

McCormick County Senior Center's
(ADA) AMERICAN WITH DISABILITIES ACT POLICY

The ADA is an extensive civil rights law designed to remove barriers that prevent individuals with disabilities from enjoying the same opportunities that are available to persons without disabilities.

A substantial part of the ADA covers transportation provided by public entities. In general, the law prohibits public entities from denying individuals with disabilities the opportunity to use transportation services, if the individuals can use the system. It also prohibits public entities from providing services that discriminate against persons with disabilities.

The ADA requires drivers to assist and to be courteous to passengers with disabilities. All drivers must:

- Allow adequate time for passengers with disabilities to board and alight the vehicle.
- Permit passengers with disabilities, including standees, to use the lift.
- Secure mobility devices using the available securement system. If the passenger's mobility device cannot be secured, explain to the passenger that he or she is not secured. Risks are associated with transporting a passenger using a non WC-19 or WC-20 Wheelchair.
- Permit passengers with disabilities to travel with respirators or a portable oxygen supply.
- Permit all service animals to accompany passengers with disabilities on agency vehicles.

**Mat Trans Service ADA Discrimination
Complaint Process**

Mat Trans has established a process for resolving complaints of discrimination based on disability. Any person who believes he or she has been subjected to discrimination on the basis of disability may file a complaint under this procedure. The MCSC Transit Manager or his/her designee shall be responsible for overseeing investigations and responses to complaints of discrimination based on disability.

How to File a Complaint: Please complete an ADA Discrimination Complaint Form. ADA Complaint Forms and the ADA Complaint Procedure is available electronically on McCormick County Senior Center's website, or hardcopies of all material is available at the offices of:

McCormick County Senior Center
Re: Mat Trans
PO Box 684
1421 South Main Street
McCormick, SC 29835

RE: Josh Bentley, Associate Director
864-465-2626
Joshbentley@mcsc-mat.org

Or
www.mcsc-mat.org

Or File directly with FTA:

Director, FTA Office of Civil Rights
East Building, 5th Floor – TCR 1200
New Jersey Ave., SE Washington, DC 20590

Complaints can be filed orally or in writing and should contain:

1. The name, address and telephone number of the individual or representative filing the complaint; complaints filed on behalf of third parties must describe or identify the alleged victims of the discrimination,
2. An explanation of the alleged discrimination or denial of service,
3. The date the alleged violation(s) occurred,
4. Signature of the person filing a written complaint.

Complaints may be submitted by mail, email, left at the front desk, or given over the telephone to a transit representative. If an ADA Discrimination Complaint is given over the telephone, it is important to be very detailed and speak clearly. Once all the information is provided orally for the complaint form, a MCSC staff member-completed complaint form will be returned to the caller to insure the accuracy of the caller's complaint and gain a signature from the complainant. Please be aware this added step may create a delay in submission of the finalized complaint form.

Upon Receipt of an ADA Discrimination Complaint:

Within ten (10) business days MCSC will confirm the receipt of a written ADA Discrimination Complaint and let the complainant know the matter is being investigated. The MCSC Transit Manager will investigate the complaint and respond in writing within sixty (60) business days from receipt of the complaint. The response will set out a process for the resolution of the complaint. If the decision is no further action will be taken, the written response will state the reasons for such a decision.

All individual ADA Discrimination complaints will be retained on file for at least one year and MCSC will maintain a summary of all complaints received for no less than five (5) years. Please note that a transit Contractor's personnel files are confidential; therefore, specific information on disciplinary actions resulting from a complaint will not be divulged.

How to Appeal: The complainant can appeal the decision in instances where he or she is dissatisfied with the resolution. Appeals must be submitted to MCSC in writing within sixty (60) days of receipt of the resolution letter. All appeal requests will be date-stamped to record the date the letter was received by MCSC.

An appeal hearing will be conducted within thirty (30) days of receipt of the applicant's written request. Applicants will be notified no later than 15 days after receipt of their original appeal request letter with the scheduled time and location for the appeal hearing. The appeal processes must allow for complainants to present their case in person and have necessary support for their appeal.

Personnel other than the person who made the initial complaint decision must conduct the appeal process. An example is two or more of the following representatives may serve on the appeals panel: MCSC Executive Director, or his/her assigned representative, MCSC Human Services Dept. Director, or his/her assigned representative, Transportation Service Contractor

representative. The appeals panel decision will be mailed to the complainant by letter within 30 days of the hearing. All appeal panel decisions will be final.

Request for appeals should be directed to:

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Joshbentley@mcsc-mat.org

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The ADA Discrimination Process and Complaint Form can be available in an accessible format, upon request.