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When you open a form, required fields are highlighted in yellow with a red border. Optional fields and completed fields are displayed in white. If you enter invalid or incomplete information in a field, you will receive an error message. Additional instructions and FAQs about the Application Package can be found in the Grants.gov Applicants tab.

OPPORTUNITY & PACKAGE DETAILS:

Opportunity Number:	EPA-R-OAR-CPRGI-23-07
Opportunity Title:	Climate Pollution Reduction Grants Program: Implementation Grants (General Competition)
Opportunity Package ID:	PKG00283194
CFDA Number:	66.046
CFDA Description:	Climate Pollution Reduction Grants
Competition ID:	
Competition Title:	
Opening Date:	09/20/2023
Closing Date:	04/01/2024
Agency:	Environmental Protection Agency
Contact Information:	CPRG@epa.gov

APPLICANT & WORKSPACE DETAILS:

Workspace ID:	WS01257798
Application Filing Name:	Transformative Projects for the Sustainable Future
UEI:	EAZVJZNJBS22
Organization:	SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
Form Name:	EPA Form 4700-4
Form Version:	5.0
Requirement:	Mandatory
Download Date/Time:	Feb 21, 2024 03:31:05 PM EST
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FORM ACTIONS:



Preaward Compliance Review Report for All Applicants and Recipients Requesting EPA Financial Assistance

Note: Read Instructions before completing form.

I. A. Applicant/Recipient (Name, Address, City, State, Zip Code)

Name:
Address:
City:
State: Zip Code:

B. Unique Entity Identifier (UEI):

C. Applicant/Recipient Point of Contact

Name:
Phone:
Email:
Title:

II. Is the applicant currently receiving EPA Assistance? ☐ Yes ☒ No

III. List all pending civil rights lawsuits and administrative complaints filed under federal law against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7.)

See attached.

IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that alleged discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective actions taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7.)

See attached.

V. List all civil rights compliance reviews of the applicant/recipient conducted under federal nondiscrimination laws by any federal agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3))

#1 VTA's 2022-2025 EEO Program, submitted to the FTA for review in March 2022/#2 VTA's 2023 - 2026 Title VI Program, submitted to the FTA in October 2022 - To date, have not received feedback from the FTA for either submission./#3 2024 FTA Triennial Review is in progress. Submission of Recipient Information Request is due 2/29/24, and the FTA on-site review dates have not been confirmed yet. No review feedback provided by FTA to date.

VI. Is the applicant requesting EPA assistance for new construction? If no, proceed to VII; if yes, answer (a) and/or (b) below.

☐ Yes ☒ No

a. If the grant is for new construction, will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? If yes, proceed to VII; if no, proceed to VI(b).

☐ Yes ☐ No

b. If the grant is for new construction and the new facilities or alterations to existing facilities will not be readily accessible to and usable by persons with disabilities, explain how a regulatory exception (40 C.F.R. 7.70) applies.

- VII. Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its program or activities? (40 C.F.R 5.140 and 7.95)
- ☒ Yes ☐ No
- a. Do the methods of notice accommodate those with impaired vision or hearing? ☒ Yes ☐ No
- b. Is the notice posted in a prominent place in the applicant's/recipient's website, in the offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications? ☒ Yes ☐ No
- c. Does the notice identify a designated civil rights coordinator? ☒ Yes ☐ No
- VIII. Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or disability status of the population it serves? (40 C.F.R. 7.85(a)) ☒ Yes ☐ No
- IX. Does the applicant/recipient have a policy/procedure for providing meaningful access to services for persons with limited English proficiency? (Title VI, 40 C.F.R. Part 7, *Lau v Nichols* 414 U.S. (1974)) ☒ Yes ☐ No
- X. If the applicant is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator.

Mark Greene - EEO Officer/Civil Rights Manager/Title VI Coordinator, 3331 North First Street, B-2 San Jose, CA 95134, mark.greene@vta.org, 408-321-5916

- XI. If the applicant is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or applicant's/recipient's website address for, or a copy of, the procedures.

<https://www.vta.org/about/title-vi>, please see "Title VI Complaints" section.

For the Applicant/Recipient

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized Official

Completed by Grants.gov upon submission.

B. Title of Authorized Official

C. Date

Completed by Grants.gov upon submission.

For the U.S. Environmental Protection Agency

I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all preaward compliance information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies the preaward provisions of 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.

A. *Signature of Authorized EPA Official

B. Title of Authorized Official

C. Date

General. Recipients of Federal financial assistance from the U.S. Environmental Protection Agency must comply with the following statutes and regulations.

Title VI of the Civil Rights Acts of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Act goes on to explain that the statute shall not be construed to authorize action with respect to any employment practice of any employer, employment agency, or labor organization (except where the primary objective of the Federal financial assistance is to provide employment). Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act provides that no person in the United States shall on the ground of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Federal Water Pollution Control Act, as amended. Employment discrimination on the basis of sex is prohibited in all such programs or activities. Section 504 of the Rehabilitation Act of 1973 provides that no otherwise qualified individual with a disability in the United States shall solely by reason of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Employment discrimination on the basis of disability is prohibited in all such programs or activities. The Age Discrimination Act of 1975 provides that no person on the basis of age shall be excluded from participation under any program or activity receiving Federal financial assistance. Employment discrimination is not covered. Age discrimination in employment is prohibited by the Age Discrimination in Employment Act administered by the Equal Employment Opportunity Commission. Title IX of the Education Amendments of 1972 provides that no person in the United States on the basis of sex shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance. Employment discrimination on the basis of sex is prohibited in all such education programs or activities. Note: an education program or activity is not limited to only those conducted by a formal institution. 40 C.F.R. Part 5 implements Title IX of the Education Amendments of 1972. 40 C.F.R. Part 7 implements Title VI of the Civil Rights Act of 1964, Section 13 of the 1972 Amendments to the Federal Water Pollution Control Act, and Section 504 of The Rehabilitation Act of 1973.

Items "Applicant" means any entity that files an application or unsolicited proposal or otherwise requests EPA assistance. 40 C.F.R. §§ 5.105, 7.25.

"Recipient" means any State or its political subdivision, any instrumentality of a State or its political subdivision, any public or private agency, institution, organizations, or other entity, or any person to which Federal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance. 40 C.F.R. §§ 5.105, 7.25.

"Civil rights lawsuits and administrative complaints" means any lawsuit or administrative complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability pending or decided against the applicant and/or entity which actually benefits from the grant, but excluding employment complaints not covered by 40 C.F.R. Parts 5 and 7. For example, if a city is the named applicant but the grant will actually benefit the Department of Sewage, civil rights lawsuits involving both the city and the Department of Sewage should be listed. "Civil rights compliance review" means: any federal agency-initiated investigation of a particular aspect of the applicant's and/or recipient's programs or activities to determine compliance with the federal non-discrimination laws. Submit this form with the original and required copies of applications, requests for extensions, requests for increase of funds, etc. Updates of information are all that are required after the initial application submission. If any item is not relevant to the project for which assistance is requested, write "NA" for "Not Applicable." In the event applicant is uncertain about how to answer any questions, EPA program officials should be contacted for clarification.

