

FRANKLIN COUNTY TRANSPORTATION DISADVANTAGED COORDINATING BOARD COMPLAINT & GRIEVANCE PROCEDURES

Prepared by the

Franklin County
Transportation Disadvantaged Coordinating Board

Big Bend Transit, Inc.
the Community Transportation Coordinator

Apalachee Regional Planning Council
the Designated Official Planning Agency

Approved by the

Franklin County Transportation Disadvantaged Coordinating Board
on
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Chairperson

Franklin County
Transportation Disadvantaged Coordinating Board

Complaint & Grievance Procedures

PURPOSE

The purpose of the complaint and grievance process is to resolve issues affecting the service delivery system and administration of the transportation disadvantaged program in a timely manner.

AUTHORITY

41-2.012(5)(c), Florida Administrative Code.

Appoint a Grievance Committee to serve as a mediator to process and investigate complaints from agencies, users, potential users of the system and the Community Transportation Coordinator in the designated service area, and make recommendations to the Transportation Disadvantaged Coordinating Board for improvement of service. The Transportation Disadvantaged Coordinating Board shall establish procedures to provide regular opportunities for issues to be brought before such committee and to address them in a timely manner.

These procedures are in accordance with the *Local Grievance Guidelines for Transportation Disadvantaged Services* prepared by the Commission for the Transportation Disadvantaged, dated February 2010.

HEARING & DETERMINING A GRIEVANCE

There is a distinct difference between “hearing” a grievance, and “hearing and determining” a grievance. There is no bar to a person or entity listening to or “hearing” a grievance. An entity may even investigate them, from a purely fact-finding perspective, as long as it does not, in the course of its investigation, impose requirements on third parties that are not supported by statute or contractual agreement.

However, when an entity makes a determination of the rights, duties, privileges, benefits, or legal relationships of specified person or persons, it is exercising “adjudicative” or “determinative” powers. Deciding a grievance between two independent parties may fall within these parameters, depending on the nature of the grievance.

It is noted that Chapter 427, F.S. grants no adjudicative powers to anyone. However, Rule 41-2, F.A.C. does provide for grievance process at the local level.

DEFINITIONS

Commission for the Transportation Disadvantaged (Commission) – A statewide agency created to accomplish the coordination of transportation services provided to the transportation disadvantaged.

Community Transportation Coordinator (CTC, Coordinator) – A transportation entity that ensures that coordinated transportation services are provided to serve the transportation disadvantaged population in a designated service area. CTC is required to:

- ❖ Post a toll free telephone number for reporting complaints, grievances and commendations in all vehicles in plain view of riders,
- ❖ Periodically notify the riders of the grievance process,
- ❖ Respond to all requests for the grievance process,
- ❖ Provide, upon request, the grievance process in a format accessible to persons with disabilities,
- ❖ Provide a copy of the grievance process to agencies contracting services,
- ❖ Provide a copy of the grievance process to all transportation operators, and
- ❖ Advise customers of the Commission for the Transportation Disadvantaged Ombudsman Program and Hotline Number.

Complaint – Routine incidents that occur on a daily basis, are reported to the driver or dispatcher, or to other individuals involved with the daily operations, and are resolved within the course of a reasonable time period suitable to the complainant. Local service complaints are driven by the inability of the Community Transportation Coordinator or transportation operators, not local service standards established by the Community Transportation Coordinator and local Coordinating Board. If the Community Transportation Coordinator is also an operator, their statistics on service complaints should be included. Local standards should be developed regarding the reporting and parameters of service complaints.

Service complaints may include but are not limited to:

- ❖ Late trips (late pick-up and/or late drop off),
- ❖ No-show by transportation operator and/or client,
- ❖ Client and/or driver behavior,
- ❖ Passenger discomfort,
- ❖ Service denial (without an explanation as to why), and
- ❖ Others, as deemed appropriate by the TDCB.

Grievance – A formal grievance is a written complaint to document any concerns or an unresolved service complaint regarding the operation or administration of transportation disadvantaged services by the Community Transportation Coordinator, Transportation Operators, Planning Agency, or Transportation Disadvantaged Coordinating Board. The Grievant, in their formal complaint, should demonstrate or establish their concerns as clearly as possible.

