

ADA Complaint Procedures

Procedures

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination and ensures equal opportunity and access for persons with disabilities. Eureka Springs Transit System (ESTS) works to ensure nondiscriminatory transportation is available to all passengers.

ADA complaints are considered any complaints pertaining to ADA issues. Some examples would be: excessive telephone wait times, travel times, missed trips, trip denials, wheelchair, or mobility securement constraint issues, or Operator/Staff behavior as it relates to the ADA act of 1990.

Customer complaints are reviewed by the ADA Eligibility Coordinator and/or the Operations Manager. Any complaints that may be a violation of the ADA, will be directed to our Director of Transit.

All ADA complaints will be responded to within 7 business days, however total investigation time may take longer than 7 days, depending on complexity of the complaint.

Filing a Complaint

An ADA passenger wishing to file a complaint regarding an ADA trip, reservation experience, or other aspect of the ADA/paratransit service, may contact the Customer Service Department:

- Online at [Contact Us/Eureka Springs Transit http://www.eurekatrolley.org/contact_us.htm](http://www.eurekatrolley.org/contact_us.htm)
[Complaint Form Click here.](#)
- Call the Transit Office, 479-253-9572, Monday thru Friday, 8:30 a.m. – 4:30 p.m., Saturday 8:30 a.m. - 4:00 p.m.
- Telecommunication Relay Services (TRS) - 7-1-1 or 1-800-285-1131
<https://arkansasrelay.com/relay-service/text-telephone/>
- In Person by visiting our customer service office at: Eureka Springs Transit Center, 137 W Van Buren, Eureka Springs, AR 72632
- By writing: Eureka Springs Transit System, ADA Coordinator, 137 W Van Buren, Eureka Springs, AR 72632

When submitting a complaint in writing, the preferred method is to use the online Complaint Form (noted above). If you as the complainant would like to submit a complaint in writing but are unable to write a complaint, a representative at the Customer Service Department will assist you with the complaint. ESTS is committed to providing open access to its services to persons with limited ability to speak or understand English; if requested by the complainant, ESTS's ADA Eligibility Coordinator will provide language translation services.

Complaints may also be filed with external entities such as the Federal Transit Administration, the Equal Employment Opportunity Commission, or the Department of Fair Employment and Housing. Should a complaint be filed with our Customer Service Department and an external entity simultaneously, the

external complaint shall supersede the complaint to Customer Service. However, our Customer Service Department will continue its own investigation of the complaint and make the findings available. Alleged ADA compliance violations should be reported as soon as possible following the incident; ADA passengers should not delay when wishing to file a complaint. Details such as the day of the week, date, and time of all incidents should be included. Any additional relevant information available to provide to the Customer Service Representative will be helpful.

A complaint must be filed not later than 180 days (Title II §35.170) from the date the complainant becomes aware of the alleged violation, unless the time for filing is extended by ESTS for good cause shown.

Investigations

All ADA complaints will be investigated promptly upon receipt by a designated employee in the Operations Department. It is important that general service complaints will be distinguished from those that rise to the level of potential noncompliance, and complaints of discrimination will be fully investigated. Complaint investigations will include communications with parties involved (i.e. the complainant as well as pertinent operations staff) and any video surveillance or audio recordings. If necessary or requested, the ADA Eligibility Coordinator and/or Operations Manager will set up a meeting with the complainant to review all pertinent information. Results of the meeting will be documented, and a resolution may be agreed upon at that time.

Resolution

Following the investigation, a representative from the Operations Department will promptly communicate its response to the complaint allegations, including its reasons for the response to the Director of Transit. A resolution will occur when the Director of Transit has determined that the cause of the complaint is understood, that the appropriate department(s) have taken action to ensure that measures are in place to prevent the problem from recurring. All complaints of noncompliance received will be documented and kept on file for one (1) year. A record of all complaints will be kept for five (5) years.

Accessible Format

If an ADA passenger who wishes to file a complaint requires a copy of this Complaint Resolution Procedure in an alternate format or in a language other than English, please call 479-253-9572

Español:

Si un pasajero ADA que desea presentar una queja requiere una copia de este Procedimiento de resolución de quejas en un formato alternativo o en un idioma que no sea inglés, llame al 1-479-253-9572.

Filipino-Tagalog:

Kung ang isang pasahero ng ADA na gustong magsampa ng reklamo ay nangangailangan ng kopya nitong Pamamaraan sa Pagresolba ng Reklamo sa isang alternatibong format o sa isang wika maliban sa Ingles, mangyaring tumawag 1-479-253-9572.

Eureka Springs Transit local ADA Complaint Procedure is consistent with the revised Department of Transportation (DOT) ADA requirements in 49 CFR 37.17.