

RESOLUTION NO. 2003-140

AUTHORIZING THE REVISION OF THE GREATER CLEVELAND
REGIONAL TRANSIT AUTHORITY'S EXISTING AMERICANS
WITH DISABILITIES ACT (ADA) PARATRANSIT SERVICE NO
SHOW, CANCELLATIONS AND CUSTOMER BEHAVIOR POLICY

WHEREAS, Federal Transit Administration (FTA) regulations pursuant to the Americans with Disabilities Act (ADA) require certain Paratransit services to be provided as a complement to fixed-route service; and

WHEREAS, the FTA regulations address the problem of no shows and cancellations which deny other eligible persons travel opportunities; and

WHEREAS, GCRTA desires to optimize its Paratransit resources to transport eligible ADA customers and reduce incidences of persons not properly using their scheduled trips; and

WHEREAS, the existing (1997) No Show, Cancellations and Customer Behavior Policy needs revision to the definition of late cancellation and to the suspension guidelines to more accurately reflect the needs of the disability community and to maximize Paratransit's scheduling efficiency; and

WHEREAS, a public hearing was held on July 23, 2003 to gather public comment and the input of the RTA's Citizens Advisory Board (CAB) ADA Advisory Committee was incorporated into the revision of the policy.

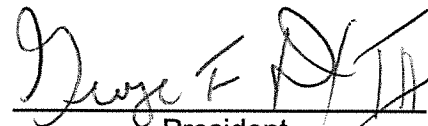
NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority that:

Section 1: The cancellation policy shall be revised so that any cancellation received less than sixty (60) minutes prior to scheduled trip pick-up time shall be considered a late cancellation.

Section 2: The suspension guidelines shall be revised to activate the suspension of service after the accumulation of three (3) no shows within a rolling 90-day period.

Section 3: This resolution shall take effect on November 1, 2003.

Adopted: September 16, 2003



President

Attest: 

CEO, General Manager/Secretary-Treasurer



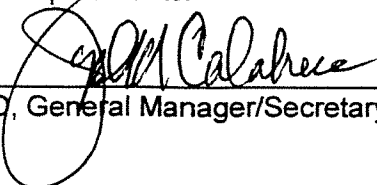
Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

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TITLE/DESCRIPTION: AUTHORIZING THE REVISION OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY'S EXISTING AMERICANS WITH DISABILITIES ACT (ADA) PARATRANSIT SERVICE NO SHOW, CANCELLATIONS AND CUSTOMER BEHAVIOR POLICY	Resolution No.: 2003 - 140
	Date: September 11, 2003
	Initiator: Michael C. York DGM - Operations
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 **PURPOSE/SCOPE:** The purpose of this resolution is to replace the current (1997) No Show, Cancellations and Customer Behavior Policy with a new policy clarifying terms of no shows, trip cancellations, and customer behavior issues identified by RTA's Citizens Advisory Board (CAB) Advisory Committee members and staff as needing revision.
- 2.0 **DESCRIPTION/JUSTIFICATION:** Both members of the CAB ADA Advisory Committee and staff have been discussing ways to improve the application of the existing Policy in terms of customer responsibilities and increasing travel opportunities for additional ADA eligible persons. The revised policy provides fair and equitable guidelines to reduce no shows, clarifies infractions, penalties, and retains the current appeals process for service suspensions.
- 3.0 **PROCUREMENT BACKGROUND:** Does not apply.
- 4.0 **DBE/AFFIRMATIVE ACTION BACKGROUND:** Does not apply.
- 5.0 **POLICY IMPACT:** Replaces existing Policy with a new one more responsive to our customers and optimizes RTA's Paratransit resources to better meet the demands for service.
- 6.0 **ECONOMIC IMPACT:** Does not apply.
- 7.0 **ALTERNATIVES:** (1) Modify specific provisions of the proposed new policy.
(2) Leave the current policy in place and not approve a new policy.
- 8.0 **RECOMMENDATION:** It is recommended that the Board of Trustees approve this resolution authorizing the revision of the existing Policy with a new ADA Paratransit Service No Show, Cancellations and Customer Behavior Policy as described in the attachments.
- 9.0 **ATTACHMENTS:** Attachment A: Americans With Disabilities Act Paratransit Service No Show, Cancellations and Customer Behavior Policy.
Attachment B: Administrative procedures related to ADA No Show, Cancellations and Customer Behavior Policy.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.



 CEO, General Manager/Secretary-Treasurer

ATTACHMENT A

AMERICANS WITH DISABILITIES ACT (ADA) PARATRANSIT SERVICE NO SHOW,
CANCELLATIONS AND CUSTOMER BEHAVIOR POLICY.PURPOSE AND SCOPE

This policy replaces the No Show Policy introduced in the 1997 update of the ADA Complementary Paratransit Plan. It addresses the Authority's concern with optimizing Paratransit resources to transport eligible ADA customers and reduce incidences of persons not properly using their scheduled trips. Non-productive Paratransit trips incur an average cost of \$41.00 per trip (2003 dollars), generate no passenger fares, and deny other ADA eligible persons travel opportunities.

