



BayRunner Shuttle

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NON-DISCRIMINATION/COMPLAINT PROCEDURES

Overview:

These procedures apply to all complaints filed under the Title VI of the Civil Rights Act of 1964 as amended, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 as amended, and Section 504, relating to any program or activity administered by BayRunners, inc., BayRunner Shuttle, Shore Connect, as well as to the sub-recipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law. These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of the informal mediation meeting(s) between the affected parties and the Title VI Manager may be utilized for resolution. The Title VI Manager will make every effort to pursue a resolution to the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin may file a written complaint with BayRunner's Title VI Manager/ EEO Officer. The complaint is to be filed in the following manner:

- A. A formal complaint must be filed within 180 calendar days of the alleged occurrence.

- B. The complaint shall be in writing and signed by the complainant(s). A form is available by contacting the BayRunner Mobility Director (see d below). However, the form need not be used in order to file a complaint.
- C. The complaint should include:
- The complainant’s name, address, and contact information (i.e. telephone number, email address, etc.)
 - The date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance.

 - A description of the alleged act of discrimination
 - The location(s) of the alleged act of discrimination (include vehicle number if appropriate)
 - An explanation of why the complainant believes the act to have been discriminatory on the basis of race, color, or national origin
 - If known, the names and/or job titles of those individuals perceived as parties of the incident
 - Contact information for any witnesses
 - Indication of any related complaint activity (i.e. was the complaint also submitted to MTA or FTA?)
- D. The complaint shall be submitted to the BayRunner Title VI Manager (EEO Officer) at 547 Riverside Drive, Salisbury MD 21801
- E. Complaints received by any other employee of BayRunner Shuttle will be immediately forwarded to the Title VI Manager/ EEO Officer.
- F. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Title VI Manager/ EEO Officer. Under these circumstances, the complainant will be interviewed by the Mobility Director or his/her designee, who will also assist the complainant in converting the verbal allegations to writing.
2. Upon receipt of the complaint, the Title VI Manager/ EEO Officer will immediately:
- a) Notify the MTA Office of Fair Practices as well as their Regional Planner (no later than 3 business days from receipt)
 - b) Notify the BayRunner Vice President and the Operations Manager.
 - c) Ensure that the complaint is entered into the complaint database
3. Within 3 business days of receipt of the complaint, the Title VI Manager/ EEO Officer will contact the complainant by telephone to set up an interview.
4. The complainant will be informed that they have a right to have a witness or representative present during the interview and can submit any documentation he/she perceives as relevant to proving his/her complaint.
5. If MTA has assigned staff to assist with the investigation, the Title VI Manager/ EEO Officer will offer an opportunity to participate in the interview.

6. The alleged discriminatory service or program official will be given the opportunity to respond to all aspects of the complainant's allegations
7. The Title VI Manager/ EEO Officer will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned.
8. The investigation may also include:
 - a) Investigating contractor operating records, policies or procedures
 - b) Reviewing routes, schedules, and fare policies
 - c) Reviewing operating policies and procedures
 - d) Reviewing scheduling and dispatch records
 - e) Observing behavior of the individual whose actions were cited in the complaint
9. All steps taken and findings in the investigation will be documented in writing and included in the complaint file
10. The Title VI Manager/ EEO Officer will contact the complainant at the conclusion of the investigation, but prior to writing the final report, and give the complainant an opportunity to give a rebuttal statement at the end of the investigation process.
11. At the conclusion of the investigation and within 60 days of the interview with the complainant, the Title VI/ EEO Officer will prepare a report that includes a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. This report will be provided to the CEO, the MTA Regional Planner and Office of Fair Practices, and if appropriate, BayRunner Shuttle's legal counsel.
12. The Title VI Manager/ EEO Officer will send a letter to the complainant notifying them of the outcome of the investigation. If the complainant was substantiated, the letter will indicate the course of action that will be followed to correct the situation. If the complaint is determined to be unfounded, the letter will explain the reasoning, and refer the complainant to the MTA Office of Fair Practices in the event the complainant wishes to appeal the determination. This letter will be copied to the MTA Regional Planner and the MTA Office of Fair Practices.
13. A complaint may be dismissed for the following reasons:
 - a) The complainant requests the withdrawal of the complaint
 - b) An interview cannot be scheduled with the complainant after reasonable attempts
 - c) The complainant fails to respond to repeated requests for additional information needed to process the complaint
14. The MTA Office of Fair Practices will serve as the appealing forum to a complainant that is not satisfied with the outcome of the investigation conducted by BayRunner Shuttle. MTA will analyze the facts of the case and will issue its conclusion to the appellant according to their procedures.



INCIDENT/COMPLAINT/COMMENT FORM

DATE: _____

TIME: _____

CIRCLE ONE: **INCIDENT** **COMPLAINT** **COMMENT**

- RACE
- COLOR
- ORIGIN
- DISABILITY

DATE OF INCIDENT/COMPLAINT: _____ TIME OF INCIDENT/COMPLAINT _____

EMPLOYEE'S NAME: _____ POSITION: _____

CUSTOMER'S NAME: _____

CUSTOMER'S ADDRESS: _____

DESCRIPTION: _____

SIGNATURE: _____ DATE: _____

Follow-Up: the following steps and/or actions have been taken in response to the
aforementioned information:

SUPERVISOR/COORDINATOR: _____ DATE: _____