



Civil Rights

ADA/504 COMPLAINT PROCEDURE

Under Section 504 of the Rehabilitation Act of 1973, the Virginia Department of Transportation may not directly, or indirectly through contractual, licensing, or other arrangements, discriminate against any qualified individual based on disability. Prohibited discriminatory actions include denying a qualified individual the opportunity to participate in or benefit from any aid, benefit, or service, as well as providing any aid, benefit, or service that is not equal to or as effective as that provided to others. VDOT associates, clients, and members of the public who believe that VDOT access ways or facilities consist of barriers that either hinder or impede the public right-of-way based on disability may file a complaint. The Department of Human Resource Management Personnel Policy governs employment-related complaints of disability discrimination.

Procedure:

STEP 1 – Filing a Section 504/ADA complaint:

- Individual identifies a problem area that impedes the public right-of-way or constitutes a access issue and submits a written complaint within 60 calendar days of the observed violation.
- The VDOT *Section 504/ADA Complaint* Form will be available at VDOT offices and the VDOT website. The Complainant may request assistance from staff to complete the form. Section 504/ADA complaints may be sent to the VDOT Central Office for processing. The complaint must contain:
 - The name, address, and telephone number of the person filing the complaint.
 - The location and detailed description of the problem area or facility.
 - A proposed Agency response that would resolve the issue(s) to the Complainant's satisfaction.
- VDOT shall maintain strict confidentiality of all information to the extent of the permitted law.

STEP 2 – Complaint Review

- Completed Section 504/ADA Complaints, should be returned to the VDOT Section 504/ADA Coordinator at the VDOT Central Offices in Richmond by fax (preferred), email, or mail:

Cortley D. West
VDOT Section 504/ADA Coordinator
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219
Tel: 804-786-4414
Fax: 804-371-8040

- Upon receipt of the completed complaint, the Section 504/ADA Coordinator will mail an acknowledgement of receipt notification to the Complainant, within (2) calendar days.

- Within (15) business days after receipt of the complaint, the Section 504/ADA Coordinator will review the complaint, contacting the Complainant for any clarification, additional information and the possible resolution.

Note: if additional information is needed, the Complainant should make every effort to contact the Section 504/ADA Coordinator within (5) business days, as a failure to contact could lead to an administrative closure of the complaint.

STEP 3 – Action required for complaints following the VDOT review:

- The Section 504/ADA Coordinator or designee will complete the VDOT *CR Review to Section 504/ADA Complaint form*, which detail the nature and severity of the issue, as well as, substantiate the VDOT Civil Rights Division's jurisdiction.
- Within (10) days of conducting the review, the Section 504/ADA Coordinator shall mail the original *CR Response to Section 504/ADA Complaint form* to the Complainant.
- Within (10) days, the Section 504/ADA Coordinator will send copies of all relevant documents and forms to the appropriate Agency Officials to provide documentation or aid in resolution of the issue.

STEP 4 – Appeal Process:

- If the response by the Section 504/ADA Coordinator or his designee does not satisfactorily resolve the issue, the Complainant or his/her designee may appeal the decision with 15 business days after receipt of the response to District Administrator or his/her designee.
- Within 15 business days after receipt of the complaint, the District Administrator or his/her designee will review the appeal and respond to the Complainant with a final resolution.