The following topics require attention to improve Paratransit service and achieve the ADA goal of providing quality accessible public transportation to individuals with disabilities.

NO SHOW (NOT SHOWING FOR A SCHEDULED TRIP)

A Paratransit customer would commit a NO SHOW service infraction if:

- a) a customer fails to show within 5 minutes of the time that the vehicle arrives within the arrival window;
- b) a customer declines to make his/her scheduled trip once the vehicle has arrived;
- c) a customer is not ready for their trip when the vehicle arrives at the scheduled time. Persons not ready due to medical appointment delays are exempted.

Penalties for committing three (3) No Shows within a ninety-(90) day period may result in the suspension of service.

Reinstatement of eligibility for Paratransit service may be obtained through participation in the RTA's ADA appeals process.

CANCELLATIONS

Customers may cancel their scheduled Paratransit trip up to sixty (60) minutes before their pick-up time without penalty. It is preferred that cancellations are made at least twenty-four (24) hours in advance so that other ADA eligible persons may use the available trip time for their travel needs.

Late cancellations, defined as a customer calling in less than sixty (60) minutes before a scheduled trip, are another burden on the Paratransit operation. While not as serious as No Shows, late cancellations also deprive other ADA eligible persons the opportunity to schedule their Paratransit trips.

Penalties for continued abuse of the cancellation of scheduled Paratransit trips may include the suspension of service for a period of time.

Reinstatement of eligibility for Paratransit service may be obtained through participation in RTA's ADA appeals process.

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CUSTOMER BEHAVIOR

All RTA customers are to be provided safe, reliable and courteous transportation services. It is considered abusive and illegal behavior if any person attacks, endangers, injures or otherwise harms another customer or employee. Abusive behavior includes either physical or verbal harmful activity. RTA also considers it abusive behavior when a person willfully damages property of another customer, employee or the Authority.

Therefore, in order to provide safe ADA Paratransit service, the following restrictions are incorporated to insure the safety of the service:

- a) No person utilizing the Paratransit service shall fail to comply with any reasonable requests made by a Paratransit operator.
- b) No persons shall restrict, obstruct or abuse the operator of a Paratransit vehicle while the Paratransit operator is performing his/her duties.
- c) No person utilizing the Paratransit services may harass or abuse other passengers or anyone else on the Paratransit vehicles.

Penalties for violation of the above will result in immediate suspension of service for violent activity and may include further legal action. Repeated occurrences of abusive behavior will result in permanent loss of service.

Reinstatement of service eligibility may be obtained through participation in RTA's ADA appeals process.

ATTACHMENT B
ADMINISTRATIVE PROCEDURES RELATED TO ADA NO SHOW, CANCELLATIONS,
AND CUSTOMER BEHAVIOR

SUSPENSION PROCESS

Before a customer's service is suspended, the following steps are taken by RTA and the customer:

- A formal, certified letter of the violation is sent to the customer notifying them of the policy infraction and penalty.
- The affected customer may appeal a suspension. The appeal must be in writing and must be received by RTA within ten (10) business days after the date on the notice of suspension.
- All suspensions will begin ten (10) business days after an appeal decision has been rendered.
- Suspension of service is grounds for automatic loss of standing order (subscription service).

Penalties for No Show infractions are as follows:

1 st infraction	Written warning
2 nd infraction	Written warning
3 rd infraction	30 days suspension

Additional infractions defined as over three (3) in a ninety (90) day period would result in another thirty (30) days added to the 3rd infraction: thirty (30) days suspension (4th infraction: sixty (60) days, 5th infraction: ninety (90) days, etc.). Infractions are removed from the record ninety (90) days after the infraction.

APPEALS PROCESS

If the customer appeals the suspension within the allowed ten (10) business days, service will be continued until the appeal process is complete. Paratransit services will be notified of appeals status for all customers. The Appeals Office will forward a list of all appeal decisions to the Paratransit District Director. All original documentation on appeals will become a part of the customer's record and filed according to current records retention guidelines.

- As noted above, the customer may appeal a suspension of service. The appeal must be in writing and must be received by RTA within ten (10) business days after the date on the notice of suspension.
- The customer will be notified of the appeal decision within five (5) business days after the appeal hearing.
- Paratransit will be notified of the appeal date.
- Paratransit will be notified of the appeal decision.

CUSTOMER BEHAVIOR PENALTY PROCESS

Abusive behavior, described as actions, either verbal or physical, that endangers, harms, injures other customers, employees and/or property will not be tolerated. Acts of violence will result in an immediate suspension. Penalties for non-violent infractions are as follows:

1 st infraction	Written warning
2 nd infraction	Written warning
3 rd infraction	Thirty (30) days suspension

Additional infractions defined as over three (3) in a ninety (90) day period would result in another thirty (30) days added to the 3rd infraction: thirty (30) days suspension (4th infraction: sixty (60) days, 5th infraction: ninety (90) days, etc.)