



# MEETING NOTICE & AGENDA

Please be advised that a meeting of the River to Sea Transportation Planning Organization (R2CTPO) Transportation Disadvantaged Local Coordinating Board (TDLCB) **GRIEVANCE COMMITTEE** will be held on:

**Date:** Wednesday, January 13, 2021  
**Time:** 10:20 a.m.  
**Place:** Volusia County Mobility Management Center (Votran)  
950 Big Tree Road  
South Daytona, FL 32119

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**Grievance Committee**  
**Wed, Jan 13, 2021 10:30 am (EST)**

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/348975605>

*(same link for the TDLCB meeting at 11:00 am)*

**You can also dial in using your phone.**  
**United States (Toll Free): 1 866 899 4679**  
**United States: +1 (571) 317-3116**

**Access Code: 348-975-605**

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**Volusia County Council Member Barbara Girtman, Chairperson**

## AGENDA

- I. CALL TO ORDER/ROLL CALL/DETERMINATION OF QUORUM
- II. ACTION ITEM
  - A. REVIEW AND RECOMMEND APPROVAL OF THE TDLCB GRIEVANCE PROCEDURES  
*(Contact: Stephan Harris) (Enclosure, pages XX)*
- III. ADJOURNMENT

Grievance Committee Members:

Volusia County Council Member Barbara Girtman

Carlos Colon, FDOT

Doug Hall

Patricia A. Lipovsky

NOTE: Individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the River to Sea TPO office, 2570 W. International Speedway Blvd., Suite 100, Daytona Beach, Florida 32114-8145; (386) 226-0422, extension 20416, at least five (5) working days prior to the meeting date.

NOTE: If any person decides to appeal a decision made by this board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

**SUMMARY SHEET  
GRIEVANCE COMMITTEE  
JANUARY 13, 2021**

**II. ACTION ITEMS**

**A. REVIEW AND RECOMMEND APPROVAL OF THE TDLCB GRIEVANCE PROCEDURES**

**BACKGROUND INFORMATION**

This is the required annual review of the TDLCB Grievance Procedures. Revised text is underlined (additions) and stricken (deletions).

***ACTION REQUESTED:***

***MOTION TO RECOMMEND APPROVAL OF THE TDLCB GRIEVANCE PROCEDURES***

**GRIEVANCE PROCEDURES  
OF THE  
RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION (TPO)  
TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD**

**ARTICLE I: PREAMBLE**

**SECTION 1: PREAMBLE**

The following sets forth the grievance procedures which shall serve to guide the River to Sea TPO Transportation Disadvantaged Local Coordinating Board (TDLCB), serving to assist the Community Transportation Coordinator (CTC). The intent is to provide procedures and policies for fulfilling the requirements of Chapter 427, Florida Statutes, Rule 41-2.012 of the Florida Administrative Code (FAC), and subsequent laws setting forth requirements for the establishment of grievance procedures. Grievance Committee procedures are designed to address issues raised by agencies, users, potential users, sub-contractors, and other interested parties which cannot be resolved through the CTC. This procedure does not cover the competitive bid process; including Request for Proposals (RFPs).

**ARTICLE II: GRIEVANCE COMMITTEE NAME AND PURPOSE**

**SECTION 1: NAME**

The name of the committee to resolve grievances for the River to Sea TPO Transportation Disadvantaged Local Coordinating Board shall be the Grievance Committee.

**SECTION 2: PURPOSE**

The primary purpose of the Grievance Committee is to process, investigate and make recommendations with respect to unresolved complaints to the Local Coordinating Board for improvement of service. This procedure is made available to agencies with Purchase of Service Agreements (POS) contracts, users, or potential users of the system in Volusia to hear complaints and provide a mechanism for issues to be brought before the Grievance Committee which shall meet as often as necessary to address unresolved complaints in a timely manner.