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
1	1/29/24	Race. Caller wanted to file a report for discrimination he faced after the 49ers game at Levi's Stadium. Caller stated that a male and female made smart remarks about his disability. Caller stated that the male asked the caller for the proof of his disability and made some remarks after that. Caller did not provide any badge for the VTA employees. Caller stated that a heavy set Hispanic and one female were present in this incident.	Pending	Pending
2	2/1/24	Discrimination based on unnamed characteristic. Caller wanted to report the driver for not allowing her to board the bus. Caller said that driver did not open the door of the bus and that he made the signal of a gun with his hand. Caller said that the driver is discriminating against her and would like the driver to be spoken to. Caller provided bus #191.	Pending	Pending
3	2/6/24	Discrimination based on unnamed characteristic. Constituent was at the Tasman Station platform, possibly Baypointe Station, and the train passed him by. Constituent states this is a long line of pass-ups due to discrimination.	Pending	Pending
4	2/6/24	Discrimination based on unnamed characteristic. Constituent was at the Tasman Station platform, possibly Baypointe Station, and the train passed him by. Constituent states this is a long line of pass ups due to discrimination.	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
5	2/6/24	Discrimination based on unnamed characteristic. Constituent came into River Oaks and had several complaints. He wants to report the operator for calling security on him. He boarded at Old Ironsides and when he got to Great America Station, four security guards were waiting for him. Constituent states that security gave no reason for why they wanted to speak to him. Constituent states this is a long line of security personnel / sheriff deputies being called on him based on discrimination.	Pending	Pending
6	2/6/24	Discrimination based on unnamed characteristic. Constituent says that as he waited at Alum Rock, the Sheriff was called on him for no reason. Constituent states this is a long line of security personnel / sheriff deputies being called on him based on discrimination.	Pending	Pending
7	2/6/24	Discrimination based on unnamed characteristic. Constituent states that the sheriff was called on him as he waited at Winchester Station. Constituent states he was given no reason. Constituent states this is a long line of security personnel / sheriff deputies being called on him based on discrimination.	Pending	Pending
8	2/6/24	Discrimination based on unnamed characteristic. Constituent states that the sheriff was called on him as he waited at Winchester Station. Constituent states he was given no reason. Constituent states this is a long line of security personnel / sheriff deputies being called on him based on discrimination.	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
9	2/10/24	<p>Race. Caller is upset because he put \$2 in the farebox and the driver said that he had to pay the complete fare or get off the bus. The passenger asked for his \$2 back and the driver said that his money could not be returned. After giving the caller much trouble, per the caller, the driver relented and let him ride but not without giving him lots of unwanted dialogue. Caller says that he was being treated unfairly and singled out and that this driver let other people ride for free. Caller wonders about other people who don't even belong on the bus can ride for free when he has been a paying customer for five years and isn't given any slack. Caller is tired of the double standard among many of the drivers. Caller feels that he is being discriminated against because he is black and that the driver is white. Caller also states that he would love to use his clipper card and get the free 2-hour transfer but that all the TVM machines at the stations that he frequents are inoperative. Caller has tried other TVM machines and has had no luck.</p>	Pending	Pending
10	2/12/24	<p>Race and National Origin. Customer wrote, "I continue to see and experience racism with certain VTA drivers. The latest took place at your Santa Teresa Station from a light rail female (Indian) driver shortly before 8 P.M. on Saturday. I'm of the opinion that sensitivity classes may be needed for certain drivers, if not all drivers."</p>	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
11	2/16/2024	Race. Constituent states bus was late about 2 minutes or so, and she told him that he is starting late, he then tried to threaten her saying if she calls into VTA to complain he will make sure she never rides VTA ageain, and per constituent, Operator also stated he can "down the bus" until they come. She claims he also said he will go to her place of work to see who she is. She states she is really scared of him.	Pending	Pending
12	2/19/24	Gender. Caller states a driver is harassing her in a sexual way. Per caller, he gave her his personal number and drives the 60 route. She lives near Skyport and 1st. She states that she uses the gym in that area and that the driver said to her, "You belong to me and you're my girl." She said last time she saw him, she was going to the bar and she shared her faith in God, and he changed subjects and wanted to talk about him and her. Caller says she met the driver 12 years ago. Caller states they've exchanged text messages before. Caller states its been a while that she texted him, but according to the caller, this driver continues to claim that they are a couple. Caller states the last time this happened was two weeks ago where she felt harassed by the driver. After trying to gather specific details to identify the driver in question, the caller started to get upset and said that she didn't know these details. The Information Service Representative (ISR) tried to gather date and time of recent incidents but caller said that the ISR was not taking her seriously. Caller asked for a supervisor to call her back to further help her. The ISR explained to caller that in order to identify the driver, CS would need more info. Caller said she didn't know operator's last name or badge number or time this happened and caller was not sure of particular dates either.	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
13	2/21/24	Gender and Race. Customer wrote, "On or about Feb. 16, 2024, I complained about driver 11912 who refused to let me get on the bus. I know VTA did a great job to be fair and correct him. The next day around 10 A.M., this evil driver refused to let me get off the bus at ECR and Hollenback station. He delayed stopping until the next bus stop. Please see the footage, you will see I rang the bell on time. He took off the stop request sign and refused to let me get off the bus at the stop I requested. He is an evil driver and he hates Asian senior females. Please help and have a blessed day!"	Pending	Pending
14	2/22/24	Race. Caller stated, "Driver told me to shut up or he would kick me out of the bus. I asked him not to insult me every time I get on the bus. He is very rude and I think he hates Asians." "I have been riding on VTA for 20 years and VTA is great."	Pending	Pending
15	2/24/24	Race. Caller says that he was wearing a tank top and just got out of the gym. The driver told him, "Put a shirt on." The caller says that the driver then jumped out of his seat and the caller started recording the incident with his phone. Caller referred to this as unconscious bias because he is black.	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
16	10/17/23	<p>Disability. Customer with visual impairment called Customer Service on Oct, 17, 2023. The following is a summary of the ISR's conversation with the Customer.</p> <p>The Constituent states that VTA used to have an automated phone system the IVR on phone number (408) 321-2300 providing automated schedules. Now that option is no longer available, only the REAL TIME information, which is different. Caller is referring to the "Enter Route Day/Time, Direction" which offered an option to press a button on the dial to get information on the next stop. To the Constituent, it was almost the same as looking at a printed schedule, but via phone. This is helpful for people who are vision impaired (or don't have access to smart phone/computer). Now, the Real Time options redirects to 511 but 511 doesn't provide VTA bus schedules and instead, redirects caller to VTA's CS. Caller asks if VTA could test this and implement the old schedule reader.</p> <p>Per ISR, Rosie Dominguez, on Oct. 18, 2023: "Andy, the caller, wanted me to call him back in hopes they get this implemented back. Basically what's requested is that the paper schedules be verbally recorded on the IVR system when one calls VTA automated system, as it once was, for visionally impaired folks. This is not the Real Time info that he is referring to, that's different. Andy is a regular caller and he uses VTA often so I know this will help and benefit him and other people."</p>	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
17	1/29/24	Disability. Caller wanted to file a report for discrimination he faced after the 49ers game at Levi's stadium. Caller stated that a male and female made smart remarks about his disability. Caller stated that the male asked the caller for the proof of his disability and made some remarks after that. Caller did not provide any badge for the VTA employees. Caller stated that a heavy set Hispanic and one female were present in this incident.	Pending	Pending
18	2/9/24	Disability. Caller stated that they would like to submit a Title VI complaint. Caller stated that they boarded the train at the Curtner station and when they got off at the Tamien station, they observed that the Tamien elevator was out of service. Caller stated that the train operator did not make an on-train announcement when the train was approaching the Tamien station. Caller stated that there was caution tape across the elevator, but not a notice of when the annual inspection was completed. Caller stated that they went downstairs to the bus stop and half of the bus stops were flooded out. Caller stated that there were two VTA maintenance employees doing something else instead of taking care of the flooded zone. Caller stated that they saw two people with vision impairments walking through the water to get to the bus stop. Caller also stated that all stations need to be inspected annually because it's a legal requirement and people with mobility devices need these stations to be fully functional. Caller would like a call back to further discuss this issue.	Pending	Pending
19	2/9/24	Disability. Caller stated, "Bus passed me up and I'm furious. Two drivers passed me up and I want them hung. Because actions have consequences."	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
20	2/9/24	Disability. Caller stated, "Every morning, this driver has the handicapped seats up both sides. I put one down every morning to sit. I have a bad knee and back. This morning he thought he would be funny and take the yellow hook for the tires of the wheel chairs and hook the yellow handle so tight I could not move the seat. The bus was packed and I had to go to the back of the bus. These front seats should be accessible to all if there are no chairs on the ride."	Pending	Pending
21	2/9/24	Disability. Caller stated, "Bus passed me up and I'm furious."	Pending	Pending
22	2/9/24	Disability. Caller stated the operator refused to let caller board the bus. Caller is disabled and rides with a folding red wagon, and this is the third time this particular operator refused service to the caller. Caller stated the operator shut the door on other passengers as well. Caller would like videos reviewed and appropriate actions taken.	Pending	Pending
23	2/13/24	Disability. Caller has a disability and signaled the operator that they would like to get on. The operator allegedly saw the caller and intentionally drove away.	Pending	Pending
24	2/13/24	Disability. Caller stated being passed up by the bus while waiting at the bus stop. Caller stated that they are disabled and have mobility issues. It takes the caller time to get up and move.	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
25	2/14/24	Disability. Customer reached out to CS: "Is the operator allowed to touch the mobility device during the securement process? Should touching be limited?" According to CS, the customer stated that one specific operator will lean heavily on their mobility device during the securement process, and tap customer's shoulder and back after securing the mobility device. Customer stated while it's unrealistic that an operator can secure the device without touching the mobility device at all, the intrusion in their individual case seems to be the operator's choice. Customer wondered whether there is any policy regarding the securement process and intrusion of personal space. Customer is concerned about retaliation from the operator so they do not want to make a complaint through Customer Service representatives. CS Supervisor informed the division about the customer's concerns and contacted the ADA coordinator who in turn contacted Technical Training for information on what operator training looks like regarding securement of mobility devices.	Pending	Pending
26	2/14/24	Disability. Caller says that the bus passed the caller up though caller was clearly waiting at the bus stop in a wheelchair. This is not the first time this has happened at this location, but has happened several times recently. Caller believes that this is discrimination because they are in a wheelchair.	Pending	Pending
27	2/15/24	Disability. Caller stated, "I'm in a wheelchair waving my hands and shouting and even blowing a horn I bought because they pass me up so much, but the driver didn't care and left me there."	Pending	Pending
28	2/16/24	Disability. Caller believes that they are being discriminated against because they are in a wheel chair, as many drivers keep passing the caller up when waiting at the bus stop.	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
29	2/16/24	Disability. Driver allegedly said that to the caller that they didn't need a bus but that they rather needed to ride in a U-Haul instead. Caller said, "The driver was very rude and disrespectful and said that I needed to hurry up because I was slowing down his schedule." "The driver said that he will not pick me up next time he sees me, which is against ADA law." The driver also allegedly called the sheriff for no reason at all. Caller says that this is uncalled for.	Pending	Pending
30	2/20/24	Disability. Caller stated waving while crossing the street and the bus didn't wait on them. Caller stated having a service animal with them.	Pending	Pending
31	2/21/24	Disability. Customer came into the downtown CS center and wanted to make a formal complaint. Customer stated that a driver was very rude to them. They were on their motorized wheelchair and the driver pulled up to the stop but allegedly only opened the door slightly, and yelled "You have to take the next bus, I'm full." Customer stated the driver then took off. Customer stated being scared because it was dark out already and their chair had no lights. When the next driver picked up the customer, the driver said according to the customer, "That driver always does that."	Pending	Pending
32	2/22/24	Disability. Caller is in a wheelchair and wanted to report the driver for leaving them behind at the stop. Caller said that the bus pulled into the stop, the driver allowed other passengers in the bus, and then told the caller that they were going to have to move up so that the driver would have enough room to deploy the ramp, but instead the driver closed the doors and left the stop without the caller. Caller is very upset that the driver did this and feels discriminated against. Caller is requesting for the driver to be spoken to. Caller is also requesting for a call back by a supervisor.	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
33	2/22/24	<p>Disability. Constituent alleged that their complaint was an instance of continued harassment from the same operator that the constituent complained about on Feb. 20, 2024. Today, the constituent was denied service after an encounter with the operator. The operator recognized the constituent and pulled several feet from the bus stop instead of the bus stop where the constituent was standing at. The constituent proceeded to request the ramp and the operator stated it was broken. Previously, when speaking to Customer Service, the constituent was informed of the procedures should the ramp be out of order and pertaining duties of the operator. Constituent alleged that when relaying these procedures to the operator, the operator said they had no knowledge of these procedures. According to the constituent, the operator then told constituent to ask more nicely for the ramp to be deployed. The constituent was asked to say, "Can you please lower the bus." After that, the operator told him to take the next bus.</p> <p>Constituent is worried about this happening again and would like something done in the meantime so that they don't need to be humiliated and harassed by this operator.</p>	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
34	2/23/24	<p>Disability. Caller stated the operator did not help to secure their mother's wheelchair. The driver was sitting in the seat and ignored the caller and mother. Therefore, the caller had to do everything to secure mother's wheelchair. Caller stated that the driver wouldnt with the hook that was loose on one of the handles. The caller stated that the operator said, "Oh, you know how to do it." And operator allegedly told the Customer, "You should be able to do it in case of an emergency."</p> <p>Caller stated the driver is so nice to everyone on the bus but not to caller and their mother. Operatorallegedly had an attitude with caller.</p> <p>Caller noticed many times in the past that this operator doesn't want to help. Caller stated that the operator's attitude is completely rude and horrible, that the operator is allegedly lazy and just doesn't like dealing with caller/mother. Caller stated that the operator ended up securing the wheelchair, but caller wondered why operator made their mother upset and why did caller have to argue and almost beg operator to help them. Caller stated that operator is totally, very unprofessional and treated them with disrespect. Operator did not secure the lower right side of the wheelchair to move the hook and secure the handle. Operator was allegedly acting as if not wanting to do it, or maybe didn't know how to secure a wheelchair. Caller stated that this happens to them all the time with various other drivers who do not want to secure the wheelchair and who have attitude with them and their mother. Caller wants to be called back by a supervisor.</p>	Pending	Pending
35	2/23/24	<p>Disability. Caller wanted to report the driver for passing them up while waiting at the stop. Caller said that they are in a wheel chair.</p>	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
36	2/23/24	Disability. Caller said the operator refused to look for the little hook to maneuver the ramp when it's not working. As a result caller had to take the next bus and was not happy about it. Caller would like an investigation.	Pending	Pending
37	2/24/24	Disability. The caller, who is in a wheelchair, expressed dissatisfaction with the service, stating that the bus was not directly in front of them, necessitating them to navigate towards the bus. Additionally, when the caller requested to be on the opposite side of the driver for convenience, they were met with resistance from the operator, who insisted that both sides were the same. Regrettably, this interaction left the caller feeling unwelcome and frustrated. Caller did not want to provide any contact information.	Pending	Pending
38	2/24/24	Disability. According to the caller, the bus allegedly passed them by (rider is using a wheelchair) without stopping to pick them up.	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
39	2/26/24	<p>Disability. Caller who is in a wheelchair and is elderly states that there is a black lady passenger who often boards this bus just before caller does, allegedly so that the other passenger can beat caller to the ADA section with all their luggage and bags. Caller stated that the other passenger takes up so much room that when caller boards with wheelchair they cannot turn around properly. This occurred at Palo Alto Transit Center between 7:05 AM and 7:15 AM when passenger was being harassed verbally by this black woman with the bags so caller got off at El Camino & California as they were afraid for their safety.</p> <p>Caller stated this woman has been cursing at caller everytime they are on the bus with them and thinks its because the caller is in a wheelchair and the black woman has luggage and bags and wants to get on the bus first. Caller stated that they don't have to put up with this harrassment. ISR advised caller to call the Palo Alto police and report this incident.</p> <p>Update: Transportation Supervisor referred this complaint to Transit Patrol and requested they make a welfare call to the customer on Feb. 27, 2024.</p>	Pending	Pending

VTA - List of Pending Title VI and ADA Complaints and Investigations 2024 to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
40	2/26/24	Disability. Caller is in a wheelchair and their son is their carer. Caller said they are in a difficult transition and stated having difficulty with the same bus operator. Caller stated that this driver did not get up out of seat to lift the ADA flip seats so that their son could help them for the first time. Their son had issues securing the mobility device and had never used the straps. Caller stated that this time, caller snapped at the operator who did not get up to assist with clipping the chair in. The son struggled with the technique and couldn't figure out how to attach the hooks. Caller stated that the operator kept rolling their eyes and eventually got up but just stood there looking at the client. The caller stated asking the driver, "Are you going to help this time?" and driver allegedly said to them, "Oh, you got it." Caller stated that the operators are liable for the passengers and they should assist.	Pending	Pending
41	2/25/202	Disability. Caller stated, "The operator of line 22 saw me and decided to speed past me."	Pending	Pending

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
1	3/9/2022	<p>Disability. Customer called to report that the operator violated a policy. Per caller the operator discriminated against them by not letting them board with their service dog. Customer stated that their service dog has a service tag on it and the operator still didn't let them board. The caller was upset because they were waiting for the the bus along with their mother.</p>	Closed	<p>OCR reviewed the CCTV footage. The passenger approached the entrance with their dog. The operator informed the passenger that the dog could not board the bus and asked where the paperwork was. The passenger said that the dog has a tag and doesn't have to show paperwork; that the dog is a service animal. The operator reiterated that the dog can't come on the bus and therefore refused service to the passenger accompanied by their service animal. The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> •Coach operator's Rulebook rule 4-8.1 – All operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach operator's Rulebook rule 4-8.10 – The operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer. •Operations Notice # 2018-013- Service Animal FAQ's. <p>UPDATE: Management sat down with operator and reviewed policy and procedure for service animals.</p>
2	3/10/2022	<p>Disability. Caller stated that they were waiting at the bus stop and the bus pulled over and boarded two wheelchairs. After operator boarded the other passengers, caller stated that the operator told the caller, "You're not riding my bus." When caller asked why, the operator allegedly answered, "You were disrespectful to my coworkers."</p> <p>Caller stated being disabled and that they did not appreciate this. Caller stated trying to be nice to all drivers and remembered telling the operator about having a hurt foot, to which the operator allegedly said, "I don't care," closed the door and took off.</p>	Closed	<p>OCR reviewed the CCTV footage. The operator is seen pulling up to the coach stop where people are waiting to board the bus, two of them in mobility devices. Operator secures the first person in a wheelchair without any issue, then refusing service to the complainant. When complainant asks why, operator does not answer but steps back inside to secure the second person's wheelchair. Operator then responds to the complainant that they had made fun of co-workers. Complainant asks, "What did I do again?" and something else that is inaudible, to which the operator responds: "I don't really care about you." He closes the door on her and drives off. This violates the Coach operator's Rulebook rules: 1) 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant. 2) 10.2 Refusal of service - The operator shall not attempt to confront, bar entry, or eject any passenger from the coach without assistance from OCC. The operator's responsibility is to notify OCC of any problem. OCC shall then take the appropriate action.</p> <p>Update: Employee met with their supervisor and was counseled.</p>

