



Section 5310 Civil Rights ADA

**Subrecipient Training *Optional
March 7, 2024**



Training Objectives

- **Who We Are**
- **What We Do**
- **Title II ADA Overview**
- **ADA Compliance**



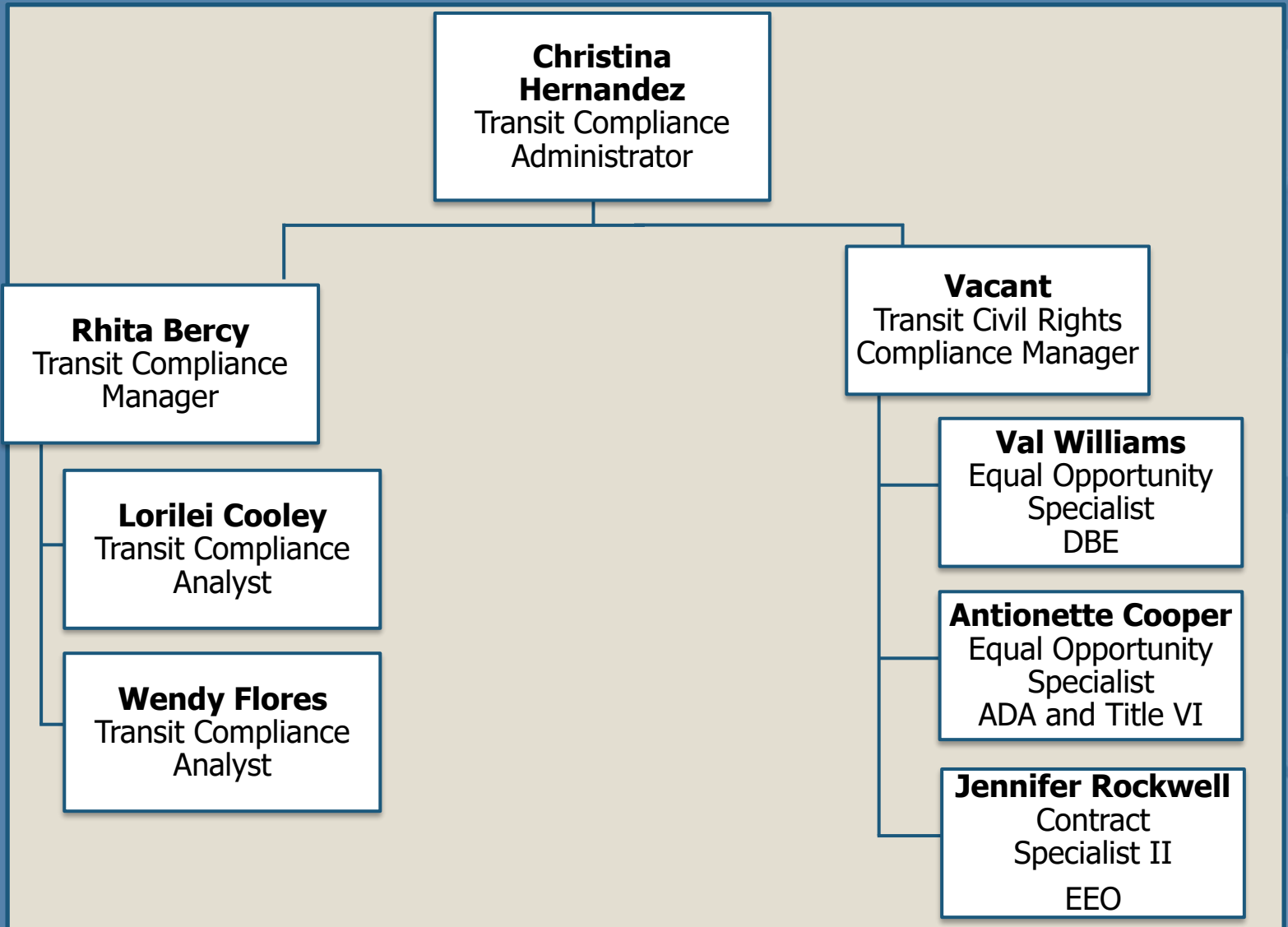
Who We Are – Designated Recipient (DR)

The City of Phoenix Public Transit Department is the designated recipient and pass-through entity of the Phoenix Urbanized Area Federal Transit Administration (FTA) funding grants.

The FTA requires the designated recipient to monitor subrecipients to ensure compliance with applicable federal requirements.



