

# Americans with Disabilities Act

- Necessary Pieces of a Written Policy
  - Service Animals
  - Securements and Lifts
  - Approved Mobility Device
  - Paratransit Policy
  - No Show Policy
  - Reasonable Modification Policy

A service animal is any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability. In order to ride XYZ Transit:

- The animal must be on a leash or in a container, remain under control of the owner, and behave appropriately.
- Birds, reptiles, amphibians, rodents, and cats must be kept in an enclosed carrier/container.
- The animal must remain at your feet or on your lap. It may not sit on a vehicle seat.
- The animal must not be aggressive toward people or other animals. (49 CFR 37.167 (d))

Operators will use front and rear tie-downs to secure mobility devices. Operators will secure mobility devices at the strongest parts of the device; however, the passenger can indicate the most optimal tie-down spot.

Wheelchair means a mobility aid belonging to any class of three or more wheels, usable indoors, designed or modified for and use by individuals with mobility impairments, whether manually operated or powered

Reasonable Modification Policy

## What's new (actually nothing)?

XYZ Transit will make reasonable modifications/accommodations to their policies, practices, and procedures to ensure program accessibility except in cases in which cause a direct threat to the health or safety of others, would result in a fundamental alteration of the service, would not actually be necessary in order for the individual with a disability to access the entity's service, or (for recipients of Federal financial assistance) would result in an undue financial and administrative burden.

Reasonable Modification

## Harassment Policy

- Anti Harassment Policy
  - Covering all forms of harassment
  - Disciplinary Actions
  - The filling and investigation process
  - Clause to prevent retaliation

Template is available from your CL

A course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose" or "Words, gestures, and actions which tend to annoy, alarm and abuse (verbally) another person."

Disciplinary action, up to and including termination, may be taken against any employee engaging in this type of behavior. Disciplinary action may also be taken against any employee who in bad faith makes a false or dishonest claim of harassment or discrimination. Any supervisor or manager who has knowledge of such behavior yet fails to take appropriate action is also subject to discipline.

How a complaint will be filled, and investigated: any employee who believes he or she is being discriminated against or harassed based on any of the grounds stated above should report it immediately to his or her direct supervisor or to the Human Resources Department. The company will investigate the complaint, make a written determination of its conclusion and, when appropriate, prepare a plan of action to correct the problem and prevent its reoccurrence. The company shall inform the complaining employee of its determination.

Non retaliation policy

## EEO and Title VI

- Equal Employment Opportunity (EEO)
  - Receive \$1 million or more in capital or operating assistance **or** \$250,000 or more in planning assistance
  - Employ 50 or more transit-related employees
- Title VI
  - How do you notify public of their rights?
  - Written process to investigate/track complaints
  - What steps do you take to ensure access to those with Limited English Proficiency?
  - Development of 4 factor analysis

1. To determine the number of LEP persons eligible to be served or likely to be encountered by projects and programs
2. To determine the frequency at which LEP individuals may come in contact projects and programs
3. To emphasize the nature and importance projects and programs or services to the lives of LEP population in their areas
4. To inform and educate LEP population of the resources available to them through MDOT programs and projects

## Disadvantaged Business Enterprise (DBE)

- Plan required
  - Award contracts with a combined total of \$250,000 in a calendar year using FTA funding
  - You may either adopt WSDOT's plan or establish your own
    - Establish goal
    - Report to FTE semi-annually and to WSDOT quarterly
- Good faith effort
  - [omwbe.wa.gov](http://omwbe.wa.gov)
  - Encourage DBE vendors in advertisement
  - Document all efforts
    - Report to WSDOT quarterly