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
3	3/22/2022	Disability. Caller states this operator drove right past her and did not slow down at all to even try to stop. Caller states the operator drove above normal speed when he turned the corner from San Antonio St Right onto S 24th St. Caller was at the stop early and saw the bus approaching fast, too fast for him to slow down and stop to pick her up. Caller was waving her hands in the air but the bus drove right by her. Caller was very inconvenienced as she was in a wheelchair.	Closed	OCR reviewed the CCTV footage. At 7:50:03 AM, the operator is seen passing up the wheelchair bound customer waiting at the coach stop. The pass up violates the Coach operator's Rulebook rules: 1) 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; 2) The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. UPDATE: Management met with the operator and counseled them on this pass up and ADA policy.
4	3/23/2022	Disability. Caller wanted to report a pass up by the bus operator. Caller said that they are disabled and were sitting on the bench when the bus passed them up. Caller said the driver honked to get their attention and before they could get up slowly, the operator took off.	Closed	OCR reviewed the CCTV footage. At 10:23:58 AM, the operator is seen passing up the customer. He is going 35 mph when driving by the coach stop and briefly looks into the rear view mirror while customer is getting up from the bench, but continues driving. UPDATE: Management will continue to monitor and will take additional appropriate action as needed.
5	4/19/2022	Disability. Caller says the driver pulled over and told this caller that he was not going to take him. Caller says there was another person at the stop whom the driver left there behind as well.	Closed	OCR reviewed the CCTV footage. The operator was observed pulling up to the coach stop and telling a passenger that he was not going to let him board. It appeared as if the operator has had previous incidents or encounters with this particular passenger. The operator did not call OCC to have the passenger picked up by another bus driver. The refusal of service violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. •Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. UPDATE: Management met with operator and counseled them regarding this incident.

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
6	5/21/2022	Disability. Caller states he was at the shelter with his cart that he uses as a walker. Caller states once bus was at the light it drove by without stopping. Caller states this is not the first time this happens to him.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the passenger waiting for the bus. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. •Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. UPDATE: Management advised OCR on 05-30-2022, "CCTV footage confirmed the complaint. Supervision will meet with the operator to ensure compliance is being followed. No one is to be passed up especially our elderly passengers. Operator will be counseled."
7	6/16/2022	Disability. Caller stated that he has two service dogs that are small. The driver asked the caller if they were service dogs and asked if he has a crate for them. Caller stated that no other driver has done this before. Caller stated that he was pointing to their service dog tags. The driver did not allow him to board the bus.	Closed	OCR reviewed the footage. The operator pulls into the stop and looks over his shoulder, glancing outside. As the customer is approaching the front door with his two small dogs, one of which the customer has in a baby carrier on his chest while carrying the other dog under his arm, the operator is heard going, "Oh, nah, nah, no", wiggling his finger as the customer is making eye contact with him through the closed door. The operator is then seen motioning to the dogs with the gesture of a pet carrier, mouthing the word "box," keeping the door closed. The customer points to the device with wheels in his other hand and the operator nods, yet pulls away from the curb. The following policies/guidelines were violated: •Coach operator's Rulebook rule 4-8.1 – All operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach operator's Rulebook rule 4-8.10 – The operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer. •Operations Notice # 2018-013- Service Animal FAQ's. UPDATE: These rules and policies were reviewed with the operator on 7/6/22.

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
8	7/11/2022	Disability. Caller stated that she was waiting to board the bus and the driver had picked up the other passengers and then shut the door in the customers face. She said that the driver shut the door in her face. She said that he made a statement saying "I'm on schedule and don't have time to pick you up." Caller stated that he was essentially saying he didn't want to deal with a wheelchair.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the passenger waiting for the bus. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: Operations Management met with Operator whose Supervisor who took appropriate action. Supervision will continue to monitor and take additional appropriate steps.
9	7/11/2022	Disability. Caller was at the bus stop. She said she was picking up her oxygen tank and the operator just drove off intentionally. Caller was very angry about the incident. She demanded videos reviewed and appropriate actions taken.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the passenger waiting for the bus. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: Operations Management met with operator on 8/16/22. Operator declined to review the CCTV. They covered the rulebook violations, discussed policy, and progressive discipline. Operator recalled the incident and was apologetic. The operator was receptive to counseling and reinstruction.

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
10	7/13/2022	Disability. Caller stated that he was at the bus stop waiting for the 66 bus when the driver who was parked behind the 27 bus walked past by him to board his 66 bus. The bus driver then pulled away from the curb and pulled up, opened his door and told him that he couldn't board him from there and he was not going to back up his bus to board him. Caller states the bus driver then closed his door and took off. Caller stated that the 27 bus driver who was there and witnessed the incident stated, "That was not right," and that complainant should call customer service. Caller also thought that was very rude and not right.	Closed	OCR reviewed the CCTV footage. The operator was observed passing by the passenger waiting for the bus. The driver pulled up and when approaching the stop, he said that he did not have enough space to board the wheelchair and cannot back up his bus. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. •Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. UPDATE: Supervision met with operator to discuss complaint, rule violations, policy, and procedure. Operator was receptive to counseling.
11	7/14/2022	Disability. Caller was at the stop with two people and they were on a scooter, and the operator passed them by. Caller says they feel that that the bus was just going too fast to stop.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the passenger waiting for the bus. The driver was driving at a speed where he could not stop the motor coach at the bus stop location though he tried to stop. Due to their speed, operator missed the stop and went by without picking up the customer on scooters. This pass up violates violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. UPDATE: Management spoke with the operator and reviewed and discussed policy violations. Also discussed what he should have done. Operator remembered the incident and was apologetic.

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
12	8/2/2022	Disability. Customer called to report that the ope	Closed	OCR reviewed the footage. The operator is observed standing at the stop, then closed the door on approaching customer with a dog. The operator did not give a chance to the customer to explain if it was a service dog, resulting in a pass up. The operator kept on yelling with a closed door, "You cannot bring the dog without a carrier. I am going to call OCC [Operations Control Center]." No phone call to OCC was made throughout the video. The following policies/guidelines were violated: •Coach operator's Rulebook rule 4-8.1 – All operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach operator's Rulebook rule 4-8.10 – The operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer. •Operations Notice # 2018-013- Service Animal FAQ's. UPDATE: These rules and policies were reviewed with the operator by Operations Management.
13	8/5/2022	Disability. Caller stated he was passed up by the operator. Caller suspected that's because he always needs the ramp. Caller would like videos reviewed and appropriate actions taken.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the passenger waiting for the bus. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: Supervision issued COME SEE ME NOTICE on 8/11/22 and spoke with the Operator. Supervision will continue to monitor the issue.

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
14	8/20/2022	<p>Disability. Caller is very upset and furious and is wanting to inform Office of Civil Rights about ADA violations as the operator pulled up to the stop slowly, did not open the door, and then just drove off. The caller who has a scooter was standing at the stop waiting for the bus and saw the operator pull up to the stop and then just pull away without stopping or picking him up. Allegedly, the operator opened the door and the passenger just stood there and did not get on the bus. The caller is stating that the operator is lying about this and he definitely did not open the door as he did not actually make a proper stop. Caller is furious as this happened to him again two weeks ago on the same bus, the 523 but at Mathilda & Maude. Caller is requesting to talk with a Supervisor and is requesting an email back ASAP and is requesting footage to be reviewed about the operator not opening the door for him. Please email back the caller.</p>	Closed	<p>OCR reviewed the CCTV footage. The operator was observed passing up the passenger waiting for the bus. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions.</p> <p>UPDATE: Per Operations Management, Operator was spoken to and policy was reviewed. This was only a counseling. The Operator recalled the incident and stated that the person did not appear as if they wanted to catch the bus. Operator confirmed that they would do better in the future and be more mindful of people in mobility devices.</p>
15	9/8/2022	<p>Disability. Customer called to report the driver denying service to them and their service dog. Customer said that they tried to get on the bus, with a stroller, a service dog, and some laundry. Customer stated that the driver refused service because their service dog was not in a carrier. Customer stated, "I have all paperwork for my service dog, she might be small but I have her tags and paperwork in order."</p>	Closed	<p>OCR reviewed the CCTV footage. The passenger told the operator that her dog was a service animal. However, the operator did not allow to board the passenger and told the passenger that the dog had to be on the customer's lap or in a crate. The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> •Coach operator's Rulebook rule 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach operator's Rulebook rule 4-8.10 – The operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer. •Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. •Operations Notice # 2018-013- Service Animal FAQ's. <p>UPDATE: Supervision will take appropriate action as needed and continue to monitor.</p>

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
16	9/9/2022	Disability. Caller describes how the operator told the Caller "No," that they couldn't come onto the bus, but then let two other passengers on. The Caller states that they have a service animal in a carrier and can't imagine that that they were denied a ride because of them having their service animal with them.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the customer at 9:41:30. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE #1: Management has counseled and disciplined operator on this incident, "These rules and policies were reviewed with the operator."
17	9/14/2022	Disability. Caller stated she was waiting at the stop and the driver would not allow her to board. Caller stated that the driver "would not even call in to let them know why she could not board." Caller stated she does not have an attendant and can board the bus on her own without causing delays. Caller stated that she is going to sue VTA because she keeps getting passed up.	Closed	OCR reviewed the CCTV footage. Operator was observed telling customer that he was instructed not to allow her to board unless she was accompanied by an attendant who could board and deboard her safely from the coach. After speaking with North management and OCC, it was confirmed that the passenger should be allowed to board with or without an attendant as long as she can do so safely. UPDATE: Management has spoken to the operator in order to provide reinstruction.

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
18	10/1/2022	Disability. Caller stated that he was at the stop when the driver just passed him by. Caller stated that he is disabled and is missing his appointments due to pass ups. Caller is upset.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the customer. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: Operations Management determined that details given in the complaint were inconsistent with data pack/CCTV footage, but OCR found an ADA policy violation when observing that the operator had passed up a customer with disability at 9:26:08.
19	10/6/2022	Race. The caller called and said operator did not stop when two Asian women passengers pulled the string to get off at Alum Rock and Jackson. Operator finally did stop at Alum Rock & King at 8:38 AM and when the two elderly Asian ladies got off, the operator said to them, "Don't get on my bus next week," and then said something else that the caller did not hear, and then the operator said, "Sayonara!" and waved goodbye to the two women, allegedly in a condescending way. The caller is appalled at this racist behavior and would like the operator to be spoken to about her racist remarks and behavior toward the two elderly Asian ladies. As per Swiftly playback the coach was at Alum Rock & S King Rd at precisely 8:38 AM. Caller requires a call back only if VTA require more information from her.	Closed	OCR has reviewed the CCTV footage. Two passengers (whom the Complainant believed to be Asian) can be overheard speaking in their native language throughout the bus ride while sitting in the ADA section. The operator is observed passing their desired stop and results in the passengers raising their voices to alert the operator (passengers were not observed requesting that specific stop). The operator then lets them off at the next stop, but as the two passengers are deboarding the coach, the operator is overheard saying, in what OCR determined was a condescending tone, "Next week, don't get on my bus, bye... sayonara!" OCR determines that the operator demonstrated a form of unprofessional and inappropriate language/behavior towards the two passengers. First, by saying to the passengers, "Next week, don't get on my bus," followed by directing the term "sayonara" at them, likely because of their race and/or national origin, as "sayonara" is from the Japanese language. The operator's action violates Title VI-related policies and OCR determines that the Title VI claim is substantiated. OCR recommends that the operator attend a customized Title VI training facilitated by OCR to review Title VI policies and procedures, and that management meet with this operator to review VTA policy Title VI/Non-Discrimination 100.013 (formerly policy AS-HR-PL-2580) as well as VTA policy 100.011 (formerly policy 2120) Sexual and Other Forms of Harassment or Discrimination, to discuss how their actions can potentially be seen as discriminatory and to be mindful of this in future encounters with passengers. UPDATE: Operations Management met with the operator, reviewed policy, and took appropriate action.

