TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD FOR HERNANDO COUNTY, FLORIDA

COMPLAINT AND GRIEVANCE PROCESS

Effective: February 13, 2025

Community Transportation Coordinator (CTC):
Mid Florida Community Services, Inc. DBA You Thrive Florida
1122 Ponce De Leon Boulevard
Brooksville, Florida 34601
352-799-1510
https://www.mfcs.us.com/

Hernando/Citrus Metropolitan Planning Organization
789 Providence Boulevard
Brooksville, Florida 34601
352-754-4082
https://www.hernandocounty.us/departments/departments-f-m/metropolitan-planning-organization

In partnership with the Florida Commission for the Transportation Disadvantaged
605 Suwannee Street, MS-49
Tallahassee, FL 32399
1-800-383-2435

HERNANDO COUNTY TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD

The Hernando County Transportation Disadvantaged Local Coordinating Board (TDLCB) has reviewed and approved this Grievance Process which is included and a part of the Transportation Disadvantaged Service Plan.

Adopted in regular session the 13th day of February 2025.

_____ Dated: 2-13-25

~~John Allocco, Chair~~
Hernando County Local Coordinating Board

Gretchen Samter, Co-Chair

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY Victoria Anderson
MPO Attorney

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HERNANDO COUNTY TRANSPORTATION DISADVANTAGED - LOCAL COMPLAINT AND GRIEVANCE PROCESS

The Grievance Procedures differentiate between "hearing a grievance" and "hearing and determining a grievance." There is no bar to a person or entity hearing a grievance. An entity may investigate a grievance if it does not impose requirements on third parties that are not supported by statute or contractual agreement. The Transportation Disadvantaged Local Coordinating Board (TDLCB) is not granted determinative or adjudicative powers through the legislature; however, the TDLCB does retain certain powers of influence through its contractual relationship with the Community Transportation Coordinator (CTC), and thereby can be an effective arbiter in the resolution of complaints. System riders and providers are strongly encouraged to utilize the CTC's Grievance Process first as the CTC should be able to resolve most grievances.

DEFINITIONS

"Agency" as defined in Rule 41-2.002(1) Florida Administrative Code (F.A.C.), means an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or any other unit or entity of the state or of a city, town, municipality, county, or other local governing body or a private nonprofit entity providing transportation services as all or part of its charter. For purposes of these procedures, the definition of "agency" also includes a private-for-profit provider of transportation services.

"Complaint" means an issue brought to the attention of the CTC either verbally or in writing by a system user/advocate, agency and/or community service provider/subcontractor which addresses an issue, or several issues concerning transportation services of the CTC or operators used by the CTC.

Adverse service incidents may occur during service provided to Transportation Disadvantaged users including those Persons with Disabilities, and are reported to the driver, dispatcher or others involved in the daily operation of the system. An adverse service incident may include but not be limited to: late pick-ups; no-show by transit operator; client or driver behavior; passenger discomfort; or denial of service.

"Grievance" means a circumstance or condition thought to be unjust and grounds for bitterness or resentment due to lack of clear resolution by the CTC through the notice of complaint procedure or due to the seriousness of the grievance. Grievances may include but are not limited to recurring or unresolved complaints; violations of specific laws governing the provision of Transportation Disadvantaged (TD) services, i.e., Chapter 427, Florida Statutes (F.S.), Rule 41-2 Florida Administrative Code (F.A.C.), Sunshine Law and Americans with Disabilities Act (ADA); contract disputes (agencies/operators); conflicts of interest; billing and/or accounting procedures.

"Parties" means the complainant and all persons and entities other than the complainant named or referred to in a grievance.

ADVERSE SERVICE INCIDENTS/COMPLAINTS

An Adverse Service Incident shall be reported on an Adverse Incident Form available from the bus operator, from the Transportation Disadvantaged Services office, or via the website at www.youthrivefl.org and submitted within three-to-five business days of the occurrence to the

YouThriveFL office at 820 Kennedy Boulevard, Brooksville, Florida 34601. Any adverse service complaint submitted at any time will be processed. An investigation by the Adverse Incident Manager (Paratransit Director Supervisor, or Designee) will commence within 48 hours of the receipt of the written complaint form.

The Paratransit Director, Supervisor, or Designee shall be responsible for investigating reports of adverse incidents, documenting the investigation, reviewing the investigation, and closing the investigation. It will include the review of any available video, recordings, or photographs to establish facts surrounding a reported adverse incident and may call upon any eyewitnesses. Identification of any causal and contributing factors that led to the adverse incident will be included in the investigation report. The CTC will implement necessary written internal procedures to process, monitor, and resolve service/adverse service complaints including training and expectations of personnel.

