

BEAVER ISLAND TRANSPORTATION AUTHORITY

Date Board Adopted: May 4, 2021

ADA Complaint Policy

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 vessel and facility accessibility and the provision of service, including passenger vessel operations. Beaver Island Transportation Authority (BITA) is committed to providing safe and reliable transportation to all people without discrimination based on disabilities. The Beaver Island Transportation Authority (BITA) (owner of the M/V Emerald Isle) in conjunction with the Beaver Island Boat Co (BIBCO) (operator) will operate its vessel so that it is readily accessible and usable for individuals with disabilities.

Beaver Island Transportation Authority's Responsibility

The BITA has established a Complaints Resolution Official (CRO) in their Complaint Resolution Policy which allows passengers to file a complaint in person or by telephone. If the CRO receives an oral or telephone complaint regarding discrimination against an individual under the ADA, the CRO will provide to the complainant a written statement within ten days. All written complaints will be addressed in writing within 30-days of receiving the complaint and the CRO 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 our MDOT project manager of the complaint and the resolution. We will keep the complaint and all related documents on file for at least one year. We will keep a summary of all complaints filed for at least five years. Records will be made available to MDOT upon request.

The attached flyer will be posted in all public vessels and facilities.

If additional information is requested, the following will be provided.

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).
- F. The name of the CRO (Complaint Resolution Official) that was contacted

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 the Beaver Island Transportation Authority at bitrans@tds.net. 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 Beaver Island Transportation Authority at 231-448-3049.

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 the 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 three weeks, please contact us at 231-448-3049.

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:

Mary Cook
ADA Coordinator
Beaver Island Transportation Authority
PO Box 426
Beaver Island, MI 49782
Fax: 231-448-3120
E-mail: bitrans@tds.net

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: _____

Flyer to be posted in all public vessels and facilities

BEAVER ISLAND TRANSPORTATION AUTHORITY
Procedure to File a Complaint Under the
Americans with Disabilities Act (ADA)

If you believe you, or another person has been discriminated against under Title II and III of the American Disability Act of 1990 by the Beaver Island Boat Co or one of its employees, you can file a complaint in person or by telephone by contacting the CRO at 231-448-3049. You may also mail, fax, or email at:

Mary Cook
ADA Coordinator
Beaver Island Transportation Authority
PO Box 426
Beaver Island, MI 49782
Fax: 231-448-3120
E-mail: bitrans@tds.net

Take the first step: Before filing your complaint, you may contact the Beaver Island Transportation Authority CRO to discuss your concerns. The CRO can look into the issue and try to come up with an acceptable resolution to the situation. If you would like additional information you may contact Beaver Island Transportation Authority CRO.

You can file a complaint against the Beaver Island Transportation Authority **using the following procedures:**

- Contact the CRO at 231-448-3049
- File a written complaint with the Beaver Island Transportation Authority CRO as soon as possible, but no later than 180 calendar days after the alleged violation.
- The written complaint should be submitted by the grievant and/or designee.
- 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 30 calendar days after receiving the complaint, the Beaver Island Transportation CRO will contact the complainant to discuss the complaint and possible resolutions.
- Within 30 calendar days of the contact, the Beaver Island Transportation Authority CRO will respond in writing or by other appropriate accessible format. The response will

explain the position of the Beaver Island Transportation Authority and offer options for substantive resolution of the complaint.

- If the response by the Beaver Island Transportation Authority CRO does not resolve the issue, the complainant and/or designee may appeal the decision within 15 calendar days after receiving the response, to the Federal Transit Administration Office for Civil Rights.
- All written documents in the process will be retained by the Beaver Island Transportation Authority for at least one year.