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
20	10/12/2022	Disability. Caller stated he was waiting at the stop in his wheelchair and the driver passed him up. Caller stated the driver did not make an attempt to stop.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the customer. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: Operator claimed he did not see the passenger. Operator met with management and was counseled on the incident.
21	10/15/2022	Disability. Caller said the operator did not stop to pick them up even though the operator allegedly saw them waiting at the bus stop in their wheelchairs.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the customer. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: Supervision will take appropriate steps and will continue to monitor the issue.
22	10/17/2022	Disability. Customer called to report the driver was very rude and that the driver had an attitude. Customer stated, "I have this walker, so I asked the operator, 'Would you lower the step?' and he keeps telling me what to do, then he says I had an attitude and that lead to him calling me 'Idiot' and I told him, 'Don't tell me what to do,' I asked him to lower the step. I would expect for this guy to be suspended for a week, maybe he will learn something."	Closed	OCR reviewed the CCTV footage. The operator did not lower the bus for the elderly person with walker. Also harassed the passenger by saying "Idiot" several time. The pass-up violates the following policies and guidelines: •Coach operator's Rulebook rule 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach operator's Rulebook rule 4-8.5 - The operator shall deploy ramp on request. Anyone may request use of the ramp. When a ramp will not deploy, the operator shall notify OCC immediately by PRTT. •Operations Notice 2021-04 – Mobility Devices and Rear Door Boarding, dated Feb. 19, 2021. UPDATE: These violations were communicated to Operations Management to counsel the employee. Supervision stated that they were not able to talk to the operator throughout the holiday season when it is harder to meet up with operators because of the schedules and leaves. On 1/5/23, Management stated, "Took appropriate action. Will continue to monitor and take additional appropriate action as needed."

VTA - List of Substantiated Title VI and ADA Complaints and Investigations 2022

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
23	10/27/2022	Disability. Caller is stating this driver refused to put ramp down when being asked. Caller states the driver told caller that they could walk, then driver asked about their medical condition. Caller states he had to pay the fare and let others on.	Closed	OCR reviewed the CCTV footage. The operator did not deploy for the passenger in the wheelchair when they requested it. operator could be heard telling the passenger, "C'mon get up I know you can walk." He then began to allow all other passengers without mobility devices to board the coach and drove away, leaving the customer in the wheelchair behind, waiting at the stop. The pass up violates the following policies and guidelines: •Coach operator's Rulebook rule 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach operator's Rulebook rule 4-8.5 - The operator shall deploy ramp on request. Anyone may request use of the ramp. When a ramp will not deploy, the operator shall notify OCC immediately by PRTT. •Operations Notice 2021-04 – Mobility Devices and Rear Door Boarding, dated Feb. 19, 2021. UPDATE: OCR spoke with management on 11/14/22 who confirmed that operator met with management regarding this incident and was counseled on policy.
24	11/4/2022	Disability. Customer called and complained that the driver did not secure her wheelchair at all. The customer said the driver did not put the hooks on the wheelchair; the customer felt the driver should know how to secure wheelchairs better.	Closed	OCR reviewed CCTV footage. The operator failed to secure the disabled customer's mobility device. Non-securement of the customer's mobility device violated the following Coach operator's Rulebook rules: 1) 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; 2) 4-8.9- The operator shall secure all mobility devices. If the passenger or the passenger's attendant secures the device, the operator shall ensure that the device has been properly secured before moving the coach; 3) Policy OPS-PL-07-01- Transporting and Securing Mobility Devices; 4) Procedure OPS-PR-0016- Mandatory Securement of Mobility Devices. These violations make VTA non-ADA compliant in this case. We recommended that Supervision review the above-mentioned rules and/or policies with the operator and follow up once done. UPDATE: Management met with the operator on 11/21/2022 to counsel them on the violations observed in the footage as well as policy and procedure.
25	11/9/2022	Disability. Customer called to report a pass up. Per caller, the operator left passengers behind, including a passenger in a wheelchair.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the customer. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: On November 10, 2022, the operator met with management and was counseled on this incident.

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
26	11/30/2022	Disability. "I'm reporting negligent bus driver on Tuesday, Nov. 29, 2022, at 7:56 pm on Aborn Rd & Capitol Expy! I was waiting at bus stop for half an hour and I flagged him down. He deliberately passed me by and made no attempt to stop! I have medical condition that makes it difficult to walk! I'm a senior citizen and have senior bus pass! I had to walk a mile to get home! Extremely upset with your service! I'll post my comments on social media! I want this driver to be reprimanded for incompetence on the job! I want to hear what disciplinary action you'll take for my pain and suffering! It was bus #31 Evergreen College!"	Closed	OCR reviewed the CCTV footage. The operator was observed passing up the customer. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: On December 7, 2022, the operator met with management and was counseled on this incident.
27	11/30/2022	Disability. Email to Customer Service with subject line, "Disability Discrimination." Constituent states in their email, "Hello VTA, Bus 68 (stop ID 63408) scheduled for 5:35 on 11/29/22 to downtown San Jose saw me and another passenger. They slowed down, seeming like they were going to stop, and saw my clearly marked service dog wearing a mobility harness and kept going. They did not bother to fully stop or ask if it was a service dog. Service dogs are allowed wherever the public is allowed and VTA is a public transportation service."	Closed	OCR reviewed the CCTV footage. The operator was observed passing up a passenger accompanied by a dog in a harness. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: Management met with the operator and discussed Coach Operator's Rulebook violations as indicated. The operator expressed great remorse and does not recall what happened to cause the pass-up. Operator also stated that they will be more mindful going forward.

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
28	12/6/2022	Disability. Caller is in a wheel chair and wanted to report the driver for passing her up at the stop. Caller said that she was at the stop when the bus went by.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up a passenger in wheelchair and was waving at them. The pass up violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. UPDATE: Management spoke with operator and reviewed policy. They will continue to monitor and take additional appropriate action.
29	12/24/2022	Disability. Caller has a disability. Customer stated when the bus arrived at the stop, the operator parked very far from the curb. Caller then requested the ramp. The operator didn't let down the ramp. There's a passenger who was breathing on the caller without a mask. When caller looked to the left and told that passenger to stop, the operator drove off. Caller said the operator then stopped at the light, the caller knocked at the door to ask for ramp, the operator ignored her, and drove away.	Closed	OCR reviewed the CCTV footage. The operator was observed refusing the ramp and passing up a customer. The pass up and refusal of ramp violates the following policies and guidelines: Coach operator rulebook 4-8.1- All operators shall comply with ADA regulations to ensure VTA is ADA compliant; The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. These violations make VTA non-ADA compliant in this case. Coach operator's Rulebook rule 4-8.2- The operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. Coach Operator's Rulebook rule 4-9.6 - The operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the operator shall immediately notify OCC and follow instructions. Coach operator's Rulebook rule 4-8.5 - The operator shall deploy ramp on request. Anyone may request use of the ramp. When a ramp will not deploy, the operator shall notify OCC immediately by PRTT. UPDATE: Operations Management was informed about the violation to address it with the employee. Supervision met with operator and reviewed the video together. Supervision will take additional appropriate action as needed.

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
1	8/1/2023	<p>Color and National Origin. This case was brought to ACRE's attention by Management on July 31, 2023, after the Operator alleged that he was assaulted by two male Customers. The older male tried to hit him with their cane. The Customers had boarded (at Keyes and 1st) and assaulted the Operator before deboarding (on Story and McLaughlin). CCOM received a call from a passenger regarding this incident. Operator called in to OCC and later booked off on industrial injury leave. Operator did not wish to press charges, saying that he wants to get passengers to destination. As the Operator had several previous violations, Operations Management started process for discipline and asked ACRE to review the footage to see if see any Title VI violations also needed to be addressed.</p>	Closed	<p>ACRE reviewed the CCTV footage of the incident. At approximately 4:04 p.m. what appears to be a Hispanic Male Adult passenger is seen coming to the front of the bus to tell the Operator to stop because he insisted he had pulled the stop request cord in time. The passenger makes a comment to the Operator which includes expletives and then the passenger calls the Operator an "[expletive] Arab [expletive]" (The Operator is of Indian descent). This starts an argument between the passenger and the Operator in which both use expletives.</p> <p>During this argument, in addition to using inappropriate language the Operator made inappropriate remarks about the passenger's national origin, his color and his English language proficiency. Specifically, after the Operator was called an Arab by the passenger, the Operator said, "Don't call me an Arab, where are you from you dumbass mother fucker?" The passenger said, "American." And then the Operator mentions something about the passengers command of English and the passenger didn't respond. The Operator then said, "That's got you thinking now, huh? What's your first language?" Passenger answers, "English." Operator says, "No it is not. You can hardly speak it you dumbass bitch." The Operator then says, "Are you white?" to which the passenger nods 'yes.' The Operator responds, "You want to be White. That's how truly stupid you are [laughs] you weird ass." This argument took place just before the passenger raised his cane at the Operator and got off the bus.</p> <p>From the information provided, ACRE determines that the Operator was in violation of VTA's Policy AS-HR-PL-2580 – Title VI/Non-Discrimination, by discriminating against the customer on the basis of color, national origin, and English language proficiency. ACRE recommends that Management work with Employee Relations to address policy violations. ACRE also recommends that this Operator receive a customized Title VI training facilitated by ACRE to review Title VI policies and procedures."</p> <p>UPDATE: Management met with operator regarding issues addressed by ACRE. OCC had already addressed those as well. Reviewed policy and reinforced the instructions. Management will monitor for any future incidents.</p>
1	1/24/2023	<p>Disability. The customer called to report the driver not wanting to board him on the bus. The customer said that this was the second bus that did not want to let him board. The customer is very upset because there is no reason why they will not board him. Per Dispatch Radio, a supervisor will meet the customer at the stop and investigate the reasons for the pass-ups.</p>	Closed	<p>OCR reviewed the CCTV footage. The operator was observed passing up a customer in wheelchair. The following violations were brought up with Operations Management to address with the operator: • Coach Operator's Rulebook rule 8.9.1 Boarding Separate from a Mobility Device – The Operator shall permit a passenger to board separate from his or her mobility device. The passenger must be able to control the mobility device without the assistance of the Operator. The Operator is not required to assist the passenger to maneuver the mobility device. All mobility device securement rules shall be followed when passengers board separate from their mobility devices. •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions.</p> <p>UPDATE: Management met with operator regarding issues addressed by OCR. OCC had already addressed those as well. Reviewed policy and reinforced the instructions. Management will monitor for any future incidents.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
2	1/25/2023	Disability. The caller states the Operator drove right past her and did not stop to pick her up. The caller is in a power scooter and needs an oxygen tank and states she was at the stop. Caller rode her scooter home the rest of the way (about 15 minutes to her destination). The caller was very distressed and didn't know if she would make it home. The caller was advised to wait at Mathilda & San Eliseo for the next bus. The caller continued to ride on with scooter at will.	Closed	<p>OCR reviewed the CCTV footage. The operator was observed passing up a customer in a wheelchair. The following violations were brought up with Operations Management to address with the operator: •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions.</p> <p>UPDATE: On March 27, 2023, Management confirmed having met with operator. Reviewed policy. Should be noted that operator honked to prevent car from blocking the coach's way to the stop, then operator made an assumption that the customer did not want to board this coach because they did not move or wave when the bus honked and slowed. Operator knows in the future to be sure to stop regardless and verify.</p>
3	2/20/2023	Disability. Customer called to report a pass-up. Per caller, who is in a wheelchair, the operator did not pick her up on purpose.	Closed	<p>OCR reviewed the CCTV footage. The operator was observed passing up a customer in wheelchair. The following violations were brought up with Operations Management to address with the operator:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On March 3, 2023, Operations Management gave an update that they met with the operator and reviewed the policy with operator.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
4	2/21/2023	Disability. A customer in a wheelchair called to report a pass-up. The caller was upset because now he needed to wait for the next bus in the cold and windy weather. The Information Service Representative (ISR) called dispatch radio to inform Dispatch about stranded customer.	Closed	<p>OCR reviewed the CCTV footage. The operator was observed passing up a customer in wheelchair. The following violations were brought up with Operations Management to address with the operator:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Feb. 27, 2023, Operations Management gave an update that they met with the operator and reviewed the policy with operator.</p>
5	2/22/2023	Disability. The caller is in a wheelchair and was passed up while he was sitting at the stop. The Information Service Representative (ISR) alerted the following block (2701) by radio that the customer was at the stop waiting.	Closed	<p>OCR reviewed the CCTV footage. The operator was observed passing up a customer in wheelchair. The following violations were brought up with Operations Management to address with the operator:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Feb. 23, 2023, Operations Management gave an update that they met with the operator and reviewed the policy.</p>
6	2/24/2023	Disability. The caller stated that they were wheelchair-bound and were passed up by 23 eastbound at Stevens Creek & Tantau at 4:06 pm.	Closed	<p>OCR reviewed the CCTV footage. The operator was observed passing up a customer in wheelchair. The following violations were mentioned to management to address with operator. •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions.</p> <p>UPDATE: On March 2, 2023, Operations Management noted "INAD" on the Salesforce case log.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
7	3/3/2023	Disability. The caller said she is an elderly woman in a wheelchair. She said the 22 pulled up and she decided she was going to take the 522. She said that the driver never slowed down and stopped, they just drove right past her. She said that she doesn't like what happened and she doesn't have to take that. She said they had no right to pass her up.	Closed	<p>OCR reviewed the CCTV footage the operator was observed passing of a customer in wheelchair. The following violations were brought up with Operations Management to address with the operator: •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions.</p> <p>UPDATE: On March 27, 2023, Operations Management confirmed that they met with operator, taking appropriate action and reviewing the video and policy with employee. Manager wanted it to be noted that it was difficult to see the person who was waiting on the bus. The operator most likely only saw the customer when the bus was already passing them by.</p>
8	3/5/2023	Disability. The caller stated there was a wheelchair passenger getting on a VTA bus at Santa Clara Caltrain. The operator didn't deploy the ramp and only lowered/kneeled the bus. Then caller observed the operator didn't secure the wheelchair at all. The caller would like videos reviewed and appropriate actions taken. The caller wanted to make sure their identity was not disclosed as they feared retaliation.	Closed	<p>OCR reviewed the CCTV footage. The operator was observed not deploying the ramp and did not secure the wheelchair. The following violations were brought up with Operations Management to address with the operator:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.5 - The Operator shall deploy ramp on request. Anyone may request use of the ramp. When a ramp will not deploy, the Operator shall notify OCC immediately by PRTT (= PRTT code stands for: "Priority request to talk:"). • Coach Operator's Rulebook rule 4-8.9- The Operator shall secure all mobility devices. If the passenger or the passenger's attendant secures the device, the Operator shall ensure that the device has been properly secured before moving the coach. The Operator shall encourage the use of the shoulder harness and lap belt. If the passenger declines, send the "declined seatbelt" text on the TCH (= mobile data terminal for use with Clever). If a passenger refuses to allow their mobility device to be secured, the Operator shall contact OCC by using the PRTT button and shall follow OCC instructions. <p>UPDATE: Management issued at "COME SEE ME NOTICE" on March 10, 2023, and has counseled and disciplined operator on this incident.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
9	3/15/2023	Disability. While on the phone with the customer, the bus passed him up. The caller stated that he was waiting at the stop and flagging down the driver. The caller said that this was the third bus to pass him up this morning. Reports were put in for each pass-up. The caller said that he is being discriminated against because of his disability. He said that drivers recognize him and pass him up as a consequence.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up a disabled passenger. The following violations were brought up with Operations Management to address with the operator: - Coach Operator's Rulebook rule 4-8.10 – The Operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer. - Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. UPDATE: Supervisor reviewed CCTV footage. Supervisor will meet with Operator to discuss complaint, and reinstruct on policy and procedure.
10	3/18/2023	Disability. The caller wanted to report the driver passing him up while waiting at the stop with his service animal. The caller said that the driver slowed down to service the stop and drove away as the driver was waving him off with his hands. The caller said that he felt the driver did not want to pick him up because of his service animal. The caller said that he had been discriminated against and his rights violated. The caller is requesting immediate action with this driver and a follow-up call.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up a customer with a dog. It was not clear whether it was a service dog, but the operator should have stopped to ask. The following violations were brought up with Operations Management to address with the operator: •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. UPDATE: Operations Management met with Operator on 05-05-2023 and reviewed policy. They understand to stop and pick up and if the person says it is a service animal then transport them unless the animal is out of control and causing a safety issue.
11	3/24/2023	Disability. The customer called to report the driver passed him up. The customer alleged that the driver was doing this because the customer was in a wheelchair.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up a disabled passenger. The following violations were brought up with Operations Management to address with the operator: - Coach Operator's Rulebook rule 4-8.10 – The Operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer. - Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. UPDATE: Operations Management met with Operator on 06-12-2023. Supervision will continue to monitor and take additional action as needed.

