

GRIEVANCE PROCEDURE
BREVARD COUNTY
LOCAL COORDINATING BOARD
FOR THE
TRANSPORTATION DISADVANTAGED

2010

**GRIEVANCE PROCEDURE OF THE
BREVARD COUNTY
LOCAL COORDINATING BOARD FOR THE TRANSPORTATION DISADVANTAGED**

ARTICLE I: PREAMBLE

Section 1. Preamble: The following sets forth the grievance procedures, which shall serve to guide the Brevard County Local Coordinating Board for the Transportation Disadvantaged, serving to assist the Community Transportation Coordinator. The intent is to provide procedures and policies for fulfilling the requirements of Chapter 427, Florida Statutes, and Rule 41-2.012 of the Florida Administrative Code (FAC), setting forth requirements for the establishment of grievance procedures and Grievance Subcommittee procedures to resolve grievances or complaints from agencies, users, potential users, subcontractors, and other interested parties. While the intent of this Subcommittee will be to resolve service issues, this procedure shall incorporate a multi-layered approach to problem resolution. The first notice of a grievance should go directly to the contracted Transportation Disadvantaged Provider. If the Transportation Disadvantaged Provider is unable to resolve the problem, the Community Transportation Coordinator and Grievance Subcommittee are given an opportunity to review.

ARTICLE II: GRIEVANCE SUBCOMMITTEE NAME AND PURPOSE

Section 1. Name: The name of the subcommittee to resolve grievances or complaints for the Brevard County Local Coordinating Board for the Transportation Disadvantaged shall be the GRIEVANCE SUBCOMMITTEE.

Section 2. Purpose: The primary purpose of the Grievance Sub-Committee is to process, investigate, resolve complaints, and make recommendation to the Local Coordinating Board for improvements of service from agencies, users, or potential users of the system in Brevard County. The Local Coordinating Board shall establish procedures to provide regular opportunities for issues to be brought before the Grievance Subcommittee, which shall meet as often as necessary to resolve complaints in a timely manner.

ARTICLE III: DEFINITION OF GRIEVANCE

Section 1. Definition: For the purpose of the Local Coordinating Board and the Grievance Subcommittee, a grievance is defined as:

“a circumstance or condition thought to be unjust, and ground for complaint or resentment.”

ARTICLE IV: GRIEVANCE PROCEDURES

Section 1. General: The following procedures are established to provide regular opportunities for grievances to be brought before the Grievance Subcommittee.

Section 2. Filing a Grievance: It is assumed that a Complainant would direct any initial concern to the Transportation Disadvantaged Operator before initiating the Grievance Procedure. Should an interested party wish to file a grievance in order to receive improved service from the Transportation Disadvantaged Program, that grievance must be filed in writing to the Brevard County Community Transportation Coordinator (CTC). The Complainant should try to demonstrate or establish a clear violation of a specific law, regulation, or contractual arrangement. Complainants may use the grievance form and mail to: Transit Director, Space Coast Area Transit, 401 S. Varr. Ave., Cocoa, Florida 32922.

- A. The Complainant shall complete the Grievance form. The Complainant may request assistance in completing the form from the Community Transportation Coordinator. The form is only the vehicle for following procedure and should not prevent the Complainant from following through with necessary action.
- B. The Community Transportation Coordinator (CTC) shall forward all the initial complaints for review by the Transportation Disadvantaged Provider. The Provider must respond in writing no later than seven (7) working days from the date the grievance is received.
- C. The Complainant can forward issues for review and consideration to the Grievance Subcommittee by completing the form and returning the form to the Community Transportation Coordinator (CTC). The CTC will schedule the Grievance Committee to review the issue & notify the Complainant of the meeting date, time, and location.
- D. The Grievance Subcommittee shall endeavor to resolve a grievance. The Grievance Subcommittee shall issue its decision in a report.

Section 3. Appeal to the Local Coordinating Board: The decision of the Grievance Subcommittee may be appealed in writing to the Local Coordinating Board within five (5) working days from the date when the complainant receives written notice from the Grievance Subcommittee makes its decision.

Once an appeal has been received, the Local Coordinating Board shall meet and render its decision at its next meeting. The complainant shall be notified in writing of the date, time, and place of the Local Coordinating Board meeting where the appeal shall be heard. This written notice shall be mailed at least ten (10) days in advance of the meeting. A written copy of the decision made by the Coordinating Board shall be mailed to all parties involved within ten (10) days of the date of the decision.

Section 4. Appeal to the State Transportation Disadvantaged Commission Ombudsman Program: Should the complainant remain dissatisfied with the decision of the Brevard County Local Coordinating Board, an appeal may be made in writing to the Transportation Disadvantaged Commission. The appeal shall be addressed to:

Ombudsman Program
Florida Transportation Disadvantaged Commission
605 Suwannee Street, MS-49
Tallahassee, FL 32399-0450 or call 1-800-983-2435, 1-800-648-608 (TDD Line)

ARTICLE V: GRIEVANCE SUBCOMMITTEE PROCEDURES

Section 1. Discussion Schedule: After receipt of the appealed grievance, the Transit Director shall schedule a discussion of the grievance at the next Grievance Subcommittee meeting.

Section 2. Notification: The Space Coast Area Transit Staff shall send notice of the scheduled discussion in writing to the complainant and other interested parties. The notices shall clearly state:

1. date, time, and location of the meeting;
2. purpose of the discussion and statement of issues involved.

Section 3. Written Decision: Written decisions shall include the following information:

1. an opinion and reasons for the decision based on information presented; and,
2. a recommendation by the Grievance Subcommittee based on their investigation and findings.

ARTICLE VI: SCHEDULED MEETINGS

Section 1. General: When a meeting of the Grievance Subcommittee is necessary, staff to the Local Coordinating Board shall schedule a meeting for the

Grievance Subcommittee to hear appealed grievances. Grievance Subcommittee meetings shall, if possible, meet on the third Monday of the month.

ARTICLE VII: AMENDMENTS

Section 1. General: The Coordinating Board Grievance Procedures may be amended by a simple majority of members present, if a quorum exists, providing the proposed change(s) is/are mailed to all members at least seven (7) days in advance of the meeting.

Section 2. Quorum: At all meetings of the Coordinating Board, the presence in person of a majority of the voting members shall be necessary and sufficient to constitute a quorum for the transaction of business.

ARTICLE VIII: CERTIFICATION

The undersigned hereby certifies that he/she is the Chairperson of the Brevard County Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true, and correct copy of the Grievance Procedures of this Coordinating Board as adopted by the Brevard County Local Coordinating Board for the Transportation Disadvantaged this 13th Day of December, 2010.



**Mayor Rocky Randels, Chairman
Brevard County Local Coordinating Board**