The Paratransit Director, Supervisor, or Designee will properly document actions taken by the provider's personnel involved in the adverse incident including corrective action timelines if applicable. A unique tracking number shall be assigned to each written incident and a tracking log of each submitted Adverse Incident/Complaint shall be kept by the agency. Open investigations will be monitored every two weeks to allow for resolution and closure.

For adverse incidents that involve Persons with Disabilities, the Commission for Transportation Disadvantaged's form "Adverse Incident Report Form Related to a Paratransit Service Provided to a Person with Disabilities" as attached must completed by the Paratransit Director, Supervisor, or Designee and reported on the last day of the month following the end of a quarter. Reports should be emailed to: FLCTDAdverseIncidentReport@dot.state.fl.us.

Additional service information may be found in the Hernando County Transportation Disadvantaged Local Coordinating Board's Transportation Disadvantaged Service Plan (TDSP).

GRIEVANCE COMMITTEE

The Grievance Committee shall be composed of three regular voting members, and at least one alternate voting member, all being current members of the Coordinating Board. The Coordinating Board shall appoint the Grievance Committee during its annual organizational meeting and shall elect a Grievance Committee Chair and Vice Chair. Members appointed shall serve until the next organizational meeting. If a Grievance Committee member has a personal interest in a grievance, he or she shall not participate in the Grievance Committee's consideration of that grievance. No member of the Local Coordinating Board may appear before the Grievance Committee in a representative capacity.

PROCEDURES

Filing a Grievance with the Grievance Committee

A grievance must be presented in writing and include the following:

1. The complainant's name, address, and telephone number.
2. The name of a contact person if the complainant is an agency.
3. A concise but complete statement of the grievance (and relief sought) which is signed, dated, and supplemented by supporting documentation, as appropriate.

4. A copy of the Adverse Incident Form and all documents considered and produced in connection with the complainant's utilization of the CTC's complaint and grievance process, if applicable.
5. Phone calls will not be an acceptable means of conveying a grievance. Calls may be directed to the CTC to register complaints (not grievances) during normal business hours.
6. The grievance should identify any statutes, rules or contractual obligations alleged to have been violated, if applicable. Grievances should be mailed to:

Coordinating Board Grievance Committee
Hernando County Transportation Disadvantaged Program
c/o Hernando/Citrus MPO
789 Providence Boulevard
Brooksville, FL 34601

Copies of the state statutes and rules governing transportation disadvantaged programs can be obtained from the Hernando/Citrus Metropolitan Planning Organization (MPO). Forms will be available at the following locations:

1. You Thrive Florida vehicles and offices
2. Hernando/Citrus MPO

CONSIDERATION OF A GRIEVANCE BY THE GRIEVANCE COMMITTEE

Processing and Investigation

Upon receipt of a grievance by the MPO, staff shall distribute a copy of the grievance to the CTC within two (2) working days of receipt. MPO Staff will immediately proceed to investigate and shall prepare a written report on their findings of fact to the Grievance Committee and the CTC. Upon the Committee's receipt of the report, the Committee shall give appropriate notice and schedule a public meeting to hear the grievance.

Notice of Meeting

The MPO staff shall mail a notice of the meeting to all interested parties at least ten (10) days prior to the meeting date. Notices shall also be mailed to the other persons who have expressed an interest in attending the meeting. The notice shall:

1. State the date, time, and location of the meeting.
2. Include a brief description of the grievance(s).
3. Describe the procedures that will be followed during the meeting.

Meeting Procedures

The meeting shall commence with a presentation of the grievance by the Hernando/Citrus MPO staff. Following this presentation, the parties shall have an opportunity to give testimony, present documents, and other relevant materials, and call and question witnesses. Members of the Grievance Committee may ask questions at any time during the proceedings. Also, they may call for a period of discussion following the presentation of all testimony and materials. The meeting

will be informal in the sense that rules of evidence will not be applied, and parties may represent themselves.

Any party may request a follow-up meeting of the Grievance Committee if one is needed to ensure a fair and complete hearing of a grievance. If a follow-up meeting is requested, it shall be scheduled before the meeting is adjourned. Any party not present at the meeting shall be notified in writing of the date, time, and location of the follow-up meeting by the Hernando/Citrus MPO staff. No more than two follow-up meetings will be convened to process a grievance.

