

## Panhandle Community Services

Helping People      P. O. Box 32150 – Amarillo, Texas 79120-2150 – (806) 372-2531 Changing Lives

August 29, 2007

Dan Gadbury  
PEAC Project Manager  
Paratransit Education and Advocacy Collaborative (PEAC)  
221 E 9th, Suite 409  
Austin, TX 78702

Re: August 22, 2007 Freedom of Information Act request

1. Panhandle Transit does not publish a rider manual for the public. We operate in the rural areas of the 26 counties of the Texas Panhandle.
2. ADA vehicles have a maintenance program that does a yearly inspection for all lift and lift related equipment. Drivers check wheelchair equipment at the beginning of their trips and at the end of their shift. Equipment found defective is repaired or replaced on a daily basis. No equipment failure has caused an ADA client to be rescheduled. We have over 90 percent of our vehicles with lifts.
3. Our services are open to the public and have no requirement to be met in order to setup transportation. Passengers will contact the local office to schedule their ride. We have 10 regional offices located in each of the larger cities with in the Texas Panhandle. These local offices will give the days of travel to different cities and cost. We request 24 hour notice when possible to allow dispatch time to schedule all clients will arrive on time. Only offer curb to curb demand response services. We will not leave public property to make a pickup. Passengers are allowing one attendant at no cost for each one-way trip. Services are available from v. Local offices give pickup times when trips are set up.

4. Passengers may use the same policy that employees use for grievances related to any action taken by PCS employees. We document all related facts before limiting service to a client. The only passengers that have been denied services were after submitting the threat to the driver to the police and the funding source.

## PANHANDLE COMMUNITY SERVICES

### GRIEVANCE PROCEDURES

It is the policy of Panhandle Community Services (hereafter referred to as the "PCS") to seek fair, just, and prompt solutions to grievances of employees and former employees arising from their employment relationship with the organization. The purpose of this policy is to establish procedure for filing and resolving employee grievances and supercedes all previously enacted polices regarding or governing employee grievances.

#### DEFINITIONS:

Grievance – A formal expression of disagreement, complaint or concern regarding any one or more of the following matters:

1. Alleged Unlawful Discrimination (including Harassment)
2. Alleged Unlawful Retaliation
3. All Disputes Concerning An Employee's Wages, Hours or Employee Benefits
4. Alleged Violation(s) of Local, State or Federal law or Regulations

Employee complaints that do not involve one of the topics listed above are not eligible for the formal grievance process. Further, the formal grievance is not appropriate for those personal situations, interactions, or conflicts an employee may encounter which are not related to management decisions or policies of the Organization. If the EEO Officer or his/her designee, determines that the employee's complaint does not raise an issue subject to this grievance policy, the complaint will be returned to the employee with appropriate instructions and guidance on the appropriate procedure for addressing the complaint.

#### GRIEVANCE PROCESS:

Step 1: To institute a formal grievance, the employee must present his/her complaint in writing to the EEO Officer or his/her designee within fourteen (14) days of the incident, facts or circumstances giving rise to the grievance. A grievance can be submitted after the fourteen (14) day limitation period if the employee was unaware and could not have reasonably had knowledge of the incident, facts or circumstances giving rise to the grievance. In such cases, the employee must file the grievance within fourteen (14) days from the date he/she became aware of the actionable incident, facts or circumstances. The EEO Officer will decide whether a grievance filed out of time will be allowed to proceed. The employee may appeal an adverse finding to the Executive Director in accordance with Step 3 except that the only issue to be resolved is whether the grievance procedure will be allowed to proceed.

A formal grievance must be submitted in writing using the attached form "A." No other writing will be accepted. Further, all spaces of the grievance form must be completed in order for the grievance to be accepted. No grievance will be accepted unless it contains the following:

1. Summary of all Relevant Facts
2. Identification of the Specific Grievable Issue(s) (including the identification of all relevant Corporate Policies)
3. Identification of All Witnesses (if any)
4. Identification of All Relevant Documents (if any)
5. A statement of the Employee's Proposed Resolution
6. Employee's Signature

Grievance forms that are incomplete will be returned to the employee without any further action being taken.

Step 2: The EEO Officer will review the grievance form to determine whether the employee has raised an issue that is subject to the grievance process. If not, the employee will be notified of this determination and directed to the appropriate Corporate Policy for resolving the subject dispute. If the EEO Officer determines that the employee's grievance form contains a complaint subject to the grievance process an investigation will be conducted. Investigations may be performed by a designee of the EEO Officer under his/her guidance. The scope of the investigation and the manner in which it is to proceed will be determined by the EEO Officer in light of the nature of the complaint and the purported facts and circumstances involved.

