

## Vermont Agency of Transportation ADA Complaint Procedure

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of disability, may file a complaint with the Vermont Agency of Transportation's Office of Civil Rights & Labor Compliance.

All complaints related to disability discrimination should be submitted online through our website: <https://vtrans.vermont.gov/civil-rights/compliance/ada/complaint-procedure>, through the mail, via email, or by telephone to Sue Hackney, ADA Coordinator:

Sue Hackney, ADA Coordinator  
VTrans Office of Civil Rights and Labor Compliance  
219 North Main Street  
Barre, VT 05641

Email: [susan.hackney@vermont.gov](mailto:susan.hackney@vermont.gov)  
Phone: 802.249.9291

Written complaints must be signed by the complainant. (Complaints submitted online through our website require an electronic signature.) Complaints submitted by telephone or e-mail or unsigned written complaints must be followed by a complaint in writing, signed by the complainant or his/her representative within 10 business days of the initial verbal/electronic/unsigned complaint. If the complainant requires assistance to submit a written document, a member of the VTrans Office of Civil Rights will interview the complainant and assist the person in converting verbal complaints to writing. This document must be signed by the complainant or his/her representative. Federal and State laws require that the complaint be filed within 180 days of the alleged incident of discrimination.

Once the complaint has been submitted in writing, VTrans will pursue the following steps in addressing the complaint:

1. The VTrans ADA Coordinator will initiate a Complaint Form.
2. Essential information on the form includes the following:
  - a. Date of the incident that is the subject of the complaint;
  - b. Time of the incident;
  - c. Location of the incident; and
  - d. Circumstances of the incident in as much detail as is available, including a description of the issues and the names and contact information of those individuals perceived as parties in the complaint.
3. The completed form, along with the initial complaint letter and a summary of any other communication, will be submitted to the VTrans Chief of Civil Rights for review. The Chief of Civil Rights will determine the jurisdiction and acceptability of the complaint and any need for additional information. After any additional information is procured, the Chief of Civil Rights will determine whether to accept or reject the complaint.
4. The complainant will be provided with a written notification that VTrans has either accepted or rejected the complaint.

5. A complaint may be rejected for the following reasons:
  - a. More than 180 days passed between the alleged incident and the filing of the initial complaint.
  - b. The allegation does not involve a disability.
  - c. The allegation does not involve VTrans or one of its subrecipients of federal funds.
  - d. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
  - e. The complainant cannot be located after reasonable attempts.
6. An accepted complaint will be assigned a case number and be logged on the VTrans ADA Complaint Log maintained by the VTrans Office of Civil Rights, identifying the complainant's name, date of the incident, and information about the alleged incident.
7. The VTrans ADA Coordinator, assisted by other members of the Office of Civil Rights who are trained in compliance investigations, will initiate an investigation of the complaint and complete a report within 90 days of the acceptance of the complaint. The report shall include a narrative description of the incident, identification of the persons interviewed, findings, and recommendations for disposition.
8. The report will be reviewed by the Chief of the VTrans Office of Civil Rights and referred to the Legal Section of VTrans, if deemed appropriate. The Chief will accept or reject the recommendation for disposition, in consultation with the Legal Officer, and if the individuals involved are found to be in noncompliance with ADA requirements, remedial actions will be determined.
9. The results of the investigation and the Chief's determination will be mailed to the complainant. Notice shall include information regarding appeal rights of the complainant and instructions for initiating such an appeal. Notice of appeals are as follows:
  - a. VTrans will reconsider the determination if new facts come to light.
  - b. If the complainant is dissatisfied with the determination and/or resolution set forth by VTrans, the same complaint may be submitted to the appropriate Federal agency listed below:

Federal Transit Administration (FTA)  
Office of Civil Rights  
1200 New Jersey, S.E. 5<sup>th</sup> Floor  
TRC East Building  
Washington, DC 20590  
Phone: 202.366.4043

Federal Highway Administration (FHWA)  
Vermont Division  
87 State Street, Suite 216  
Montpelier, VT 05602  
802.828.4423

10. A copy of the complaint and VTrans' investigation report, letter of finding, and remedial action plan will be submitted to FTA or FHWA within 120 days of the initial receipt of the complaint.