Please explain as clearly as possible HOW, WHY, WHEN and WHERE is your alleged complaint. Include as much information as possible. Additional pages may be attached if needed. |
| Please indicate what would be an acceptable resolution: |

| | |
|---|--------------------|
| Complainant(s) or Complainant(s) Representatives Signature: | Date of Signature: |
|---|--------------------|

Please submit to: Address in the step process

Additional Pages are attached.

TDLCB COMPLAINT TRACKING FORM

Name of Complainant: _____

COMPLAINT TO THE CTC –STEP 1

File Number _____

Date of 1st. Complaint: _____

Date of 1st. Resolution: _____

Action Taken (including date of letter): _____

APPEAL = COMPLAINT TO THE TDLCB GRIEVANCE SUBCOMMITTEE – STEP 2

Date of 2nd Complaint: _____

Date of 2nd Resolution: _____

Date of Subcommittee Hearing: _____

Action Taken (including date of letter): _____

APPEAL = COMPLAINT TO THE TDLCB – STEP 3

Date of 3rd Complaint: _____

Date of 3rd Resolution: _____

Date of TDLCB Hearing: _____

Action Taken (including date of letter): _____

APPEAL = TO THE COMMISSION FOR THE TRANSPORTATION DISADVANTAGED – STEP 4

Date sent: _____