



**ORANGE, OSCEOLA, AND SEMINOLE COUNTIES
LOCAL COORDINATING BOARD**

**GRIEVANCE PROCEDURE
FOR
TRANSPORTATION DISADVANTAGED SERVICES**

Approved February 14, 2019

GRIEVANCE PROCEDURE

I. CREATION OF A GRIEVANCE PROCEDURE

- A. This is hereby created and established as a Grievance Procedure
- B. The Transportation Disadvantaged Local Coordinating Board (TDLCB) Grievance Committee is hereinafter created and referred to as the Grievance Committee.

II. DEFINITIONS

As used in this procedure, the following words and terms shall have the meanings assigned herein:

- A. **Community Transportation Coordinator (CTC)**
A transportation entity appointed to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area.
- B. **Transportation Disadvantaged (Customer)**
Those persons who, because of physical or mental disability, income status, or age or who for other reasons are unable to transport themselves or to purchase transportation, and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life sustaining activities, or children who are high-risk.
- C. **Funding Agency**
Those agencies, which have a funding agreement with the CTC for transportation services for their transportation disadvantaged customers.
- D. **Transportation Operator (Carrier)**
The entity providing transportation services for the transportation disadvantaged, whether it be private non-profit, private for profit, or public operator.

III. OBJECTIVE

- A. The objective of the Grievance Process shall be to process, investigate and make recommendations, in a timely manner on formal written complaints/grievances that are not resolved between individual agencies/entities, including the CTC and the contract service provider and/or the contract service provider and the customer.
- B. The implementation of these rules and procedures will ensure quality control and the ability to provide participating customers, funding agencies and others with an impartial body to hear complaints and submit recommendations regarding the grievance as indicated.
- C. Apart from this grievance process, aggrieved parties with proper standing may also have recourse through Chapter 120, Florida Statutes Administrative Hearing Process, or the judicial court system.

IV. MEMBERS

- A. Members of the Grievance Committee shall be appointed by the Transportation Disadvantaged Local Coordinating Board Chair and shall consist of at least five (5) voting members of the TDLCB and may include other appointed volunteers.
- B. Grievance Committee members will be appointed annually, however, the committee will only meet should a grievance be elevated to the level of STEP TWO Appeal, as outlined in Section V. Grievance Procedures.
- C. Term of Members
 - 1. The members of the Grievance Committee shall serve a term of one year, with allowances for multiple terms.
 - 2. The Grievance Committee shall elect a Chairperson and Vice-Chairperson.
 - 3. A simple majority shall be present for any official action. The meetings shall be held at such times as the Grievance Committee may determine.
 - 4. No voting member will have a vote on an issue that is deemed a conflict of interest.

V. GRIEVANCE PROCEDURES

- A. A Grievance is defined as any ongoing service problem that interferes with accessing a major life activity, such as work, healthcare, employment, education, shopping, social activities, or other life sustaining activities.
 - 1. A service problem must be documented as ongoing for a 30-day period.
 - 2. The customer must demonstrate that they have unsuccessfully attempted to resolve the issue with the CTC on multiple occasions.
 - 3. The customer must demonstrate a level of service that has been provided which is below locally accepted service standards.
 - 4. The Grievance Committee may hear other issues at their discretion, such as issues related to carriers and/or sponsors of service.
- B. Every effort will be made by the CTC to resolve service problems. However, if unable to resolve the problem and/or the grievant wishes to take further action, then the CTC will provide the grievant with assistance with the official grievance process.

C. STEP ONE

- 1. When the CTC is advised that the customer wishes to file a grievance, the CTC will send the customer the Grievance Form and a copy of the current ORANGE,

OSCEOLA AND SEMINOLE COUNTIES LOCAL COORDINATING BOARD GRIEVANCE PROCEDURE FOR TRANSPORTATION DISADVANTAGED SERVICES. Notification of the intent to file a Grievance must be made in writing to the CTC's Manager of Paratransit.

All documents pertaining to the grievance process will be made available, upon request, in a format accessible to persons with disabilities.

2. Upon receipt of the completed Grievance Form, the CTC will assign a CTC File Number and initiate a Grievance Log Tracking Form. The CTC Designee will review the Grievance Form and all support documentation and then prepare a written response. The response shall be completed and mailed (Certified and Return Receipt Requested) within ten (10) business days after receiving the grievance. A copy of the response should also be provided to MetroPlan Orlando (MPO).

A file folder should be established for the grievance. This folder should have the name of the grievant and CTC File Number. The folder should contain the original support documentation, the CTC's response, and any other data about the case.