At the conclusion of the investigative process, the EEO Officer will prepare and submit a written report outlining the results of the investigation. The report will also contain one of the following recommendations for the Executive Director's consideration:

1. Employee's Proposed Resolution is Recommended

2. Employee's Proposed Resolution is Rejected – Alternative Resolution Recommended

3. Employee's Proposed Resolution is Rejected – No Alternative Resolution Recommended

NOTE: During the investigative process, the employee is required to maintain strict confidentiality concerning all matters relating in any way to the subject grievance. All investigative steps will be taken by the EEO Officer or his/her designee. Any violation of this confidentiality requirement on the part the grieving employee will result in disciplinary action being taken which may include dismissal of the grievance, suspension and/or termination from employment.

Step 3: EEO Officer's written report, along with a grievance file, will be submitted within ten (10) days of the date the grievance is filed to the Executive Director for final resolution and determination. The grievance file must contain, at minimum, the following documents:

1. A complete copy of the grievance form, including attached documentation.
2. A copy of all non-privileged documents generated by the EEO Officer or his/her designee during the investigation process.
3. A copy of the EEO Officer's written report (including recommendations).

The Executive Director's review is limited to documents contained in the grievance file. If the Executive Director determines that additional investigation should be conducted, he/she will

return the grievance file to the EEO Officer with appropriate instructions. After completing his/her review of the grievance file, the Executive Director will prepare a written decision within seven (7) days that contain one of the following resolutions:

1. The EEO Officer's recommendation is Accepted.
2. The EEO Officer's written recommendation is Accepted with Modification.
3. The EEO Officer's written recommendation is not Accepted and alternative action will be taken pursuant to the Executive Director's directive.

In conducting the review, the Executive Director is authorized to take any action to resolve the grievance including, but not limited to, the acceptance, with or without modification, of the employee's proposed resolution. The Executive Director's response is non-appealable and will conclude the grievance process at which time the grievance will be resolved. A copy of the Executive Director's written response will be provided to the employee and the EEO Officer.

Step 3a: Within two (2) days of the employee's receipt of the Executive Director's decision, any affected party may ask the Executive Director to reconsider his/her conclusions respecting a grievance, as well as, any action taken as a resolution to any grievance. A request for reconsideration must be submitted in writing to the Executive Director who will determine, in his/her sole discretion, whether reconsideration is appropriate and necessary. No request for reconsideration will be granted unless the petitioning party identifies, in writing, information that was not available to the Executive Director before his/her decision at Step 3 was made.

## GENERAL GUIDELINES:

1. Employees and former employees shall not be subjected to retaliation, in any form, for presenting a grievance pursuant to this policy. Abuse of the grievance process will not be tolerated. Employees who are found to have abused this policy will be subject to disciplinary action.
2. In the event the EEO Officer is unable to perform the duties prescribed in this policy, for any reason, the Executive Director will designate someone else to perform the duties prescribed herein.
3. Once an employee files a grievance, all involved parties (complainants, witnesses, etc.) shall observe the strictest rules of confidentiality throughout the grievance process. Failure to maintain confidentiality may affect the outcome of the grievance and may result in disciplinary action.
4. Once a grievance has been submitted, it shall not be changed or amended without the mutual consent of the aggrieved employee and the duly appointed representative of the PCS.
5. The grievance process shall end upon resolution of the grievance. The EEO Officer shall design a Report of Resolution. The aggrieved employee, the applicable supervisor, and the EEO Officer shall recognize this report in writing.
6. If the aggrieved employee does not initiate a particular step within the prescribed time limits and sequence, the grievance shall

be considered resolved. If the aggrieved employee cannot adhere to the schedule prescribed in the grievance process above, he/she may request a modification from the EEO Officer. Failure to adhere to the schedule and failure to submit a request for modification shall void the grievance.

7. As necessary, the EEO Officer shall add, delete, or modify Steps in the Grievance Process to response to scheduling conflicts or to appropriately respond the employee's particular supervisory relationship.

9. The term "day" as used in this policy means calendar day. If a deadline falls on a weekend day or holiday during which the Organization's business offices are closed the applicable deadline shall extend to the next regular business day.

4. Passengers that miss their rides are allowed to call the dispatcher and setup another ride. We currently do not penalize passengers that miss their ride. Our current fare are set at state mileage (distance) times the 17.5 cents per mile for out of town service. In town trips are one dollar per stop. We offer a monthly pass good from the first of the month to the past day of the month for 20 dollars.

5. Panhandle Transit does not offer subscription services for work or commuter trips. Anyone needing subscription services must use the demand response service set up for public service. It is available Monday to Friday 8:00 AM to 5:00 PM. We have a website [WWW.PanhandleTransit.com](http://WWW.PanhandleTransit.com) to assist the public in finding their call center.

For more information on our system please feel free to contact me.

Sincerely,

Gerald Payton

Transportation Director

Panhandle Rural Transit District

Panhandle Community Services