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
12	3/27/2023	Disability. The customer called to report a pass-up. The caller who is in a wheelchair did not appreciate getting passed up.	Closed	<p>OCR reviewed the CCTV footage. At 12:49:07, the operator was observed passing up a customer who is in a wheelchair. The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Operations Management met with Operator on June 12, 2023 and took appropriate action. Supervision will continue to monitor and take additional action as needed.</p>
13	3/30/2023	Disability. The client has had many incidents with VTA buses. This is the first of two complaints that the client called in. At about 7 or 8 P.M., the client had a bus of the 22 line pull up to her stop, and the driver asked if she needed assistance. The client shared that the operator "hollered" as if she was deaf, "What did you say?" The driver then called radio and was told to not assist client with boarding the bus, and then just drove away. The client stated that she is going to add all these incidents to her lawsuit of harassment and hate crimes because she is a person with disabilities (in a wheelchair). The client stated that it took five hours to get back to her motel. A VTA supervisor was sent out to the client and eventually, the client was put on a bus. The Supervisor followed the bus and watched her get off and into motel.	Closed	<p>OCR reviewed the CCTV footage. The operator was observed passing up a customer is a wheelchair at 7:44:17. The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Operations Management met with Operator on June 12, 2023 and reinstructed the Operator. Supervisor took appropriate action and will continue to monitor.</p>

VTA - List of Substantiated Title VI and ADA Complaints and Investigations, 2023

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
14	3/31/2023	Disability. The client has had many incidents with VTA buses. This is the first of two complaints that the client called in. At about 7 or 8 P.M., the client had a bus of the 22 line pull up to her stop, and the driver asked if she needed assistance. The client shared that operator "hollered" as if she was deaf, "What did you say?" The driver then called radio and was told to not assist the client with boarding the bus, and then just drove away. The client stated that she is going to add all these incidents to her lawsuit of harassment and hate crimes because she is a person with disabilities (in a wheelchair). The client stated that it took five hours to get back to her motel. A VTA supervisor was sent out to the client and eventually, the client was put on a bus. The Supervisor followed the bus and watched her get off and into a motel.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up a customer in a wheelchair at 7:32:06. The following policies/guidelines were violated: <ul style="list-style-type: none"> •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. UPDATE: Operations Management met with Operator on June 12, 2023 and reinstructed the Operator. Supervisor took appropriate action and will continue to monitor.
15	3/31/2023	Disability. Client has many incidents with VTA buses. This is the second of two complaints that client called in. The operator of this bus allegedly saw client waiting at the stop and drove away without stopping.	Closed	OCR reviewed the CCTV footage. The operator was observed passing up a customer in a wheelchair at 7:44:17. The following policies/guidelines were violated: <ul style="list-style-type: none"> •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. UPDATE: Operations Management met with Operator on June 12, 2023 and reinstructed the Operator. Supervisor took appropriate action and will continue to monitor.

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
16	4/6/2023	Disability. Caller stated that the bus was stopped at the location boarding and deboarding other passengers. Caller stated that the driver closed the door in the face of the man in a wheel chair. Caller stated that the driver didn't even respond when questioned on why he did that.	Closed	<p>OCR reviewed the CCTV footage. The operator was observed passing up a customer in a wheelchair @1:21:29.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. <p>Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions.</p> <p>UPDATE: Per Operations, "Schedule was met by Field Supervisor and, based on video, took appropriate action. Supervisor met with Operator on May 4, 2023. Supervision will continue to monitor and take additional appropriate action."</p>
17	4/28/2023	Disability. Customer called to report that the driver did not stop for them. They signaled the driver and the driver slowed down but did not stop for them. Customer said that there was a person in a wheelchair there as well.	Closed	<p>OCR reviewed the CCTV footage. The operator is observed closing the door in the passenger's face at 11:58:07 and did not pick up any customers including the one in wheelchair.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Operations Management met with operator on May 4, 2023, "I brought the operator in today to address this issue. Per the operator, the person in the wheelchair is a regular rider who most of the times just rests at the stop, but they let the driver know they want to be picked up by waiting by the pole instead of resting in the shelter. The issue with passing up the other customers was addressed as well. Reviewed policy and discussed the need to confirm that the passenger waiting in the shelter does or does not want the schedule. Will work with moving the shelter so that the shelter is farther away, which will keep the bus from blocking the intersection."</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
18	4/29/2023	Disability. Caller stated, thru language line interpreter, that an Asian female driver picked up other people at the bus stop but not the caller. Caller says that she was NOT at the stop but very, very close by. Caller says that the driver is nice to other people but rude to her, possibly because she is disabled. She also thinks that the driver is out to get here and that the driver has a black heart. Caller insists that this situation is personal and that she has had several problems with this same driver before.	Closed	<p>OCR reviewed the CCTV footage. Operator is observed arriving at a bus stop at 1:36:25 PM. A person in a mobility device is observed next to the bus stop, shifting their device. Operator departs at 1:36:57 PM., leaving the passenger in the mobility device behind.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1: All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2: The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6: The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Management followed up with the Operator accordingly on May 5, 2023.</p>
19	5/1/2023	Disability. Caller stated that he was waiting at the stop in his wheel chair and the driver pulled up and loaded all the passengers and then told him he had no room for him. Caller said that he could see two people in the ADA seats, with their backs to the window, so he knew they weren't in a wheelchair.	Closed	<p>OCR reviewed the CCTV footage. At 8:44:55 A.M., the bus is seen to be approaching several potential passengers, including a person in a mobility device whose hand is up. At 8:45:08 AM, when the bus is stationary, the operator is observed saying, "Man, take the next one. I'm full," to this passenger in a mobility device. It is observed that the accessible seating section only has one passenger seated. The other side of the section is vacant. All other passengers board the bus and bus is observed departing bus stop at 8:45:39 AM without the passenger in the mobility device.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1: All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2: The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6: The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Management counseled the employee on May 11, 2023.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
20	5/8/2023	Disability. Caller states that at the red light on Bascom and Fruitdale, the operator removed the restraints from her husband's wheelchair. When the caller told him that it was unsafe, operator responded that he's the operator and knows best. Caller states that her husband has dementia and didn't know what was going on. Caller also indicated that she will be going to the Board of Directors in regards to this safety issue. Caller requests for a call back.	Closed	OCR reviewed the CCTV footage. The operator was observed un-securing the wheelchair at red light @2:49:55. The following policies/guidelines were violated: <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Policy OPS-PL-07-01- Transporting and Securing Mobility Devices. • Procedure OPS-PR-0016- Mandatory Securement of Mobility Devices. UPDATE: Per Operations Management, employee was counseled on May 25, 2023.
21	5/16/2023	Disability. Caller wanted to report the driver for not allowing her to board the bus with her two service animals. Caller said that another passenger boarded the bus before her and that he theb waived caller off not to get on the bus and drove off. Caller said that she felt discriminated and is requesting for the driver to be spoken to. Caller is now late for an appointment.	Closed	OCR reviewed the CCTV footage. At 12:37:16, the Customer approaches the front boarding door with a service cart and a dog carrier. The Operator tells the Customer, "You cannot bring dogs in here. You cannot be bringing dogs." The Operator was observed closing the doors as the Customer was asking, "Excuse me?" It was not clear at that point whether these were service dogs, but the Operator should have asked before refusing service to the Customer. The following guidelines were violated: <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.10 – The Operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. UPDATE: Operations Management issued a 'Come See Me' notice to the Operator on May 23, 2023, and met with operator to take appropriate action on June 12, 2023. Supervision also addressed additional issues. Operator stated that they would do better in the future. Supervision will monitor and take additional action as needed.