The CTC will respond to Grievance and issue a judgment based on:

- "Resolved" - The CTC feels that the customer's concerns, as stated in the Grievance Form, have been addressed to the best of their ability and the case is resolved.
 - "Unresolved" - The CTC feels that the issues stated in the Grievance Form have not been resolved due to existing policy, procedure, service standards, lack of evidence or a lack of resolve.
3. If the customer feels that the concern has not been properly addressed, they will have the option to appeal as stated in Step Two of the Grievance Process. As part of the Step One Response, the customer will be notified of their right to appeal, as well as the process for appeal. Appeals must be submitted to MetroPlan Orlando (MPO) within ten (10) business days of the Step One Response (based on postmark).

STEP TWO

1. Upon responding to the customer's Step One Grievance, the CTC will forward all original documentation to the MPO.
2. Once notified of the customer's desire to appeal the decision, MPO staff will notify the Grievance Committee of the date of the Step Two Grievance Hearing. Upon receipt of the Appeal, the MPO shall have ten (10) working days to contact Grievance Committee members and set a grievance hearing date. The grievant and all parties involved shall be notified at least seven (7) business days before the hearing date by Certified Mail, Return Receipt Requested. The hearing will take place within thirty (30) days of the notice of appeal.

**GRIEVANCE TRACKING FORM
FOR OFFICE USE ONLY**

CTC File Number: _____

Step 1 of the Grievance Process

Date Grievance Received at CTC: _____

CTC Representative: _____ File Established: _____

Date Grievance responded to: _____ Date Certified Letter Sent: _____

Date of Action: _____

Step 2 of the Grievance Process

Date Grievance Received at MPO: _____

Date sent to Grievance Committee of the TDLCB: _____

Date of Hearing: _____ Date Certified Letter Sent: _____

Date of Action: _____

Date Certified Letter Sent Regarding Recommendation(s): _____

Step 3 of the Grievance Process

Date Grievance Received at MPO: _____

Date sent to Local Coordinating Board: _____

Date of Hearing: _____ Date Certified Letter Sent: _____

Date of Action: _____

Date Certified Letter Sent Regarding Recommendation(s): _____

**GRIEVANCE PROCESS FORM FOR THE
ORANGE, OSCEOLA AND SEMINOLE COUNTIES
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD**

AGENCY/INDIVIDUAL NAME: _____

ADDRESS: _____

CITY: _____ ZIP: _____

TELEPHONE: _____ E-MAIL: _____

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PLEASE REVIEW THE ATTACHED RULES AND PROCEDURES PERTAINING TO GRIEVANCES.

This form stating the grievance shall be sent to the Community Transportation Coordinator (CTC) outlining the nature of the grievance, and where applicable, the date, time and place of the incident(s) constituting the grievance. (Additional pages may be attached. Please be sure to number all additional pages and/or attachments.)

Please send completed form and any supporting documentation to:

LYNX
Attn: Manager of ACCESS LYNX
445 N Garland Ave
Orlando, FL 32801 - 9920
(407) 841-5969

GRIEVANCE FORM - CONTINUED



GRIEVANCE INFORMATION

A series of 20 horizontal lines provided for writing the grievance information.

GRIEVANCE FORM - CONTINUED



Multiple horizontal lines for writing, providing space for the grievance statement.

I hereby attest that these statements are true and correct,

Printed Name: _____

Signature: _____

Date: _____

- a) The Grievance Committee shall have the power to hold hearings and conduct investigations in all matters relating to grievances brought before the committee.
 - b) The Grievance Committee shall review the material presented and issue a recommendation or recommendations to all parties involved within ten (10) working days of the date of the hearing. Said notice shall be sent to all parties by Certified Mail, Return Receipt Requested.
 - c) All meetings and hearings will be open to the public.
 - d) Minutes shall be kept at each hearing and filed with the TDLCB and shall be public record.
3. The MPO will complete the Grievance Tracking Form for this and subsequent steps of the process.

D. STEP THREE

1. Both the CTC and the grievant will have the right of appeal of any recommendation(s) of the Grievance Committee to the full TDLCB.
2. Upon notification of the desire to appeal the Step Two recommendation(s), the MPO will notify all parties of the date, time and location of the next scheduled TDLCB meeting via Certified Mail, Return Receipt Requested.
3. The MPO will update the file and the Grievance Log Tracking Form.
4. It is important to note that during the entire process, the CTC and/or MPO should keep the Commission for the Transportation Disadvantaged informed of the recommendation(s) made at the various steps of the process. Further, all files and documentation associated with the case must be kept updated by the CTC at all times during this process.

CERTIFICATION

The undersigned hereby certifies, as Chairperson of the Transportation Disadvantaged Local Coordinating Board for Orange, Osceola and Seminole Counties that the foregoing is a true and correct copy of the Grievance Procedure of the TDLCB as adopted the 9th day of February, 2017.

Mayra Uribe

for
Honorable Jose Alvarez, Chairperson, for the Orange, Osceola,
and Seminole Counties Transportation Disadvantaged Local
Coordinating Board