

MILWAUKEE COUNTY TRANSIT SYSTEM (MCTS)

ADA Complaint Procedures

The American Disabilities Act of 1990 states that “No entity shall discriminate against an individual with a disability in connection with the provision of transportation service.”

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of disability may file a written complaint with the Milwaukee County Transit System.

Complaints should be submitted to:

ADA Comments and Complaints
1942 North 17th Street
Milwaukee, WI 53205
ADAComments@mcts.org

Complainants have the right to complain directly to the appropriate Federal agency. Every effort will be made to obtain prompt and equitable resolution of complaints. The option of informal meeting(s) between the affected parties and the MCTS representative may be utilized for resolutions.

PROCEDURE

1. The complaint must include the following:

- a. Complaint shall be in writing and signed by the complainant(s). In cases where Complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The MCTS representative will interview the Complainant and assist the person in converting verbal complaints in writing. All complaints must, however, be signed by the Complainant or his/her representative.
- b. Include the date(s) of the alleged act of discrimination.
- c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.
- d. Federal law requires complaints be filed within 180 calendar days of the alleged incident.

2. Upon receipt of the complaint, the ADA Coordinator, who coordinates compliance with federal requirements related to ADA issues, will determine its jurisdiction, acceptability, need for additional information, and investigate the complaint, if accepted.

3. The Complainant will promptly be provided with an acknowledgment that MCTS has either accepted or rejected the complaint.

4. A complaint must meet the following criteria for acceptance:

- a. The complaint must be filed within 180 days of the alleged occurrence.
- b. The allegation must involve a covered basis such as disability.

c. The allegation must involve a MCTS service, the County of Milwaukee as a Federal-aid recipient, or its sub-recipient.

5. A complaint may be dismissed for the following reasons:

a. The Complainant requests the withdrawal of the complaint.

b. The Complainant fails to respond to repeated requests for additional information needed to process the complaint.

c. The Complainant cannot be located after reasonable attempts.

6. The ADA Coordinator will prepare an investigative report within 90 calendar days of the acceptance of the complaint. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.

7. The investigative report and its findings will be reviewed with MCTS officials and in some cases the investigative report and findings will be reviewed by MCTS legal counsel.

8. The ADA Coordinator/legal counsel will make a determination on the disposition of the complaint. Dispositions will be stated as follows:

a. In the event MCTS is in noncompliance with the ADA regulations, remedial actions will be listed. MCTS will take necessary action in order to come into compliance.

b. If the investigation concludes that MCTS is not in violation of ADA, findings describing compliance will be documented.

9. Notice of the ADA Coordinator's determination will be communicated to the Complainant. Notice shall include information regarding appeal rights of Complainant and instructions for initiating such an appeal. Notice of appeals are as follows:

a. The ADA Coordinator will reconsider the determination if new facts come to light.

b. If Complainant is dissatisfied with the determination and/or resolution set forth by the ADA Coordinator, the same complaint may be submitted to the FTA for investigation. Complainant will be advised to contact the Federal Transit Administration, Office of Civil Rights, 200 W. Adams Street, Suite 320, Chicago, IL 60606, telephone 312-353-3855.

10. A copy of the complaint and the ADA Coordinator's investigation report/letter of finding and Final Remedial Action Plan, if appropriate, will be issued to FTA within 120 days of the receipt of the complaint.

11. A summary of the complaint and its resolution will be included as part of the ADA updates to the FTA.