Federal Compliance Team





Additional Team Members

Grants Team

- Wendy Miller
- Stephanie Rangel
- Vivian Ybanez

Operations Team

- Joel Walters
- Carl Amelung
- Raul Aguilar
- Miguel Garcia
- Ernesto Romero
- Gustavo Rubalcava



What We Do...

As the FTA Designated Recipient (DR) of transportation funds, we're tasked with monitoring subrecipients post grant award activities in the form of program compliance.

- **Title II ADA**
- Title VI
- Equal Employment Opportunity (EEO)
- Disadvantaged Business Enterprise (DBE)



What is ADA?

Title II Americans with Disability Act – ADA

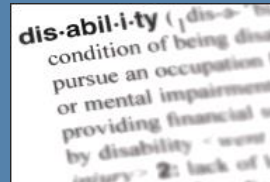
ADA prohibits discrimination and protects mobility challenged persons in all programs, activities, and services we provide.

Subrecipient ADA Resources:

- ADA.gov
- FTA C 4710.1
- City of Phoenix Public Transit
www.phoenix.gov/publictransit/subrecipient-resources



What is ADA?



- A physical or mental impairment that substantially limits a major life activity
- A record of such an impairment
- Being regarded as having such an impairment
- **“Mobility challenged”** is better terminology





ADA Compliance

Ensure agency is ADA-compliant by reviewing:

- **Policies and Procedures**
- **Subrecipient Website**
- **Training staff to proficiency**
- **Accessibility (Physical and non-Physical)**



ADA Policies & Procedures

- Regularly review your agencies policies and procedures to ensure they align with federal ADA requirements and promote inclusivity.
- Review the vehicle maintenance operations plan and update regularly
 - *Ensure accessible features are properly serviced and maintained
- Process in place to resolve disability-related complaints



ADA Website Compliance

Subrecipients must have the following forms available in English & Spanish on their website.

- **Notices to the Public**
- **Complaint Procedures**
- **Complaint Forms**

ADA Public Notice

ADA Notice to the Public

Notifying the Public of Rights Under ADA **TYPE YOUR AGENCY/TRANSIT PROVIDER NAME HERE**

The TYPE YOUR AGENCY/TRANSIT PROVIDER NAME HERE operates its programs and services without regard to disability in accordance with the Americans with Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1973. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under ADA may file a complaint with the TYPE YOUR AGENCY/TRANSIT PROVIDER NAME HERE.

For more information on the TYPE YOUR AGENCY/TRANSIT PROVIDER NAME HERE's civil rights program, and the procedures to file a complaint, contact TYPE ADA CONTACT PERSON TYPE CONTACT PERSON PHONE NUMBER HERE, (TTY TYPE YOUR TTY NUMBER HERE); email TYPE ADA PERSONS EMAIL HERE; or visit our administrative office at TYPE YOUR ADDRESS HERE. For more information, visit TYPE YOUR WEB ADDRESS HERE.

A complainant may file a complaint directly with the City of Phoenix Public Transit Department or the Federal Transit Administration (FTA) by filing a complaint directly with the corresponding offices of Civil Rights: **City of Phoenix Public Transit Department:** ATTN: ADA Coordinator, 302 N. 1st Ave., Suite 900, Phoenix AZ 85003 **FTA:** ATTN: Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590

If information is needed in another language, contact TYPE ALTERNATE LANGUAGE PHONE NUMBER HERE. Para información en Español llame: TYPE NAME AND CONTACT INFORMATION HERE

MAKE SURE THE SENTENCE ABOVE IS ALSO PROVIDED IN ANY LANGUAGE(S) SPOKEN BY LEP POPULATIONS THAT MEET THE SAFE HARBOR THRESHOLD

ADA Complaint Procedures

ADA-Related Service Complaint Process

Type your Agency Name Here welcomes comments, compliments, and complaints from customers on their experiences using **Type your Agency Name Here** services. Customer input helps us identify areas needing improvement, and commendations are always appreciated.

All customer complaints are carefully reviewed, and those submitted by customers who experience accessibility or ADA-related problems are additionally reviewed for adherence to **Type your Agency Name Here** policies by the **Type Agency Person Responsible for ADA**.

To file an ADA-related service complaint, customers may contact **Type your Agency Name Here** using any of the following methods:

- **Via Mail to:**
Type your Agency Name Here
c/o **Type your Agency Name Here**
Type your Address Here
- **Via Phone**
Type your Phone Number Here or
Type your TTY Number Here
- **Via OCTA Website**
Type your Web Address Here
- **Via Email**
Type your Email Address Here

Type your Agency Name Here will investigate the complaint and promptly communicate a response to the customer with 10 business days.

