

HOW TO FILE A DISCRIMINATION COMPLAINT

If you think that The City of El Paso – Sun Metro has failed to provide these services or discriminated in another way based on race, color, national origin (including language), disability, sex, age, or religion, you can file a complaint in person or by mail with:

Sun Metro
Attn.: Customer Service - Nondiscrimination
10151 Montana Ave.
El Paso, TX 79925

If you wish to file by e-mail, please call (915) 212-3333 and an appropriate e-mail address will be provided.

Information and Services for Persons with Disabilities and Persons with Limited English Proficiency

The City of El Paso – Sun Metro:

- Provides free aids and services, such as qualified sign language interpreters and written information in other formats (large print, audio, accessible electronic formats, etc.), to communicate effectively with persons with disabilities.
- Provides free language services, such as qualified foreign language interpreters and information written in other languages, to ensure meaningful access to programs and activities for persons with limited English proficiency.

If you need these services, please contact:
David Garcia,
Business and Customer Service Assistant Manager
GarciaDX3@elpasotexas.gov
(915) 212-3333

You can also file a civil rights complaint with the Federal Transit Administration (FTA) Office of Civil Rights:

E-mail: FTACivilRightsCommunications@dot.gov **Phone:** 1-888-446-4511
(with "FTA complaint form" in the subject line)

U.S. Mail:

Federal Transit Administration Office of Civil Rights
Attn: Complaint Team East Building, 5th Floor – TCR
1200 New Jersey Ave., SE Washington, D.C. 20590

NOTICE AND FREQUENTLY ASKED QUESTIONS (FAQ) ABOUT REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

NOTICE The City of El Paso – Sun Metro is committed to providing individuals with disabilities an *equal opportunity* to participate in and benefit from Sun Metro's programs, activities, and services.

Individuals may request *reasonable accommodations* from Sun Metro that they believe will enable them to have such equal opportunity to participate in our programs, activities, and services.

To request reasonable accommodations, please contact Sun Metro Customer Service at (915) 212-3333, or by using the "Contact Sun Metro" link at our website: www.sunmetro.net. This Reasonable Accommodations Notice can be found at all Sun Metro transit centers.

FREQUENTLY ASKED QUESTIONS (FAQ) The following FAQ provides information on requesting reasonable accommodations in Sun Metro's programs and activities.

1. What is a reasonable accommodation in Sun Metro's programs?

A reasonable accommodation is a change or modification to afford a qualified individual with a disability full enjoyment of Sun Metro's programs or activities, unless modifications of policies, practices, and procedures would fundamentally alter the nature of the program, service, or activity, or result in undue financial and administrative burdens to Sun Metro.

2. How do I request a reasonable accommodation?

If you need a reasonable accommodation, please contact Sun Metro Customer Service at (915) 212-3333, or by using the "Contact Sun Metro" link at our website: www.sunmetro.net.

3. Does my request for a reasonable accommodation need to be in writing?

No, you do not need to put your request in writing, however, making a written request can be helpful documentation for ensuring that Sun Metro provides the desired accommodation. In addition, you do not need to use the specific words "reasonable accommodations" when making your request.

4. When should I request a reasonable accommodation?

You may request a reasonable accommodation from Sun Metro at any time. However, making the request in advance of a meeting, conference call, or visit will help ensure that Sun Metro is able to fulfill the request for an accommodation. For certain requests, such as requests for sign

language interpretation, Sun Metro requests at least two week's advance notice.

5. May someone request a reasonable accommodation on my behalf?

Yes, anyone can request a reasonable accommodation on behalf of an individual with a disability who seeks to interact with Sun Metro staff or participate in its programs or activities.

6. What will Sun Metro do upon receiving my request for a reasonable accommodation?

Sun Metro may contact you to obtain more information about your request and to better understand your needs. In addition, Sun Metro may review your request to determine:

- Whether the requested accommodation will be effective in allowing you to participate in the activity or program in which you are seeking participation;
- Whether the requested accommodation is reasonable, or an equally effective alternative to the requested accommodation is available; and
- Whether providing you with the requested accommodation would fundamentally alter the nature of Sun Metro's program or impose undue financial or administrative burdens on Sun Metro.

In addition, in some cases, Sun Metro may consult with you in an interactive process to determine

on a case-by-case basis what accommodations can be made.

If Sun Metro determines that your requested accommodation would fundamentally alter the nature of the program or impose an undue financial or administrative burden, Sun Metro may deny your request. However, in the unlikely event that this occurs, Sun Metro will work with you to identify an alternative accommodation that allows you to effectively participate in Sun Metro's program, activity, or service.

7. May Sun Metro request medical documentation from you after receiving your request for a reasonable accommodation?

No, Sun Metro may not request medical documentation after receiving your request for a reasonable accommodation. Sun Metro's questions will be limited to understanding the barrier to your ability to participate in the program or activity in which you are interested and the nature of an accommodation that will remove this barrier.

8. May Sun Metro charge you the cost of providing the reasonable accommodation?

No, you are not responsible for the cost of an auxiliary aid or service Sun Metro provides to you.