Grievances may include but are not limited to:

- ❖ Chronic or recurring or unresolved service complaints,
- ❖ Violations of specific laws governing the provision of transportation disadvantaged services,
- ❖ Contract disputes (agencies/operators),
- ❖ Coordination disputes,
- ❖ Bidding disputes,
- ❖ Agency compliance,
- ❖ Conflicts of interest,
- ❖ Supplanting of funds,
- ❖ Billing and/or accounting procedures, and
- ❖ Other, as deemed appropriate by the TDCB.

Ombudsman Program – A toll free telephone number established and administered by the Commission to enable persons to access information and/or file complaints/grievances regarding transportation services provided under the coordinated effort of the CTC.

Planning Agency – An entity responsible for transportation planning and serves as staff to the Transportation Disadvantaged Coordinating Board.

Transportation Disadvantaged (TD) – 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 on others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high-risk or at-risk as defined in Section 411.202, Florida Statutes.

Transportation Disadvantaged Coordinating Board (TDCB) – An entity to provide assistance to the CTC relative to the coordination of transportation services.

Transportation Operator – An entity engaged by the CTC to provide service to transportation disadvantaged persons pursuant to a Transportation Disadvantaged Service Plan.

COMPLAINT PROCEDURE

1. Complaints, verbal or written, may be initiated by anyone regarding anyone or any situation, even another customer.
2. Determine if the complaint is valid. The complaint must contain: customer name, telephone number and/or address of person making the report in order to be contacted for additional information or to update on status, occurrence date and time (if time is available), and information regarding the complaint (service, policy or vehicle concern). If the customer wants to remain anonymous, the validity is questionable. However, the complaint may still need to be resolved.
3. If the complaint is not valid, determine if follow up is necessary. If no, close and file.

4. If the complaint is valid, complete a complaint form and start research. All critical issues must be written up and be handled immediately with supervisory action. Critical issues include, but are not limited to, physical, verbal or substance abuse, and any life-threatening situation (reckless driving, client abandonment, accidents/incidents).
5. If there is resolution at intake (client accepting response to complaint), close and file.
6. If there is no resolution at intake, the Coordinator has 10 working days to resolve the complaint. A maximum of 20 working days can be taken if there are extenuating circumstances. If there are extenuating circumstances, the Coordinator will contact the customer after initial 10 working day period to update the status of the complaint. Responses may be verbal or in writing. If there is any doubt about the customer's satisfaction, a written response should be recorded.
7. If the customer is satisfied with the resolution, close and file. If not satisfied, inform them of the formal grievance procedures, close and file.
8. Continual and/or unresolved complaints may be an indication of an operational issue that needs to be addressed. Quarterly, the CTC will compile a report for the TDCB to review. The report will contain information regarding the categories and types of concerns reported and how the CTC responded to the concerns. The report will also note how many unresolved complaints remain. Also, the TDCB should be made aware of any complaints that are serious and/or unresolved.

The resolution to complaints will vary depending on each situation. Some complaints can be resolved while speaking with the customer and others will require research in order to be resolved. The following chart depicts how certain complaints should be handled.

Received From	Response	Priority	Time Frame
Customer	Verbal/Written Verbal/Written	Quick Resolution Critical	Immediately Within 10 working days
Agency	Verbal/Written	Depends on the agency	Within 10 working days
Legislative	Written	Depends on the issue	When situation is resolved. ASAP

