

City of Longview / RiverCities Transit Complaints of Unfair Competition Policy

Purpose

The City of Longview Transit Department operates RiverCities Transit for the communities of Longview and Kelso. This procedure documents the process for handling complaints by a private sector transportation provider that alleges unfair competition due to changes in RiverCities Transit's service structure as a result of grant funds obtained through the Washington State Department of Transportation.

As per Federal Transit Administration (FTA) guidelines; RiverCities Transit shall have procedures in place to process and respond to any complaints alleging unfair competition. These procedures are as follows:

Policy

The Transit Manager and the Administrative Assistant shall be assigned the responsibility of receiving, investigating, and responding to unfair competition complaints. There is an appeal process if the Complainant is aggrieved by and not satisfied with the response of the Transit Manager. The appeal shall be made to a mediator or mediation panel that does not include employees or Board Members of RiverCities Transit. The Mediator or Panel will give the both parties written notice of the decision and that decision may be appealed to the Washington State Department of Transportation (WSDOT) for a decision with appropriate recommendations.

Procedure

1. All Complaints must be submitted to RiverCities Transit Administrative Assistant in writing.
2. The Administrative Assistant and Transit Manager shall be responsible for investigating any complaints of unfair competition.
3. The Transit Manager will be responsible for reviewing and analyzing the findings from the investigation.
4. The Transit Manager shall respond to the complaint with a written determination to the complainant within (10) business days of the completion of the investigation. The determination shall include instructions for appeal(s).
5. If the Complainant is aggrieved by and is not satisfied with the determination of the Transit Manager, the Complainant may appeal the determination to a mediator or

mediation panel that does not include employees or Board Members of RiverCities Transit will hear the appeal.

6. If the either party is aggrieved by and is not satisfied with the decision of the mediator, the party may appeal the decision to WSDOT. Appeals must be filed with the WSDOT director of public transportation or designee within 30 days of the mediator's decision. A copy of the appeal must be sent by the entity filing the appeal to the other party involved. Once WSDOT receives the appeal, they will review the decision and the procedures followed from the time RiverCities Transit received the initial complaint. Following review, WSDOT will issue an appeal determination. The WSDOT decision shall constitute the final appeal and decision.
7. Any and all written notices of appeal shall include the following information and documents:
 - a. The name, address and telephone number of the Complainant and the Complainant's attorney, if any;
 - b. A short and plain statement of the relevant facts and the legal grounds under which the appeal is being filed;
 - c. The specific relief requested by the Complainant;
 - d. The original signature of the Complainant (or its authorized officer or representative) and of the Complainant's attorney, if any, and;
 - e. A copy of the determination or decision being appealed must be referenced in and attached to the notice.
8. A Complaints of Unfair Competition file or binder shall be maintained by the RiverCities Transit Administrative Assistant and shall include all correspondence regarding any complaints.