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
22	5/23/2023	Disability. Customer called to report the driver for not picking him up. Customer said that the driver told him that the ramp was broken. Customer thinks that the driver did not want to lower the ramp manually and stated, "There is a bus behind me. He will pick you up." Customer stated, "I am tired of these lazy bastards that refuse to pick me up."	Closed	<p>OCR reviewed the CCTV footage. The operator is observed denying service and not deploying the ramp at 5:50:00 by saying the ramp does not work. The Operator should have called OCC in this situation to take care of the passenger.</p> <p>The following guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. • Coach Operator's Rulebook rule 4-8.5 - The Operator shall deploy ramp on request. Anyone may request use of the ramp. When a ramp will not deploy, the Operator shall notify OCC immediately by PRTT. <p>UPDATE: Operations Management closed the case on Jan. 26, 2024 as they were beyond time limits, and stated that they would monitor issue going forward.🔗</p>
23	5/31/2023	Disability. Caller complained on behalf of another passenger (who is in a wheelchair). Caller stated that the Operator did not open the doors to pick either of them up. Caller and the lady in a wheelchair were both at the stop and the Operator did not open the door for them. Operator allegedly just drove off. The coach picked them up at 10:27 AM.	Closed	<p>OCR reviewed the CCTV footage. At 10:14:00 A.M., operator is observed passing up a passenger in a mobility device. The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1: All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2: The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6: The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE #1: Determination of policy violation was sent on June 9, 2023, then followed up two more times, on July 11, 2023, and on July 28, 2023</p> <p>UPDATE #2: Operations Management closed the case on Jan. 30, 2024 and stated that they would monitor the issue.🔗</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
24	6/8/2023	Disability. Customer called to report that the driver did not stop for them. Customer said that they were at the bus stop with their wheelchair, and the driver "flew" by them and did not attempt to stop for them.	Closed	<p>OCR reviewed the CCTV footage. At 6:44:40 PM, coach is observed passing up a passenger wearing a red sweatshirt is seen waving at a bus stop sitting on a bench next to a wheelchair.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1: All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2: The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6: The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On June 20, 2023, Operations Management confirmed that Cerone Supervision had met with the Operator to discuss the complaint, policy, and rule violations, and that appropriate action would be taken."</p>
25	6/15/2023	Disability. The driver made a hard turn and a man fell out of his wheelchair. Caller stated that the driver was rude and could have been more compassionate toward the man. Caller stated that one passenger told the driver he was running late and asked if he could get out to get another bus. Caller stated that the driver had a rude tone with the passenger. Caller said the man in the wheelchair was named Rich Sanchez. She said he didn't appear to be injured, but she hopes that management follows up with the incident and makes sure that the man is ok and that his wheelchair is ok.	Closed	<p>OCR reviewed the footage. At 08:31:30 AM, when the bus is observed going into a curve, the mobility device of a passenger in the ADA Priority Seating section tips over with the passenger in it. The Operator stops the bus and helps the passenger get their belongings together. During the fall, the scooter shows some tethering but not in the proper way. The passenger is not using a shoulder harness and falls out of the chair. Per OCR conversation with Operations Management on July 11, 2023, the securement equipment was not properly utilized and the Operator did not offer lap belts/shoulder harnesses. The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.9- The Operator shall secure all mobility devices. The Operator shall encourage the use of the shoulder harness and lap belt. If the passenger declines, send the "declined seatbelt" text on the TCH. If a passenger refuses to allow their mobility device to be secured, the Operator shall contact OCC by using the PRTT button and shall follow OCC instructions. • Policy OPS-PL-07-01- Transporting and Securing Mobility Devices. • Procedure OPS-PR-0016- Mandatory Securement of Mobility Devices. <p>UPDATE: PRE was issued to the Operator on July 11, 2023.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
26	6/19/2023	<p>Disability. Caller stated that she was waiting at the stop and the driver did not open the doors to board passengers and took off. Caller stated that they need to do something about these drivers.</p> <p>She said she has a disability and if she contacts the federal government, people will get in trouble.</p>	Closed	<p>OCR reviewed the footage. At 1:27:53 P.M., coach is observed approaching bus stop. Operator does not make stop to let passengers board.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1: All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2: The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. <p>UPDATE: On Tuesday, July 11, 2023, Operations Management confirmed that they will follow up with the Operator.</p>
27	6/29/2023	<p>Disability. Two people were passed up at the coach by 26 route. They were sitting on the bench, very clearly visible. This has happened many times and needs to be remedied.</p>	Closed	<p>OCR reviewed CCTV footage. At 12:33:23 PM, as bus is approaching the stop, Driver is observed looking at the individuals seated on the bench in the shelter while decelerating the vehicle, then accelerating at 12:33:30 PM and continuing with the route.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Operations Management confirmed that the Operator was counseled July 14, 2023.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
28	6/30/2023	<p>Disability. Constituent is in a mobility device and requested the Operator to have the "homeless woman with sack of luggage and a walker" vacate the ADA section so that he could board. The operator was heard saying something, and then relayed that she had a lot of things and couldn't move, or something to that effect. He wants video reviewed, because he feels that some operators do not make the request and that they are afraid to do so.</p> <p>He also commented about the language of the signs in the ADA area, and that it seems to imply preferential treatment for people in mobility devices and that it should be exclusively reserved for mobility device users upon request.</p>	Closed	<p>Updated determination (7/28/2023): ACRE reviewed the CCTV footage. At 9:21:49 A.M., coach is observed slowing to a stop where there is a passenger in a mobility device waiting. Operator lowers the ramp as passenger moves away. Passenger boards the ramp backwards. Operator then notices that there is not enough space for this passenger and asks him to deboard. Operator says that OCC will be notified, but Operator does not give OCC a call.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1: All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.6: The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>Previous determination: At 9:18:57 A.M., a passenger in a mobility device is observed moving into the designated area in the ADA section that the operator makes space for. The operator hooks the mobility device at 9:19:13 A.M. At about this same time, a passenger with a walker is observed taking a seat in the ADA seating section opposite the first passenger. No request was heard to the operator. No ADA violations found.</p> <p>UPDATE: According to Operations Management, the case was closed on 07-27-2023, and found that, "The Operator can only ask. The signs get updated as laws (which regulate ADA) change; the current language on the signs is in compliance with current ADA law."</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
29	6/30/2023	Disability. Caller states having a service animal with him and the driver left him twice already. Caller states the operator opened doors asked if it is a service animal and caller responded yes, operator asked what does it do and caller said it picks up my medication when I drop it on the ground. Driver closed the doors and left. Caller is upset and said it's discrimination and doesn't want this operator on this line and should be removed from this line and is fed up with this driver. Caller states wants operator to be removed from this line and there is a report already done before. Caller wants operator to be fired. Caller would like a call back from a supervisor.	Closed	<p>ACRE reviewed the CCTV footage. At 10:27:34 A.M., coach is observed slowing to a stop, honking the horn twice before stopping. Before opening the doors, operator wags his finger at a passenger walking next to a bicycle and a dog in a shoulder bag. At approximately 10:27:42 A.M., operator is observed telling the passenger, "You can't bring animals on the bus." The passenger replies, "It's a service dog." The operator replies, "What kind of service does the dog provide?" The passenger replies something inaudible ending in "...medication". The operator responds, "He gives you your medication?" Passenger responds, "Yeah." The operator asks again, "A dog gives you...?" The passenger replies something inaudible, then asks "Are you denying my service?". The operator responds, "Yeah". At approximately 10:28:10 A.M., closes coach's doors. Passenger is not on board.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1: All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.10: The Operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer. <p>UPDATE: On July 7, 2023, Operator was counseled by Operations Management.</p>
30	6/30/2023	Disability. Caller states that the driver passed her up. She states that she was going through the crosswalk to the bus stop as the bus was approaching and waived to the driver, who then stopped nearside of the coach stop and nearside of the crosswalk. Caller states that she was waiting at the bus shelter at the time the bus took off and left her. There seems to be a discrepancy as to the location of the caller when the bus passed. This probably needs to be solved by viewing the video.	Closed	<p>ACRE reviewed the CCTV footage. At 10:30:32 A.M., coach turns into Tamien Station, where a passenger seated in a mobility device, is on the road. Passenger moves to the side walk and situates themselves next to the bus shelter. Operator honks horn of coach, and slows to a stop at 10:30:58, but not at the bus shelter. Operator opens doors and one passenger deboards. Operator closes the doors at 10:31:09 A.M. Coach departs at 10:31:12 A.M. Customer waves at operator at 10:31:15 A.M.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On July 27, 2023, the Operator was counseled by Operations Management.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
31	7/12/2023	Disability. Customer called to report the driver did not pick them up while they were waiting at the bus stop. Customer said they were in a wheelchair, and when they approached the front door, the driver closed the doors on them and left them behind. Customer wants a callback with an update regarding this driver not paying attention.	Closed	<p>OCR reviewed the CCTV footage. At 12:24:11 P.M. coach arrives at bus stop on El Camino Real and Grape Avenue. A passenger with a wheelchair approaches the coach. The doors close, and coach departs. The passenger can be heard exclaiming dissatisfaction.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Dec. 13, 2023, "Appropriate action was taken and policy and rules reviewed..." by Operations Management.</p>
32	7/13/2023	Disability. "Now I'm gonna be late for work and Im ready to explode !!!" says caller after being passed up. Caller states that the driver looked right at him and passed him up as the caller was waving his bag and a cane.	Closed	<p>OCR reviewed the CCTV footage. At 2:11:05 P.M. the coach is seen approaching the bus stop at Market and Santa Clara. Operator passes up person waving.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Per Operations Management on Aug. 22, 2023, the operator was spoken to during their probationary review.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
33	7/18/2023	<p>Disability. Customer called Office of Civil Rights Hotline, Customer Service, and sent email to OCR Complaints about VTA sticker on buses that says that the ADA Priority Seating area of a bus must be vacated for people in mobility devices. Customer says that Operator will not force other customers to vacate when he needs to board the bus. Here is what customer's follow email to CS said: "The same incident happened on bus line 22. The VTA Driver said to me that there were passengers (on the ADA seats), one with a wheelchair and another with a walker, and that he had no room for me aboard the bus. I am in a mobility device. So, basically, there is a passenger with a wheelchair and another with walker."</p>	Closed	<p>The customer referred to one specific incident on Jul. 18, 2023. ACRE reviewed the CCTV footage. At 11:13:13 A.M. bus stops and opens doors. Operator informs passenger that there is already a wheelchair and walker on board, indicating that the bus cannot fit passenger in the mobility device. Operator informs the passenger that the next bus will be there in 15 minutes. Bus departs without the Operator calling the pass up in to OCC.</p> <p>Customer voiced concerns over VTA's ADA/Priority Seating procedures and has called CS about the sticker "Priority Seating – Must vacate for mobility devices" on board of VTA buses.</p> <p>Per the customer, Operators are not enforcing the rules established in our Policy #400.008 Equitable Access for Non-Ambulatory Fixed Route Customers in terms of the priority seating and wheelchair securement area.</p> <p>When attempting to board with a (rather large) electric scooter, other passengers would not vacate the Priority Seating area. After talking with CS, it seems that in several instances, Operators have asked other passengers to relocate to accommodate Gene's scooter - but those other passengers sometimes refuse to give up their seat (one was apparently using a walker). ACRE staff discussed VTA procedures with Operations Management (both regarding the sticker and ADA priority seating policies). "When the policy was approved on 8/13/2019 and Ops Notice #2019-020 went out, VTA started to train Operators on the following steps?</p> <ul style="list-style-type: none"> • State the requirement for customers who are ambulatory to move to other seats. • Advise any customer who refuses to move that it is VTA policy for customers with disabilities who use mobility devices to have priority access in the securement area. • Call OCC to ask for assistance, should a customer refuse to move to another available seat. • Explain the situation to the customer waiting at the bus stop (so they are not left with the misperception they are simply being passed up.) <p>VTA Operators may not force someone to move even after they have requested that they do so. And if the bus is at full capacity, there is no requirement for customers to move from the priority seating area. OCC will determine next steps, e.g., sending over a field supervisor when an Operator calls in such a situation, or advise the customer with the disability of the headway for the next bus at that stop.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
34	7/21/2023	Disability. Caller wanted to report the driver left the stop without allowing him to board the bus. Caller said that he showed the driver a medical disability identification card and that the driver told him that he could not take the card and drove off. Caller said that the card is a valid disability card and that he has never had any problems using the card to pay the disable fare. Caller is requesting for the operator be spoken to.	Closed	<p>ACRE reviewed the CCTV footage. At 9:44:16 AM, coach arrives at stop. A passenger with a bicycle approaches the coach and asks the operator to go in through the back; that the passenger has a card. The operator tells the passenger that the pass is not valid for this county, and that the operator has informed the passenger of this before. The passenger assures the operator that the card works, and the operator disagrees. The passenger begins to take down the coach number and confirms with the operator, and that they will call Customer Service, presumably.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>Update: According to Operations Management on Jan. 24, 2024, Operator has been out "long term and has not returned as of this date..." and the Management "Will make contact with them and address the issue upon their return to work."</p>
35	7/21/2023	Disability. Passenger was standing at the bus stop with his mobility device. As the 22 came to the stop, it passed the bus stop shelter and blocked a driveway. Operator then let a passenger off, and denied boarding for this constituent with his mobility device. Operator did not speak to passenger. Passenger banged on the bus to get the operator's attention but operator drove off.	Closed	<p>ACRE reviewed the CCTV footage. At 10:52:56 A.M., coach approaches a bus shelter, stops, and opens the doors. A passenger walking with a mobility device approaches the bus entrance, the operator closes the doors and begins to depart, and the passenger outside bangs on the bus. The operator continues to advance the coach and leaves without the passenger.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Dec. 1, 2023, Operations Management counseled employee.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
36	7/28/2023	Disability. Caller stated that the driver opened the door and said "do you have a pass?" The caller said he had cash and the driver closed the door and flipped him off. Caller stated that he is a black male and he and his friend are both in wheelchairs. He said that he has never been treated that way in his whole life.	Closed	<p>ACRE reviewed the CCTV footage. At 12:18:41 P.M., the Operator opened the door to two persons seated in wheelchairs who are observed waiting at the bus stop. Operator asks both for their pass, to which one of the Customers responds, "Yes, we are both going." Operator responds, "Use your pass." and starts driving while one of the Customers is heard shouting, "No, no, wait!"</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Per note from Operations Management, employee was counseled and case closed on Aug. 15, 2023.</p>