All submittal methods will result in the Customer Relations department receiving the complaint information and entering it into the customer comment data base, which documents every complaint received and all related follow-up activities. Customers with an ADA-related complaint will receive a complaint confirmation/tracking reference number, usually within the same day but no later than ten (10) business days from the day **Type your Agency Name Here** receives the complaint. If the customer does not receive a response within the ten (10) day timeframe, he or she can call the **Type Agency Person Responsible for Customer Relations** Department **Type your Phone Number Here** to obtain the confirmation/tracking reference number.

Responsible **Type your Agency Name Here** operating divisions or administrative departments investigate all complaints and implement any corrective actions to be taken. Complaints involving ADA or accessibility elements receive an additional review by **Type Agency Person Responsible for ADA** after the investigation has been completed. After the ADA Compliance oversight review has been completed, Customer Relations will provide a written reply to the customer, to the contact address provided.

within ninety (90) days of receiving the complaint. All complaints are investigated within a few weeks, but some may require more extensive investigation, or require more time to identify corrective measures. In any case, a written reply will be provided to the customer within ninety (90) days.

Whether our customers are submitting complaints about service problems or sharing a great experience, we welcome the opportunity to be of service.

ADA Complaint Form Sample

AGENCY NAME

Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 Discrimination Complaint Form

Instructions: If you believe **Type your Agency Here** has engaged in discrimination against one or more persons based on medical condition or disability, please fill out this form completely, sign, and return to the address on the next page.

Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request. Call (XXX) **Type Agency Phone Number Here** for assistance or TTY at **Type Number Here**.

Name of Complainant: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Business Phone: _____

Person Discriminated Against:
(if other than the complainant) _____

Address: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Business Phone: _____

What date did the discrimination occur? _____

Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated (use additional space on the next page if necessary):

Has a complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court? Yes No

If yes, Agency or Court: _____

Contact Person: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____

Date Filed: _____

Additional space for answers:

Signature: _____ Date: _____

Please Return Form to:

ADA Coordinator

**Type Agency Name
Here
Type Agency
Address Here**

Or by email at Type **Agency email address**

Phone: (XXX)

Fax: (XXX)

TTY: (XXX)



ADA Training Compliance

- **Train employees on ADA requirements and ensure they understand how to accommodate customers or colleagues that are mobility challenged**
- **Do subrecipients have a driver training program**
- **Ensuring staff that operate mobility devices are regularly trained to proficiency**



ADA Training Compliance

Do you know the federal requirement?

- **Ensuring lifts are in operating condition (37.163(b))**
- **Ensuring lifts and securements are correctly used (Section 37.165f)**
- **Does the subrecipient allow service animals, is there a written policy? (49 CFR 37.3)**
- **Does the subrecipient allow the use of respirators, or portable oxygen, is there a written policy? (49 CFR 37.16(h))**



ADA Physical Accessibility

- **Ensure your physical premises are accessible to individuals with mobility challenges**
- **This may involve accessible ramps, restrooms, and other accommodations**
- **Ensure vehicles have operating accessible features (ramps, lifts, etc.)**



ADA Accessible Communication

- **Provide alternative communication methods for individuals that are hearing, or vision challenged**
- **This may include braille materials, sign language interpreters, or accessible digital communication**
- **Ensure the subrecipient website is accessible, following the Web Content Accessibility Guidelines (WCAG)**



ADA Recommendations

- **Subrecipients work with mobility challenged persons from day-to-day**
- **Your suggestions may improve transit services**



Questions?

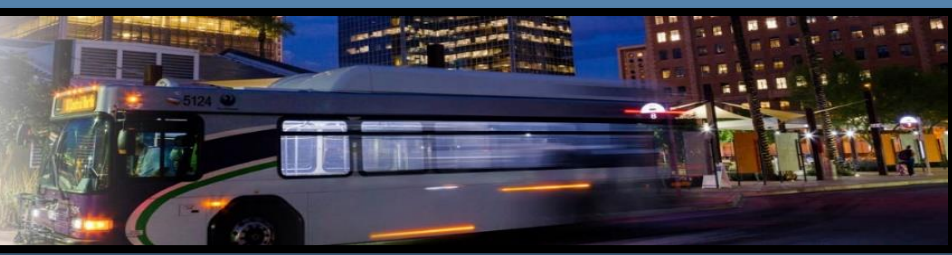
Civil Rights ADA & Title VI technical assistance:
phxtransiteo@phoenix.gov

Compliance Review questions:
ptdcompliance@phoenix.gov

Grant Awards, MPR's, vehicle records:
section5310@phoenix.gov



City of Phoenix
PUBLIC TRANSIT DEPARTMENT



Transit Compliance Contacts

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