Written Report to Coordinating Board

Following the final meeting on a grievance, the Grievance Committee shall prepare a written report, which shall include, at a minimum:

1. A copy of the grievance submitted by the complainant.
2. A copy of all meeting notices.
3. A list of the names and affiliations of those giving testimony during the processing and investigation phase.
4. A list of all documents and other materials reviewed as a part of the Grievance Committee's consideration of the grievance.
5. A summary of the issues addressed.
6. Findings and a recommendation or recommendations for improvement of service, if appropriate.

The Grievance Committee shall complete its report no later than 30 days after the date the final meeting on a grievance is held. A copy of the report shall be mailed to the parties, the CTC if it is not a party, and any other persons who have requested a copy.

Coordinating Board Review, Use and Dissemination of Grievance Committee Reports

At each regular Local Coordinating Board meeting, the Coordinating Board shall review any reports completed by the Grievance Committee since its last meeting. The Coordinating Board shall utilize the findings and recommendations included in the reports as appropriate when executing its various duties. Also, the Coordinating Board shall provide the Florida Commission for the Transportation Disadvantaged with copies of any reports that address contractual or systemic issues of potential interest to the Commission.

OTHER GRIEVANCE PROCESSES AND FORUMS

Utilization of the Coordinating Board's grievance procedures does not preclude complainants from utilizing other processes and forums to pursue their grievances as appropriate.

Contacting the Ombudsman.

An Ombudsman is a person who works to resolve complaints and grievances at the office of the Commission for Transportation Disadvantaged. Written grievances may also be submitted to the State of Florida, Commission for the Transportation Disadvantaged Ombudsman Program at 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, sponsored by the Commission for the

Transportation Disadvantaged. The email for the Ombudsman is: CTDOmbudsman@dot.state.fl.us.

At any time, an aggrieved party with proper standing may elect to seek recourse apart from the grievance process through Chapter 120, F.S., the administrative hearing process or the judicial court system.

Hernando County Transportation Disadvantaged Service

SERVICE COMPLAINT/ADVERSE INCIDENT FORM

Submit this service complaint/adverse incident form within three-to-five business days of the occurrence to the bus driver or You Thrive FL office at 820 Kennedy Boulevard, Brooksville, Florida 34601. All reported incidents will be investigated. For assistance, please call 352-799-1510.

(Please print in ink only)

DATE:_____

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

AGENCY CONTACT (If Applicable): _____

COMPLIMENT OR COMPLAINT: _____

_____

_____

_____

_____

_____

IF COMPLAINT, WAYS TO REMEDY SITUATION: _____

_____

_____

_____

_____

Signature: _____

.

For Office Use Only

Date Received:_____

Employee Receiving Complaint:_____

Tracking ID #_____

GRIEVANCE FORM

Additional information may be obtained from the Hernando/Citrus MPO at 352-754-4082. Please print in ink only.

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

AGENCY CONTACT (If Applicable): _____

STATEMENT OF GRIEVANCE: _____

_____

_____

_____

_____

_____

RELIEF SOUGHT: _____

_____

_____

_____

_____

STATUTE, RULES, ETC. (If Applicable): _____

_____

Grievances may be mailed to:

Transportation Disadvantaged Program
C/O Hernando/Citrus MPO
789 Providence Boulevard
Brooksville, Florida 34601

Grievant Signature: _____

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

ADVERSE INCIDENT REPORT FORM
RELATED TO PARATRANSIT SERVICES PROVIDED TO PERSONS WITH DISABILITIES

This form must be completed by a transportation service provider upon receipt of a report of an adverse incident. The form must be submitted to the Commission for the Transportation Disadvantaged for each incident no later than the last day of the month following the end of the quarter, beginning January 1, 2025. Reports should be emailed to: FLCTDAdverseIncidentReport@dot.state.fl.us.

REPORT STATUS:

☐	**Preliminary Report**	☐	**Under Investigation**	☐	**Investigation Closed**

TRANSPORTATION SERVICE PROVIDER INFORMATION:

Organization Name:	
Local Government Name: **(Contracting for Paratransit Services)**	
Name of Person Completing Report:	
Phone Number:	
Email Address:	
Date of Report:	

DESCRIPTION OF ADVERSE INCIDENT:

Who, what, when, where, how, injury(ies). Exclude names and personal information, providing only information regarding the incident.

FOLLOWUP ACTIONS:

Briefly describe follow-up measures taken, including mitigation or corrective actions. At a minimum, this description must include a summary of investigation activities taken by the transportation service provider.