9. What are some examples of reasonable accommodations?

There are many types of reasonable accommodations. Some examples of how Sun Metro provides reasonable accommodations include:

- Arranging for qualified sign language interpreters
- Providing on-site captioning
- Producing alternate formats of print materials in braille, large print, or in an electronic format
- Providing remote conference captioning services
- Furnishing a temporary ramp to access the dais or other areas with one or more stairs to ensure accessibility for individuals who have physical disabilities and may be using a wheelchair or walker.

DISCRIMINATION COMPLAINTS PROCESS

The City of El Paso – Sun Metro does not promote or tolerate discrimination. Sun Metro has established a process through which allegations of discrimination are investigated and resolved.

COMPLAINT SUBMISSION

If someone believes they have suffered from discrimination (includes race, color, sex, national origin, age, disability, religion, or genetic information) under a Sun Metro program of transit service delivery or related benefits, they may contact Sun Metro to seek an informal resolution. If the matter cannot be resolved informally, the following steps will be utilized:

- Within 180 days of the alleged discrimination, complainants may submit a written or verbal complaint to Sun Metro. Complaints must include the complainant's name (can also be listed as anonymous), the nature of the complaint, the date of the alleged discrimination, requested action, and contact information.
- Complainants may submit a complaint in-person, by mail or over-the-phone with:

Sun Metro
Attn: Customer Service – Nondiscrimination
10151 Montana Ave.
El Paso, TX 79925
(915)212-3333

If a complainant prefers to submit a complaint by e-mail, the complainant may call Sun Metro at (915)212-3333, and an appropriate e-mail address will be provided.

Complainants may also file a complaint with the FTA Office of Civil Rights:

E-mail: FTACivilRightsCommunications@dot.gov
(with "FTA complaint form" in the subject line)

Phone: 1-888-446-4511

U.S. Mail:

Federal Transit Administration Office of Civil Rights
Attn: Complaint Team East Building, 5th Floor – TCR 1200
New Jersey Ave., SE Washington, D.C. 20590

- If a complainant has a disability, the complainant may obtain information about the complaint process in alternative formats such as large print, audio, or accessible electronic formats.
- If a complainant has limited English proficiency, the complainant may obtain information about the complaint process by requesting a qualified foreign language interpreter and information written in other languages to ensure meaningful access to programs and activities. If a complainant requires these services, they may contact:

David Garcia
Business and Customer Service Assistant Manager
GarciaDX3@elpasotexas.gov
(915) 212-3333

COMPLAINT REVIEW AND PROCESSING

- Sun Metro will review each complaint and may request additional information from the complainant as needed. If additional information is requested and not received, the complaint may be closed. The complaint may also be closed if the complainant no longer wishes to pursue the complaint.
- Complaints will be recorded in an electronic log maintained by Sun Metro containing the complainant's contact information, nature of the complaint, date of submission, and results of the investigation. Log will be retained on an ongoing basis, and will not be purged. Information contained in log will be considered confidential and it will be stored on the City's network with access limited to Sun Metro staff designated by the Director.
- Any complaint received within the jurisdiction of Sun Metro will be promptly and impartially investigated. Sun Metro's goal is to initiate an investigation of all complaints within 25 days of receipt, though the time to carefully investigate complaints may be longer depending on the nature and complexity of the complaint.
- Note: When possible, every effort will be made to resolve a complaint informally. In a case where an informal accommodation may be made to complainant, the complainant may choose to withdraw the complaint, and the complaint will be closed and the withdrawal recorded in the log.

COMPLAINT INVESTIGATION

All complaints will be investigated promptly. Reasonable measures will be undertaken to preserve any information that is confidential. Sun Metro will review every complaint and assign a neutral party to investigate. Neutral shall mean an individual employed by Sun Metro not assigned to the particular operation in question, or a qualified individual not employed by Sun Metro. At a minimum, the investigating officer will:

- Identify and review all relevant documents, practices, and procedures;
- Identify persons with knowledge of the complaint, including but not limited to the complainant, witnesses, or any person identified by the complainant, or who may have been subject to similar activity, and provide an invitation to be interviewed in person or by phone; and
- Sun Metro will inquire whether the complainant has filed the complaint with another agency, such as FTA Office of Civil Rights, to prevent duplicative investigations. If the complainant has submitted a duplicate complaint, Sun Metro will contact the relevant agency to cooperate and coordinate with in the investigation.

Upon completion of the investigation, Sun Metro will complete a final report summarizing the findings for the Director of Mass Transit. If a civil rights violation is found to exist, remedial steps as appropriate and necessary, will be implemented. The complainant will receive a final report, that identifies any remedial actions implemented by Sun Metro in accordance with City policies and procedures. The investigation process and final report is expected to be completed within 45 days of receipt, unless exceptional circumstances warrant an extended investigation and reporting period.

PUBLIC NOTICE

Sun Metro will ensure notice is posted at all transit center locations, informing the public of its nondiscrimination policy and how to submit a complaint. The notice will also be posted in Spanish, in order to accommodate persons with limited English proficiency.