37	7/28/2023	Disability. Operator lady left him there. Customer needed ramp down. She (driver) looked at him when she went to the rest room. Caller stated that he made eye contact with driver before she used restroom as he waited at the bus stop for 522. Caller had a cart with groceries with him and it was heavy so he needed a ramp lowered. Driver just drove off then. Caller stated that the Operator looked at him and laughed and drove off. Caller provided Vehicle Identification Number and asked if drivers can get a refresher training on customer service. Caller doesn't want her to get in trouble but called to say that just because of this pass-up, his groceries may be spoiled.	Closed	<p>ACRE reviewed the CCTV footage. At 2:06:24 P.M., the Operator is observed boarding the coach while a person with a cart approached the front door from the other direction. The Operator is observed turning around at 2:06:30 and facing the Customer who is at that point directly in front of the entrance. Operator is then observed taking a seat and pulling the Coach out of the stop.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Per Salesforce update, on Dec. 18, 2023, Operations Management reviewed correct procedure with the operator.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
38	7/31/2023	Disability. Caller who uses a walker was passed up by a 23 east bound at San Carlos & Bascom at 1:14pm, Caller states that the Operator did not stop or slow down to see if they needed to be picked up.	Closed	<p>ACRE reviewed the CCTV footage. At 1:14:26 P.M., coach approaches a bus shelter and stops. A person approaches the coach, but the operator does not open the doors. Operator passes up the passenger.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Per Salesforce update, on Aug. 18, 2023, Gilbert Negrete states, "A PRE will be issued and the operator will be spoken to..."</p>
39	8/1/2023	Disability. Caller wanted the bus lowered. The operator reluctantly lowered it half way. Caller then said that's not enough. The operator just took off. Caller's spine was hurting and couldn't get on without the bus being lowered. Caller would like videos reviewed and appropriate actions taken.	Closed	<p>ACRE reviewed the CCTV footage. At 8:25:05 A.M. coach makes a stop. A passenger approaches the bus and asks the operator to lower the bus. The passenger requests for the bus to be lowered further. In response, the operator insists that the bus is down all the way. The passenger verbally disagrees, and operator closes the doors of the coach and resumes the route. Operator passed up passenger.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>Update: ACRE has notified Legal of the passenger's Freedom of Information Act request.</p> <p>Second Update: Per Operations Management on Dec. 28, 2023, they brought the operator in to discuss the circumstances surrounding this complaint and to obtain the operators recollection of the events that transpired on this day. The operator was counseled strongly on his responsibilities to provide services to the ADA riding community, Policies & Procedures and Rule Book Violations. The operator was receptive to reinstruction and counseling.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
40	8/1/2023	<p>Disability. Rider says this operator arrived late and after boarding them, went around the transit center a 2nd time to board another passenger. Rider insists "it's common sense" that the operator's aren't allowed to go back to retrieve passengers. Rider says there was also a 44 bus in the transit center that was due to leave soon.</p> <p>Rider also says when they (on the 47) arrived at Kaiser (Calaveras & Milpitas), they motioned towards the ramp with their cane and said "put it down", to which the operator reportedly replied "I don't know what you're talking about".</p> <p><u>Rider attempted to explain all of this to</u></p>	Closed	<p>ACRE reviewed the CCTV footage. At 11:33:32 A.M., the coach pulls into bus stop. A passenger in a mobility device approached the coach as it was departing, and waved their hands. The operator opened the doors, and asked, "Where are you going? You're at the wrong stop, man" The customer who is in a mobility device responds, " How do you know? The passenger responds, "Victoria. I don't know.." The operator points to a coach in front of the coach that is stopped. The operator says that it is going to Park Victoria, too, and that it's about to leave. The customer responds that it's possible for the coach to park in front of the parked coach so that they can board the bus. The customer is not heard requesting ramp deployment. The operator responds, "Nah, I'm already late, man." and departs at 11:34:35 A.M.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>Update: On Oct. 15, 2023, the Employee has been counseled on the rules.</p>
41	8/3/2023	<p>Disability. Caller was in a power scooter. The bus pulled in a little further than the bus stop. When the caller tried to get to the bus, the operator just took off without saying a word. Caller would like videos reviewed and appropriate actions taken.</p>	Closed	<p>ACRE reviewed the CCTV footage. At 2:06:27 P.M., the coach approaches a stop where a person in a mobility device is waiting. The operator makes a brief stop, but does not open the doors. The coach departs at 2:06:32 P.M.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Dec. 13, 2023, Operations Management met and addressed multiple issues including policy violations with Operator.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
42	8/30/2023	Disability. Caller stated she was passed up by the operator. Caller would like videos reviewed and appropriate actions taken.	Closed	<p>ACRE reviewed the CCTV footage. At 10:10:52 P.M., the coach stopped at a bus stop. A woman with a mobility device approached the bus, did not open the doors, and departed without the customer.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Dec. 29, 2023, Operations Management issued a "Come See Me" request.</p>
43	8/30/2023	Disability. Caller stated she was passed up by the operator. Caller would like videos reviewed and appropriate actions taken.	Closed	<p>ACRE reviewed the CCTV footage. At 11:01:06 P.M., the coach approached a bus stop at El Camino Real and Bowe Avenue. Customer waved their hand, but coach did not stop. Customer was passed up.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Jan. 30, 2024, Operations Management recorded, "MTL will monitor"</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
44	8/30/2023	Disability. Caller stated she was passed up by the operator. Caller would like videos reviewed and appropriate actions taken.	Closed	<p>ACRE reviewed the CCTV footage. At 11:09:57 P.M., the coach approached a bus stop at El Camino Real and Bowe Avenue. Customer with walker stood waiting near doors when coach slowed down, but coach did not stop. Customer was passed up.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Dec. 26, 2023, Operations Management stated they would monitor the issue and take additional appropriate action as needed.</p>
45	9/1/2023	Disability. Caller stated when the bus arrived at the bus stop, he has a up right walker and let the passengers board first, once the passengers where boarded caller requested the ramp. Caller stated the operator moved forward and left. Caller stated the operator left him behind.	Closed	<p>ACRE reviewed the CCTV footage. At 3:12:11 P.M., the coach arrived at the bus stop at El Camino Real and Monroe Street where there were three customers sitting at the bus stop bench. Two customers boarded the coach. The third customer had a mobility device, a walker. The customer with the mobility device approached the front entrance of the coach. The customer with the mobility device is not head requesting the ramp. At 3:12:32 P.M., the operator closed the doors of the coach and departed.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Supervisor met and addressed multiple issues including policy violations on Dec. 13, 2023.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
46	9/6/2023	Disability. Caller called to report a pass up. Caller stated that they were waiting at the bus stop when the operator slowed down the bus near bus stop and accelerated. Caller stated that he is on wheelchair and there were three other passengers waiting at the bus stop. Caller stated that the operator saw them but still passed them up.	Closed	<p>ACRE reviewed the CCTV footage. At 12:02:08 P.M., the coach approached a bus stop at El Camino Real and Showers Avenue, where three people were in close proximity to the bus shelter. One of the individuals is a person in a mobility device. The operator passed up the three passengers.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Operator was counseled on Sept. 7, 2023.</p>
47	9/7/2023	Disability. Caller stated that she is on wheelchair and she got passed up by the operator. Caller stated that the driver did not stop the bus and passed her up.	Closed	<p>ACRE reviewed the CCTV footage. At 3:17:00 P.M., the coach is observed approaching the bus stop at Almaden Avenue and Willow Road. A customer with a walker is observed sitting under the bus shelter waving. The operator does not stop, and passes up the customer.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Counseled on Oct. 6, 2023 by Operations Management</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
48	9/11/2023	Disability. Caller stated waiting at the bus stop and waving at the bus with his service animal and the bus passed them up.	Closed	<p>ACRE reviewed the CCTV footage. At 4:52:13 P.M., coach approached a bus stop at the intersection of Monterey Highway and California Avenue. At the the bus bench, a customer with an animal on a leash is observed. The operator did not stop for this customer. Customer was passed up.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-8.10 - Service Animals - The Operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>Update: Operator was counseled by Operations Management on Oct. 13, 2023.</p>
49	9/21/2023	Disability. This is the second time this disabled veteran has been passed by this particular operator. The first, the operator covered his badge to not allow the rider to see it, but this time he was able to get the number. Caller is requesting a callback from the superintendent as to why he is being denied service by this operator. No other operator denies constituent service. Caller is considering a discrimination lawsuit against VTA.	Closed	<p>ACRE reviewed the CCTV footage. At 3:08:24 P.M., the coach stopped at a bus stop. A customer in a yellow shirt approached the coach. The operator tells the customer, "Not riding the bus, man." The customer attempts to obtain the operator's badge number, backs away from the entrance, and the operator closes the doors.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Nov. 19, 2023, the Operator was counseled and strongly admonished.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
50	9/21/2023	Disability. Caller wanted to report the driver for passing her up at the stop. Caller said that she was waiting at the stop in her wheelchair and that the driver was coming in as if was going to service the stop but continued on not picking her up. Caller is requesting for the driver to be spoken.	Closed	<p>ACRE reviewed the CCTV footage. At 3:27:05 P.M., the coach approached a bus stop where there was a customer in a mobility device but did not stop.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>Update: On October 23, 2023, the Operator was issued a verbal warning.</p>
51	10/10/2023	Disability. Rider (African American male, glasses, cane, beanie, usually wearing a mask) says this operator stopped a foot or so away from the curb, therefore they requested the ramp. The operator refused.	Closed	<p>ACRE reviewed the CCTV footage. At 4:16:21 P.M., the operator stops at a bus stop at El Camno Real and Halford Avenue. A customer with a cane boards the bus. At 4:20:32 P.M., the operator makes a stop, and the customer with a cane requests for the ramp to be lowered. The operator says he can't because the ramp is not working and offers to kneel the bus. The customer is upset and takes down the route information.</p> <p>The following guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. • Coach Operator's Rulebook rule 4-8.5 - The Operator shall deploy ramp on request. Anyone may request use of the ramp. When a ramp will not deploy, the Operator shall notify OCC immediately by PRTT. <p>Update: On Oct. 16, 2023, Operations Management issued a "Come See Me."</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
52	10/13/2023	Disability. Caller is blind. She stated she was passed up by the bus.	Closed	<p>ACRE reviewed the CCTV footage. At 1:09:34 PM, as the Coach was approaching the bus stop, a person with white cane is observed standing next to the bus shelter. As the bus came to a stop, this Customer is observed moving slowly towards the front door, using the white cane as their orientation device. Another passenger, who had already been waiting at the curb, entered first. About 10 seconds later, while the Customer with the white cane was still moving ahead slowly, Operator glanced over their right shoulder, then closed the door at 1:09:48 and pulled out of the stop. The Customer with visual impairment was left behind.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> •Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. •Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. •Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>Update: Operations Management met with the Operator to discuss the incident on Nov. 19, 2023. Operator was counseled and strongly admonished.</p>
53	10/26/2023	Disability. Caller stated waiting at the bus stop and is on a wheel chair and the operator passed them up. Caller stated being very angry the operator passed her up and being in a wheel chair.	Closed	<p>ACRE reviewed the CCTV footage. At 3:47 P.M., the coach approached a bus stop at the El Camino Real and Bush Street. A customer with a walker was waiting at the bus stop. The operator did not make a stop.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Dec. 13, 2023, Operations Management met and addressed multiple issues including policy violations with regards to ADA.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
54	10/27/2023	<p>Disability. Caller stated that there is construction going on in the area, but the driver could see that the passenger was waiting at the stop. Caller said that the driver pressed the brakes before the stop and then again after the stop, however, the driver didn't stop for her.</p> <p>She said that she is handicapped and is on her way to urgent care and now has to wait for the next bus.</p>	Closed	<p>ACRE reviewed the CCTV footage. At 12:04:08 P.M., the approached the bus stop at Maude Avenue and Mathilda Avenue. A customer with a walker was present next to the bus stop. The operator pulled to the side, did not open the doors, and departed.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 - The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Jan. 31, 2024, Operations Management stated they would monitor the issue.</p>
55	11/2/2023	<p>Disability. Caller stated that they are disabled and using a wheelchair and the bus operator refused to pick them up. Caller stated that the bus operator told them that the bus was full and there was not enough room for a wheelchair. Caller stated that there were no wheelchairs seated in the ADA section.</p>	Closed	<p>ACRE reviewed the CCTV footage. At 1:16: 55 P.M., the operator stopped at a bus stop located at Atherton and Hamilton Avenue where a customer in a mobility device was waiting. The bus's seats were full to capacity, including the Priority Seating area. The operator did not call OCC and departed.</p> <p>The following guideline was violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: The Operator was counseled on Nov. 14, 2023 by Operations Management.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
56	11/17/2023	<p>Disability. Caller stated having their Service animal with them and has documentation for his service animal. Caller stated the operator said he couldn't get on and was afraid of the dog and didn't let him board.</p>	Closed	<p>ACRE reviewed the CCTV footage. At 12:36:23 P.M., as the Customer was approaching the front door with a dog on a leash, the Operator closed the door. The Customer voiced some words behind closed doors (not audible) and the Operator shook his head, "It's not happening, boss. You can say what you want. I apologize but I got a full bus, man, I'm afraid." The Customer was not observed responding to that, but turned around and walked the dog back to the bus shelter. The Operator closed the door and another Customer was heard addressing the Operator (inaudible). The Operator responded to that Customer, "Yeah, a pit bull. I'm a little sceptic of those dogs." Customer said, "Some of them are nice." The conversation ensued until the light turned green, then the coach continued the route.</p> <p>ACRE observed that the Bus Operator told the Customer that the bus was full while CCTV footage showed that several seats appeared unoccupied. As the Operator addressed the Customer before Customer could advise that they were riding with a service animal, and told the Customer that the bus was full, the Operator in essence denied service to the Customer.</p> <p>The following guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 – All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.10 – The Operator shall allow service animals and service animals-in-training to ride on the coach. The customer's verbal identification of the animal as a service animal is sufficient. No documentation is required. The service animal must remain under the full control of the customer. • Coach Operator's Rulebook rule 4-9.6 – The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. • Operations Notice # 2018-013 – Service Animal FAQ's. <p>UPDATE: Operations Management counseled the Operator on above policies on Nov. 29, 2023</p>
57	12/7/2023	<p>Disability. Caller left a voicemail that she was passed up by the operator.</p> <p>Caller has a disability and was in a power wheelchair. Caller would like videos reviewed and appropriate actions taken.</p>	Closed	<p>ACRE reviewed the CCTV footage. At 7:51:47 P.M., the coach approached a stop at El Camino Real and San Tomas Expressway. A customer with a mobility device was at the bus stop location and waved their hands. The coach did not make a stop.</p> <p>The following guidelines/policies were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Operations Management confirmed on Dec. 28, 2023 that the Operator was counseled.</p>