**ARTICLE III: DEFINITIONS**

## SECTION 1: DEFINITION OF COMPLAINT

“A complaint is an oral (in person/telephone) or written statement of dissatisfaction which is presented to Votran, Volusia County’s CTC.”

## SECTION 2: DEFINITION OF FORMAL GRIEVANCE

“A formal grievance is a written complaint to document any concerns or unresolved service complaints regarding the operation or administration of TD services by the Transportation Operator, Community Transportation Coordinator, the designated official planning agency (DOPA) or the local coordinating board. The Grievant in their formal complaint should demonstrate or establish their concerns as clearly as possible.”

## ARTICLE IV: FILING OF COMPLAINTS AND GRIEVANCES

### SECTION 1: PROCESS OF FILING A COMPLAINT

Any user, agency (with POS contract) or potential user may register a verbal/written complaint with the CTC in accordance with the policies and procedures of Votran.

If the complainant is not satisfied with the action taken by the CTC, the user may file a formal written complaint within ten (10) working days after the CTC’s decision.

Such written complaint shall include the following:

1. the name and address of the complainant;
2. a statement of the grounds for the complaint made in a clear and concise manner, supplemented by supporting documentation;
  - a. Exact date/time of incident;
  - b. Exact location of incident;
  - c. Any witnesses to incident (including name and address); and
  - d. Vehicle unit number, license number, color and type.
3. an explanation of the relief desired by the complainant; and
4. if the complainant is unable to submit a formal written complaint, Votran shall have the responsibility of obtaining an advocate who will be available to assist those individuals. The ten (10) working days needed by the customer to submit their written complaint will not go into effect until the advocate has met with the customer.

A written complaint shall be addressed to:

Votran Bus System  
~~Assistant General~~ Customer Service Manager  
950 Big Tree Road  
South Daytona, ~~FL~~ Florida 32119

The CTC shall have ten (10) working days from the date of notification of the complaint to address or investigate the problem. Within that time, the CTC will respond to the complainant by telephone, if possible, and in writing within ten (10) working days of notification to the complainant as to what action was made.

## SECTION 2: FILING OF A GRIEVANCE

If the complainant is dissatisfied with the corrective action taken by the CTC, an appeal to the Grievance Committee of the TDLCB may be filed. Such written appeal must be filed within ten (10) working days from the date of notification to the complainant of the final decision from the CTC. The written appeal shall include the following:

1. the name and address of the complainant;
2. a statement of the ground for the grievance made in a clear and concise manner, supplemented by supporting documentation;
3. demonstrate or establish a clear violation of a specific law, regulation, contractual arrangement, or circumstance thought to be unjust;
4. an explanation of the relief desired by the complainant;
5. specified areas of disagreement with the CTC decisions; and
6. if the complainant is unable to submit a formal written appeal to be filed, Votran shall have the responsibility of obtaining an advocate who will be available to assist those individuals. The ten (10) working days needed by the customer to submit a written appeal will not go into effect until the advocate has met with the customer.

An appeal to the Grievance Committee may only be filed after the complainant has sought satisfaction directly from the CTC.

The appeal must be addressed to:

River to Sea Transportation Planning Organization  
Attn: Grievance Committee  
2570 W. International Speedway Boulevard, Suite 100  
Daytona Beach, Florida 32114

Once an appeal has been received, the Grievance Committee shall meet and render its recommendation within thirty (30) working days of the date the appeal was filed. The complainant shall be notified in writing of the mutually agreed upon date, time and place where the appeal shall be heard. This written notice shall be mailed at least ten (10) working days in advance of the meeting.

A written copy of the recommendation will be forwarded to the TDLCB and all parties involved within ten (10) working days from the date of the recommendation.

Written recommendations will include the following information:

1. a statement that a meeting was held in which the involved parties and/or their representatives were given an opportunity to present their positions;
2. a statement that clearly defines the issues discussed; and
3. Reasons for the recommendation based on the information provided.