GRIEVANCE PROCEDURE

1. The aggrieved person is to present a formal (written) grievance to the Community Transportation Coordinator **within 10 working days of the incident or as expeditious as possible considering the circumstances** to Big Bend Transit, Inc. P.O. Box 1721, Tallahassee, FL. 32302. A formal grievance must be written and contain name, address and telephone number of the aggrieved person, date, time and place of the incident, a statement of the grounds for the grievance, supplemented by supporting documentation, made in a clear and concise manner and an explanation by the aggrieved person of the improvements needed to address the complaint. A grievance form is available from the Coordinator for the convenience of the aggrieved person but is not required.
2. The Community Transportation Coordinator will have **10 working days from the date of receipt of the grievance** to respond in writing to the aggrieved person. The response will include the right to appeal to the Transportation Disadvantaged Coordinating Board Grievance Committee. The Community Transportation Coordinator shall submit a copy of the grievance and the response to the Transportation Disadvantaged Coordinating Board Grievance Committee **within 2 working days** after responding to the aggrieved person.
3. The aggrieved person, dissatisfied with the response from the Community Transportation Coordinator, has **5 working days of the received response** to request in writing a hearing with the Transportation Disadvantaged Coordinating Board Grievance Committee. The request is to be sent to the Apalachee Regional Planning Council, TD Program, 2507 Callaway Road, Suite 100, Tallahassee, Florida 32303.
4. The Transportation Disadvantaged Coordinating Board Grievance Committee has **10 working days from the date of receipt of the request** to hear the grievance and recommend to the Community Transportation Coordinator in writing any actions that may assist in dealing with the stated grievance. The Grievance Committee will report to the Transportation Disadvantaged Coordinating Board at the next regular meeting.
5. The aggrieved person, dissatisfied with the advice of the Grievance Committee, has **10 working days from the date of receipt of the response** to request in writing a hearing before the Transportation Disadvantaged Coordinating Board. The request is to be sent to the Apalachee Regional Planning Council, TD Program, 2507 Callaway Road, Suite 100, Tallahassee, Florida 32303.
6. The Transportation Disadvantaged Coordinating Board will hear the grievance **within 60 calendar days**, either at its next regular meeting or special called meeting as requested by the Grievance Committee Chairman, based on severity of the issue. The findings, explanations and recommendations of the Transportation Disadvantaged Coordinating Board will be in written form, recorded and transmitted to the aggrieved person and the Community Transportation Coordinator **within 10 working days following the hearing**. The determination of the Transportation Disadvantaged Coordinating Board is final.

7. The Community Transportation Coordinator will have **10 working days from receipt of the recommendations** to address in writing the Transportation Disadvantaged Coordinating Board's recommendations.
8. The Transportation Disadvantaged Coordinating Board will review the Community Transportation Coordinator's response to the recommendations at **the next meeting** of the Transportation Disadvantaged Coordinating Board. A record of the grievances, their status (i.e., resolved, unresolved) and the response to the Transportation Disadvantaged Coordinating Board's recommendations will be included in the Community Transportation Coordinator's annual evaluation. The grievance record will also be reviewed during the development of the Community Transportation Coordinator's service plan.
9. The aggrieved person, dissatisfied with the advice of the Transportation Disadvantaged Coordinating Board, can file a formal grievance with the Commission for the Transportation Disadvantaged. The aggrieved person may begin this process by contacting the Florida Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, Florida 32399-0450 or through the TD Helpline (1-800-983-2435), or by email (www.dot.state.fl.us/ctd). Upon request of the aggrieved person the Commission will provide the aggrieved person with an accessible copy of the Commission's Grievance Procedures.
10. If the Commission is unable to resolve the grievance, the aggrieved person will be referred to the Office of Administrative Appeals or other legal venues appropriate to the specific nature of the grievance.

Aggrieved person with proper standing may also have recourse through the Chapter 120, Florida Statutes administrative hearing process. Nothing in this process is intended to preclude the aggrieved person from pursuing legal action. Aggrieved persons may contact the Florida Commission for the Transportation Disadvantaged Ombudsman Hotline at 1-800-983-2435.

CONTACT INFORMATION

COMMUNITY TRANSPORTATION COORDINATOR

Big Bend Transit, Inc.
Shawn Mitchell, General Manager
Post Office Box 1721
Tallahassee, Florida 32302
Telephone (850) 229-6550
Facsimile (850) 229-1134
<http://www.bigbendtransit.org/>

TRANSPORTATION DISADVANTAGED COORDINATING BOARD and GRIEVANCE COMMITTEE

Austin Britt, TD Program Coordinator
Apalachee Regional Planning Council
2507 Callaway Road, Suite 100
Tallahassee, Florida 32303
Telephone (850) 312-1862
Facsimile (850) 488-1616
abritt@arpc.org

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

605 Suwannee Street, MS-49
Tallahassee, Florida 32399-0450
OMBUDSMAN HOTLINE: 1-800-983-2435
<https://ctd.fdot.gov/>

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Approved by the Franklin County Transportation Disadvantaged Coordinating Board on the 9th day of September 2026.



Chairperson