

# Blue Water Area Transportation Commission

## ADA Complaint Policy and Complaint Form

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Title II and III of the American Disability Act of 1990 (ADA) provides that no entity shall discriminate against an individual with a disability in connection with the provision of transportation services. The law sets forth specific requirements for vehicle and facility accessibility and the provision of service, including access to fixed route bus and complementary paratransit service. Blue Water Area Transportation Commission (BWATC) is committed to providing safe and reliable transportation to all people without discrimination based on disabilities.

### **BWATC's Responsibility**

If BWATC receives a complaint regarding discrimination against an individual under the ADA, we will respond within 15 working days of receiving the complaint and will work to resolve the issue with the complainant as quickly as possible. This may involve legal assistance and/or mediation. We will document all of the process including the resolution and will notify the General Manager of the Commission of the complaint and the resolution. We will keep the complaint and all related documents on file for at least 3 years. We will keep a summary of all complaints filed for at least 7 years.

**Updated: 4/20/2022**

## **Filing an ADA Complaint with BWATC**

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**Take the first step:** Before filing your complaint, you may contact BWATC's ADA Coordinator to discuss your concerns at 810-966-4204 or via email at [bwatc@bwbus.com](mailto:bwatc@bwbus.com). The ADA Coordinator can look into the issue and try to come up with an acceptable resolution to the situation.

### **You can file a complaint against BWATC using the following procedures:**

File a written complaint with BWATC's ADA Coordinator as soon as possible. A complaint template is attached as Attachment A.

- The written complaint should be submitted by the grievant and/or designee to:

BWATC  
Attn: ADA Coordinator  
2021 Lapeer Ave.  
Port Huron MI. 48060

- Alternative means of filing complaints – such as a personal interview or a tape recording – will be made available on request by people with disabilities.
- The written complaint should contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem.
- Within 15 working days of the meeting, BWATC's ADA Coordinator will respond in writing or by other appropriate accessible format. The response will explain the position of BWATC and offer options for substantive resolution of the complaint.
- If the response by the BWATC's ADA Coordinator does not resolve the issue, the complainant and/or designee may appeal the decision within 15 working days after receiving the response to the Federal Transit Administration Office for Civil Rights.
- All written documents in the process will be retained by BWATC for at least 5 years

Alternative formats and language translations for this document are available on request

### **What information should my ADA complaint include?**

Provide the following information:

- A. Your full name, address, the telephone numbers where we can reach you during the day and evening, and the name of the party discriminated against (if known);
- B. If known, the name of the person you believe has committed the discrimination;
- C. A brief description of the acts of discrimination, the dates they occurred;
- D. Other information you believe necessary to support your complaint, including copies (not originals) of relevant documents; and

- E. Information about how to communicate with you effectively. Please let us know if you want written communications in a specific format (e.g., large print, Braille, electronic documents).

To guide you in providing the requested information, you may use the attached complaint form. (Attachment A)

### **How do I file an ADA complaint by email?**

Include all of the information listed above, either in the body of the email or in an attachment. Attach relevant documents to your email. Send your complaint to [bwatc@bwbus.com](mailto:bwatc@bwbus.com). You will receive a reply email confirming that your complaint has been received within 48 business hours. Please keep a copy of your complaint and the reply email for your records. If you do not receive a reply email, please contact the BWATC ADA Coordinator at 810-966-4214.

### **What happens after my complaint is received?**

After the complaint is received, we will inform you of our action, which may include:

- A. Contacting you for additional information or copies of relevant documents;
- B. Working with you to resolve the issue;
- C. Referring your complaint for possible resolution through an ADA Mediation Program; or
- D. Referring your complaint to another federal agency with responsibility for the types of issues you have raised.

### **How can I find out the status of my complaint?**

We will review each complaint carefully. If you have not heard from us within 15 working days, please contact the ADA coordinator at 810-966-4214.

Attachment A

**Title II of the Americans with Disabilities Act  
Section 504 of the Rehabilitation Act of 1973  
Discrimination Complaint Form**

Instructions: Please fill out this form completely, sign and mail, fax, or email to:

Blue Water Area Transportation Commission

Attn.: ADA Coordinator

2021 Lapeer Ave., Port Huron, MI. 48060

Fax: 810-987-2431

[bwatc@bwbus.com](mailto:bwatc@bwbus.com)

Complainant: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone: Home: \_\_\_\_\_

Business: \_\_\_\_\_

Person Discriminated Against: \_\_\_\_\_  
(if other than the complainant)

Address: \_\_\_\_\_

City, State and Zip Code: \_\_\_\_\_

Telephone: Home: \_\_\_\_\_

Business: \_\_\_\_\_

When did the discrimination occur? Date: \_\_\_\_\_

Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated:

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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Memorandum**

**ADA Coordinator**

The Operations Supervisor shall be designated the ADA coordinator and shall be responsible for all ADA related complaint procedures.

Current ADA Coordinator: Mark Watson      [mwatson@bwbus.com](mailto:mwatson@bwbus.com)      810-966-4204

Current ADA Coordinator: Brad Guilds      [bguilds@bwbus.com](mailto:bguilds@bwbus.com)      810-966-4214

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