If the complainant is dissatisfied with the recommendation of the Grievance Committee, he/she may continue the appeal process with the TDLCB.

#### **ARTICLE V: APPEAL TO THE TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD**

Should the aggrieved be interested in filing an appeal with the TDLCB it must be filed within ten (10) working days from the date of receipt of the final recommendation of the Grievance Committee. The appeal should attempt to demonstrate or establish a clear violation of a specific law, regulation, contractual arrangement or circumstance thought to be unjust. An appeal to the TDLCB can only be filed after the aggrieved has sought satisfaction directly from the Grievance Committee. An appeal to the TDLCB must be addressed to:

River to Sea Transportation Planning Organization  
Attn: TDLCB  
2570 W. International Speedway Boulevard, Suite 100  
Daytona Beach, Florida 32114

Once an appeal has been received, the TDLCB shall meet and render its recommendation within sixty (60) days of the date the appeal was filed. The aggrieved shall be notified in writing of the mutually agreed upon date, time and place where the appeal shall be heard. This written notice shall be mailed at least ten (10) working days in advance of the hearing.

A written copy of the TDLCB's recommendation shall be forwarded to all parties involved within ten (10) working days from the date of the recommendation. . A written recommendation shall include the following information:

1. a statement that a hearing was held in which the involved parties, their representatives and/or witnesses were given an opportunity to present their positions;
2. a statement that clearly defines the issues discussed; and
3. reasons for the recommendation Votran based on the information provided.

If the complainant is dissatisfied with the recommendation of the TDLCB, he/she may continue the process with the TD Ombudsman Program by calling the following number(s): 1-800-983-2435. For hearing and speech impaired customers call, 711 (Florida Only) Florida Relay System or (850) 410-5708 for TTY or via written correspondence to:

Florida Commission for the Transportation Disadvantaged  
Attn: Ombudsman Program  
605 Suwannee Street, MS-49  
Tallahassee, FL 32399-0450  
Email: CTDOmbudsman@dot.state.fl.us

If the Commission is unable to resolve the grievance, the customer will be referred to the Office of Administrative Appeals or other legal venues as appropriate to the specific nature of the grievance.

All of the steps above must be attempted in the order listed before a complaint or grievance will move to the next step.

## **ARTICLE VII: SCHEDULED MEETINGS**

### **SECTION 1: GENERAL**

The Grievance Committee shall be comprised of a minimum of three (3) TDLCB board members. The CTC shall not serve on the Grievance Committee. Each member shall serve at the discretion of the TDLCB. When a meeting of the Grievance Committee is necessary, staff to the TDLCB shall schedule the meeting of the Grievance Committee to hear appealed grievances.

## **ARTICLE VIII: AMENDMENTS**

### **SECTION 1: GENERAL**

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*Transportation Disadvantaged Local Coordinating Board Grievance Procedures*  
~~January 8, 2020~~ January 13, 2021



The Transportation Disadvantaged Local Coordinating Board Grievance Procedures may be amended by a two-thirds (2/3) vote of members present, if a quorum exists, providing the proposed change(s) is/are mailed to all members at least seven (7) working days in advance of the meeting.

SECTION 2: QUORUM

At all meetings of the Transportation Disadvantaged Local 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 IX: CERTIFICATION

The undersigned hereby certifies that ~~he~~ she is the ~~Chairman~~ Chairperson of the River to Sea TPO Transportation Disadvantaged Local Coordinating Board and that the foregoing is a full, true and correct copy of the Grievance Procedures of this Local Coordinating Board as adopted by the River to Sea TPO Transportation Disadvantaged Local Coordinating Board the ~~8th~~ 13th day of January ~~2020~~ 2021.

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Volusia County Council Member ~~Heather Post~~, Chairperson  
Barbara Girtman  
Transportation Disadvantaged Local Coordinating Board (TDLCB)

ATTEST:

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Debbie Stewart, Recording Secretary  
River to Sea Transportation Planning Organization