

Vermont Agency of Transportation ADA Complaint Procedure

Any person who believes that they have been subjected to discrimination on the basis of disability, individually, or as a member of any specific class of persons, may file a complaint with the Vermont Agency of Transportation's Bureau of Civil Rights.

All complaints related to disability discrimination should be directed to Patricia Martin, ADA & Title VI Coordinator, Vermont Agency of Transportation (AOT), Bureau of Civil Rights.

Complaints may be submitted electronically, by telephone, by fax, or by United States Postal Service (USPS), as follows:

- Electronically on the AOT Website: Using the following secure portal:
https://appengine.egov.com/apps/vt/AOT/ada_complaint
- Email: patricia.martin@vermont.gov
- Telephone: 802.595.6959
- Fax: 802.479.5506
- USPS: To the following address:

Patricia Martin, ADA & Title VI Coordinator
Vermont Agency of Transportation
Bureau of Civil Rights
219 North Main Street
Barre, VT 05641

All individuals who submit an ADA Complaint to AOT will be contacted within three (3) business days of the submission of the complaint. AOT is committed to providing an equitable and prompt response and resolution process to all ADA complaints and concerns. If an individual requires assistance to submit a complaint, the AOT ADA Coordinator or another member of the AOT Bureau of Civil Rights will assist the individual in filing a complaint. Federal and state law require that the complaint be filed within 180 days of the alleged incident of discrimination.

Once the complaint has been submitted, AOT will pursue the following steps in addressing the complaint:

1. The Complainant will be contacted within three (3) business days of submission and provided with an explanation of the process and offered guidance and assistance to resolve the subject of the complaint.
2. The AOT ADA Coordinator will initiate a Complaint Form.

3. Essential information on the form includes the following:
 - a. Date of the incident that is the subject of the complaint;
 - b. Time of the incident;
 - c. Location of the incident; and
 - d. Circumstances of the incident in as much detail as is available, including description of the issues and the names of those individuals perceived as parties in the complaint.
4. The completed form, along with the initial complaint letter and a summary of any other communication, will be submitted to the AOT Director of Civil Rights for review. The Director of Civil Rights will determine the jurisdiction and acceptability of the complaint and any need for additional information. After any additional information is procured, the Director of Civil Rights will determine whether to accept or reject the complaint.
5. The complainant will be provided with a written notification that AOT has either accepted or rejected the complaint.
6. A complaint may be rejected for the following reasons:
 - a. More than 180 days passed between the alleged incident and the filing of the initial complaint.
 - b. The allegation does not involve a disability.
 - c. The allegation does not involve VTrans or one of its sub recipients of federal funds.
 - d. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - e. The complainant cannot be located after reasonable attempts.
7. An accepted complaint will be assigned a case number and be logged in a database and on the AOT ADA Complaint Log maintained by the AOT Bureau of Civil Rights, identifying the complainant's name, date of the incident, and information about the alleged incident.
8. The AOT ADA Coordinator, assisted by other members of the Bureau of Civil Rights who are trained in complaint investigations, will initiate an investigation of the complaint and complete a report within no more than 45 days of the acceptance of the complaint. The report shall include a narrative description of the incident, identification of the persons interviewed, findings, and recommendations for disposition.

9. The report will be reviewed by the Director of the AOT Office of Civil Rights and referred to the Legal Section of AOT, if deemed appropriate. The Director will accept or reject the recommendation for disposition, in consultation with the Legal Officer, and if the individuals involved are found to be in noncompliance with ADA Program requirements, remedial actions will be determined.

10. The results of the investigation and the Director's determination will be mailed to the complainant. Notice shall include information regarding appeal rights of the complainant and instructions for initiating such an appeal. Notice of appeals are as follows:

- a. AOT will reconsider the determination if new facts come to light.
- b. If the complainant is dissatisfied with the determination and/or resolution set forth by AOT, the same complaint may be submitted to the appropriate federal agency listed below:

Federal Transit Administration (FTA) Office of Civil Rights
1200 New Jersey, S.E. 5th Floor TRC East Building
Washington, DC 20590
Phone: 202.366.4043

or

Federal Highway Administration (FHWA) Vermont Division
87 State Street, Suite 216
Montpelier, VT 05602
802.828.4423

11. A copy of the complaint and AOT's investigation report, letter of finding, and remedial action plan will be submitted within 120 days of the initial receipt of the complaint to the appropriate agency listed above.

12. AOT shall keep on file for one year all complaints of noncompliance received, and a record of all such complaints on file for five years, pursuant to 2 CFR Section 200.334, State of Vermont General Records Schedule GRS-1000.1102, and ADA Circular 4701.1, Section 12.7.3.