

ADA GRIEVANCE/COMPLAINT PROCESS

The City of Manteca Transit grants all citizens equal access to its transit services.

Manteca Transit has established a process for investigating and resolving complaints alleging discrimination based on disability regarding Manteca Transit services, programs, and facilities pursuant to 40 CFR Part 27.7; 28 CFR Part 35.130, 35.140, 35.149. These regulations implement provisions of Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA) of 1990. This Notice and Grievance Procedure is adopted pursuant to 28 CFR Part 35.107 and 49 CFR Part 27.13. Copies are available at the City of Manteca Public Works Department and the Manteca Transit Center, as well as online at www.mantecatransit.com.

Manteca Transit cannot respond to complaints without the complainant's email, mailing address and telephone number.

How to File a Complaint: Complaints regarding prohibited discrimination based on disability may be submitted to the City of Manteca via any of the following methods:

1. By telephone to the City of Manteca Human Resources and Risk Management Department, (209) 456-8700;
2. By downloading the ADA Complaint/Comment Form from the City of Manteca website at www.mantecatransit.com and emailing it to transitadmin@ci.manteca.ca.us
3. In writing to: City of Manteca, Transit, 220 Moffat Boulevard, Manteca, CA 95336;
4. Sent via fax to (209) 923-8930;
5. In Person at Manteca Transit Center, 220 Moffat Boulevard, Manteca, CA 95336, 8 a.m. to 5 p.m., Monday through Friday.

The complaint must be filed no later than 180 calendar days of the alleged incident.

Complaints may also be filed with external entities such as the Federal Transit Administration, the Equal Employment Opportunity Commission, or the Department of Fair Employment and Housing. Please review information on the respective agency websites for details on filing ADA complaints.

[FTA](#)
[EEOC](#)
[DFEH](#)

Should a complaint be filed with the City of Manteca and an external entity simultaneously, the external complaint shall supersede the City's complaint. However, the City of

Manteca, through the Human Resources and Risk Management Department will continue its own investigation of the complaint and make the findings available.

Acknowledgement of Complaint Receipt: Within seven days after receipt of the complaint, a letter will be sent to the complainant that includes all of the following:

1. Acknowledgement that their complaint has been received and forwarded for investigation.
2. The date by which a response will be sent to the complainant.
3. How to contact Manteca Transit if the complainant does not receive a response by date.

Investigation of Complaint: The designated Manteca Transit or City employee will investigate the complaint and respond in writing within a reasonable time, not to exceed 30 days from receipt of the complaint. The response will set out a process for resolution of the complaint. If no action is taken, the response will state the reasons for the decision and the procedures for the complainant to appeal the decision. *(Manteca Transit and City employee personnel files are confidential; therefore, specific information on disciplinary actions resulting from complaints will not be divulged.)*

The complainant shall be notified of his/her right to appeal the decision. Appeals may be made to the Federal Transit Administration, the Equal Employment Opportunity Commission, or the Department of Fair Employment and Housing.

All written complaints received by the Human Resources and Risk Management Director or designee, appeals to the Federal Transit Administration, the Equal Employment Opportunity Commission, or the Department of Fair Employment and Housing, and responses from these offices will be retained by the City of Manteca for at least three years.

Appeal of Decision: If you are not satisfied with the response to a request for reasonable modification, you have the right to appeal. Please submit an explanation of what happened, why you believe you should have received the accommodation request and attach any other items you think are relevant to City of Manteca Transit Manager, 220 Moffat Boulevard, Manteca, CA 95336, call to: (209) 456-8775, email to: transitadmin@ci.manteca.ca.us, fax to: (209) 923-8930.

A panel consisting of Manteca Transit staff and Access San Joaquin and/or Access Advisory committee members will review your appeal and respond in writing within 30 business days from the date the appeal request was received.

The decision to allow or deny a request for reasonable accommodation will be based on information from the appellant, ADA regulations, and exceptions to the rule. Possible exceptions include when the modification/accommodation would present the following challenges:

1. Cause a direct threat to the health or safety of others.
2. Result in a fundamental alteration of the service.
3. Not actually be necessary in order for the individual with a disability to

access the transportation entity's service.

4. Result in an undue financial and administrative burden

Appeal Process: Within 15 days from receipt of the request for hearing, the Transit Manager or his/her designee (who has not previously been involved in the investigation of the original complaint) shall schedule a meeting to hear the complaint. The meeting shall be held at an accessible location within 30 days from receipt of the request for hearing. If desired, the complainant may be represented by a person of his/her choice. The Transit Manager or his/her designee shall issue a final determination in writing within 21 days after the meeting.

Time Limits: The parties may extend any time limit set out above by written agreement. This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Manteca for Manteca Transit.