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	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
58	12/27/2023	<p>Disability. Caller boarded the bus with her mobility device and the operator did not secure her with straps. Operator left before she could secure herself.</p> <p>Caller is requesting a call from the direct supervisor of the operator about this incident, and another incident that occurred earlier with another woman on the bus where her stroller with her child was knocked over due to aggressive driving.</p>	Closed	<p>ACRE reviewed the CCTV footage. At 12:54:04 P.M., the bus made a stop and boarded customers, one of whom is a person with an electric mobility device. The operator did not secure the mobility device, and departed at 12:58:26 P.M.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator’s Rulebook rule 4-8.1 - All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator’s Rulebook rule 4-8.9 - The Operator shall secure all mobility devices. If the passenger or the passenger’s attendant secures the device, the Operator shall ensure that the device has been properly secured before moving the coach. The Operator shall encourage the use of the shoulder harness and lap belt. If the passenger declines, send the “declined seatbelt” text on the TCH. If a passenger refuses to allow their mobility device to be secured, the Operator shall contact OCC by using the PRTT button and shall follow OCC instructions. <p>UPDATE: On Dec. 29, 2023, Operations Management reinstructed the Operator.</p>

VTA - List of Substantiated Title VI and ADA Complaints and Investigations, 2024, to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
1	1/2/2024	<p>Disability. The caller stated that when the operator made a left turn from Berryessa to Lundy, his wheelchair toppled over. The caller stated that he declined medical at the moment. The caller stated that his wheelchair is damaged from that incident and also his ribs and waist are hurting.</p> <p>"Male w/dark complexion, 45-50s, black beanie, grey shirt, riding in a wheelchair, his chair toppled over when the Operator made the left turn onto Lundy. He did not fall onto the floor. No injuries were reported and medical was declined. The subject declined the seat belt when he boarded and the chair had a 3-point securement. The subject needed assistance to the upright chair. The operator was instructed to pass out courtesy cards. 350 released schedule to proceed regular route late. No 10-50 needed."</p>	Closed	<p>ACRE reviewed the CCTV footage. The operator secured the customer's mobility device at 12:56:19 P.M. ACRE noted that the Operator attached one of the securement hooks onto the rear wheel of the wheelchair at 12:56:35. Throughout the footage, ACRE observed that the Customer held on to the folded-up chairs several times to stabilize the chair. On previous turns, before their near fall, the chair moved sideways/swayed several times. When the coach turned on Lundy Ave. at 1:18:13 P.M., the customer's wheelchair started to sway stronger and then tipped (but did not fall all the way to the ground). Another Customer helped the person in the mobility device to return to upright position. The Operator re-secured the mobility device at 1:19:22 by attempting to remove the securement hook from under the wheelchair's rear wheel, then reattaching the securement to the wheel.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.9- The Operator shall secure all mobility devices. If the passenger or the passenger's attendant secures the device, the Operator shall ensure that the device has been properly secured before moving the coach. The Operator shall encourage the use of the shoulder harness and lap belt. If the passenger declines, send the "declined seatbelt" text on the TCH. If a passenger refuses to allow their mobility device to be secured, the Operator shall contact OCC by using the PRTT button and shall follow OCC instructions. • Policy OPS-PL-07-01- Transporting and Securing Mobility Devices. • Procedure OPS-PR-0016- Mandatory Securement of Mobility Devices. <p>1st Update from Operations Management: "Operator submitted Occurrence Report Form and notified OCC of incident. FY24-01211. Come See Me-Notice issued to Operator on Jan. 8, 2024. Training department will complete investigation process."</p> <p>2nd Update from Operations Management, 1/22/2024: Cerone Supervision will meet with the operator and appropriate action will be taken.</p>
2	1/13/2024	<p>Disability. The caller was in her power wheelchair. The caller stated she was passed up by the operator. They said that the operator was driving very fast and had zero intention to stop.</p>	Closed	<p>ACRE reviewed the CCTV footage. At 6:31:03 P.M., the coach passed by the El Camino & Cezanne stop. A customer with a mobility device was at the bus stop location. The coach did not make a stop.</p> <p>The following guidelines/policies were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: Operations Management issued a "Come See Me" request on Feb. 8, 2024. Per notes, Management, "Will monitor. Supervision will meet with Operator to discuss circumstances surrounding complaint and ADA compliance."</p>

VTA - List of Substantiated Title VI and ADA Complaints and Investigations, 2024, to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
3	1/16/2024	<p>Disability. Caller advised he is an 80 year old disabled man who has been waiting at the coach stop for the 1:01 p.m. schedule due out of California Ave, and this coach never showed up. Per Swiftly playback, the Operator failed to complete their return trip to California Ave Station and was noted staying at El Camino and California for 9 minutes. Operator failed to service 2 coach stops on that route, and never completed their last southbound trip due out at 1:01 p.m. Per Swiftly play back, operator left El Camino and California and proceeded to DH to Truman and Bryant to set up for their 51 route.</p> <p>Caller advised that they came all the way from San Jose and had a 2 p.m. appointment at the VA Hospital, which he would now miss as a result of no service provided.</p>	Closed	<p>ACRE has reviewed CCTV footage for Salesforce case #011324065, shown below. Operator did not service the California Avenue Caltrain bus stop on 1/16/2024 and therefore passed up the customer with disability at 1:25 PM.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 – All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-9.6 – The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Jan. 23, 2024, Operations Management updated that they were, "Unable to review and meet with Operator in a timely manner due to Admin staffing issues."</p>

VTA - List of Substantiated Title VI and ADA Complaints and Investigations, 2024, to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
4	1/16/2024	Disability. Caller stated that the bus operator refused service to them. Caller stated "She closed the door on me and took off. I don't know how you guys train this people. She just refused to do her job."	Closed	<p>ACRE reviewed the CCTV footage and noted throughout the footage that Operator waved in onboarding Customers at several stops to have them hurry up entering the coach. At 1:59:20 P.M., Operator remarked to a Customer in the ADA Priority Seating section (who did not require ramp and onboarded apart from their mobility device) that Operator needed to get "there early so I can get the shuttle, so I can go home." At 2:04:35 PM, the Operator waved away a Customer in a scooter approaching the frontdoor, telling them, "My ramp doesn't work." The Customer remarked that they had been waiting for a bus for an hour, then requested if Operator can drive Customer, and Operator answered, "No, I can't." At 2:05:30 PM, Operator closes the doors and continued route.</p> <p>According to Operations Management, the operator noted dysfunctional ramp on the defect card but did not call it in. The snippet of Clever shows the last time there was a problem with the lift was 12/17/23. Management believed the mechanic noted on the back of the defect card that the lift works when coach is kneeled, as it should be.</p> <p>The following policies/guidelines were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1 – All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2 – The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-8.5 – The Operator shall deploy ramp on request. Anyone may request use of the ramp. When a ramp will not deploy, the Operator shall notify OCC immediately by PRTT. <p>UPDATE: On Jan. 31, 2024, the Operator wrote "E/C" as a follow up.</p>
5	1/18/2024	Disability. Caller stated waiting at the bus stop with his wheel chair light turned on and the bus passed him up.	Closed	<p>ACRE reviewed the CCTV footage. At 6:00:04 P.M., a customer with a mobility device is observed waiting at the bus stop. The operator did not stop the bus.</p> <p>The following guidelines/policies were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Jan. 24, 2024 and Jan. 31, 2024 Operations Management issued two "Come See Me" requests.</p>

VTA - List of Substantiated Title VI and ADA Complaints and Investigations, 2024, to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
6	1/24/2024	Disability. Caller stated that they are disabled. Caller was waiting at the stop and the bus driver did not stop to pick them up.	Closed	<p>ACRE reviewed the CCTV footage. At 9:55:25 A.M., the coach is observed passing up a customer who is in a mobility device.</p> <p>The following guidelines/policies were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Jan. 31, 2024, Operations Management met with the Operator to discuss proper procedure.</p>
7	1/25/2024	Disability. The caller stated the operator passed her and her mother up at the bus stop. The bus wasn't even in the right lane. Caller's mother has a disability and uses a walker.	Closed	<p>ACRE reviewed the CCTV footage. At 10:57:36 A.M., the operator approached the stop at Quito Road and Saratoga Avenue. There, two customers were waiting. One customer had a mobility device. The operator did not make a stop.</p> <p>The following guidelines/policies were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Feb. 1, 2024, Operations Management noted that the CCTV was reviewed. Supervision counseled Operator and took appropriate action.</p>

VTA - List of Substantiated Title VI and ADA Complaints and Investigations, 2024, to Feb. 29, 2024

	Date	Summary	Status	Action(s) Taken
Complaints and Investigations				
8	1/26/2024	Disability. Caller called to report a pass up. Caller stated that she is disabled and the operator passed up total of 5 passengers. Caller stated that the bus operator made the right turn and did not even bother picking up the riders.	Closed	<p>ACRE reviewed the CCTV footage. At 3:50:35 P.M., the coach is seen approaching the stop, where a person in a mobility device is waiting, along with two other passengers. The operator did not make a stop.</p> <p>The following guidelines/policies were violated:</p> <ul style="list-style-type: none"> • Coach Operator's Rulebook rule 4-8.1- All Operators shall comply with ADA regulations to ensure VTA is ADA compliant. • Coach Operator's Rulebook rule 4-8.2- The Operator may not refuse service to passengers with a disability solely because of their appearance or involuntary behavior. • Coach Operator's Rulebook rule 4-9.6 - The Operator shall never pass up passengers unless the coach is full to capacity, including standees. If it becomes necessary to pass up passengers, the Operator shall immediately notify OCC and follow instructions. <p>UPDATE: On Feb. 26, 2024, employee was counseled by Operations Management.</p>

VTA Information for EPA Climate Pollution Reduction Grants Program: Implementation Grants

March 2024

Information compiled for 2022, 2023 up to and including Feb. 2024.

III. List all pending civil rights lawsuits and administrative complaints filed under federal law against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7.)

Below are the VTA Civil Rights Lawsuits regarding the above request for information (please see separate file for all civil rights administrative complaints):

Responses to Section III						
DATE FILED	NAME	CASE NO.	AGENCY	DATE RECEIVED AT VTA	ALLEGATIONS	DISPOSITION
8/29/2023	Exemption 6: PII	Exemption 6: PII	CRD	08/29/23	Discrimination Based on Disability; Retaliation, Harassment	No action at this time.
9/29/2023	Exemption 6: PII	Exemption 6: PII / Exemption 6: PII	CRD	09/29/23	Discrimination Based on Age, Disability	Position Statement submitted on 11/9/23.

IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that alleged discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective actions taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7.)

Below are the VTA Civil Rights Lawsuits regarding the above request for information (please see separate file for all civil rights administrative complaints):

Responses to Section IV						
DATE FILED	NAME	CASE NO.	AGENCY	DATE RECEIVED AT VTA	ALLEGATIONS	DISPOSITION
06/13/22	Exemption 6: PII	Exemption 6: PII	EEOC	06/13/22	Discrimination Based on Disability	Position Statement submitted on 8/16/22; Notice of Case Closure 7/13/23; Determination and Notice of Rights to Sue 8/11/23.
11/15/22	Exemption 6: PII	Exemption 6: PII	EEOC	11/17/22	Discrimination Based on Disability	Position Statement submitted on 1/13/23; Determination and Notice of Rights to Sue Letter 8/3/23.