

TheRide

## 2.1 Treatment of Riders

Monitoring Report

Period: December 31, 2016- January 1, 2018

Date of Report: January 31, 2018

Survey of Board due: Monday, February 5, 2018

Service Committee Review: February 7, 2018

Board Meeting: February 15, 2018

TheRide board;

In accordance with the Board's Policy Manual; I present the February Monitoring report on **Executive Limitation Policy 2.1: Treatment of Riders**. This report consists of internal report information from staff.

Though these policies were not all in affect during the previous year, I have assembled this report as if they were (where feasible).

These policies are in regards to how the agency treats riders. We have attempted to present evidence both from an objective perspective and from the riders' perspective (complaints and complaint rates). Hopefully this provides a balanced perspective on performance.

I certify that the information is true and complete.

Matt Carpenter,  
CEO  
Ann Arbor Area Transportation Authority

## Policy being monitored:

### **POLICY TITLE: *TREATMENT OF RIDERS***

**Report page**

2.1 With respect to interactions with riders and potential riders, the CEO shall not cause, allow or fail to address conditions, procedures, or decisions that are unprofessional, unsafe, undignified, disrespectful, unclear, or overly intrusive. 3

Further, without limiting the scope of the foregoing by this enumeration, the CEO shall not:

2.1.1 Provide facilities, vehicles, or services that are not reasonably accessible to potential riders regardless of mobility limitations. 4

2.1.2 Allow anyone, including people who have disabilities or seniors to be discriminated against with respect to the AAATA's services. 5

2.1.3 Operate without providing effective, comprehensible, accessible, and timely information. 6

2.1.4 Discourage persons from asking questions, airing a complaint, or being heard. 9

2.1.5 Operate without established and enforceable standards for customer service and rider safety. 10

2.1.5.1 Fail to communicate standards and expectations to the public and riders. 11

2.1.6 Use methods of collecting, reviewing, transmitting, or storing personal information that allows improper access or inappropriate disclosure 13

2.1.6.1 Use forms that elicit personal information for which there is no clear necessity 14

## **EL 2.1**

*With respect to interactions with riders and potential riders, the CEO shall not cause, allow or fail to address conditions, procedures, or decisions that are unprofessional, unsafe, undignified, disrespectful, unclear, or overly intrusive.*

### **Current Interpretation & Rationale**

I understand “riders and potential riders” to mean anyone physically located in the areas where AAATA services are available. Otherwise, the Board has fully defined their intent with this policy in lower level policies:

- Unprofessional is addressed in 2.1.5
- Unsafe is addressed in 2.1.5 and Ends policy 1.3.1
- Undignified is addressed in 2.1.1, 2.1.2, 2.1.4, and 2.1.5
- Disrespectful is addressed in 2.1.4 and 2.1.5
- Unclear is addressed in 2.1.3 and 2.1.5.1
- Overly intrusive is addressed in 2.1.6 and 2.1.6.1

### **Evidence**

Compliance with the lower level policies demonstrates compliance with this policy statement.

### **Conclusion on Compliance**

In compliance.

### **EL 2.1.1**

*The CEO shall not... Provide facilities, vehicles, or services that are not reasonably accessible to passengers and visitor, regardless of mobility limitations.*

#### **Current Interpretation & Rationale**

All buildings and vehicles that carry passengers will be fully accessible as defined by the Americans with Disabilities Act, whether they are operated by or in partnership with the AAATA.

#### **Evidence**

- **Federal Audit:** In 2015 the Federal Transit Administration audited the AAATA and found no deficiencies regarding compliance with the Americans with Disabilities Act. Such audits cover: fixed route and complementary paratransit services; vehicles; facilities; information provided; operational policies; training; function, availability, and maintenance of equipment; changes in service or policies; performance measures of contractors, and more. Examples of Americans with Disabilities Act compliance include:
  - 100% of the bus fleet is wheelchair accessible.
  - 100% of passenger and public facilities are wheelchair accessible.
  - Information for consumers is provided in accessible formats.
  - Reciprocal eligibility: Americans with Disabilities Act-eligible visitors certified by another transit agency, can have their application transferred to AAATA and qualify for the same services as if they were traveling on their home transit system
  
- **Customer Complaints:** We have received no valid accessibility-related complaints during the monitoring period.

#### **Conclusion on Compliance**

In compliance.

## **EL 2.1.2**

*The CEO shall not... Allow anyone, including people who have disabilities or seniors, to be discriminated against with respect to the AAATA's services.*

### **Current Interpretation & Rationale**

I understand this policy to mean that dissimilar treatment of individuals within a protect category is not permissible by the AAATA. At a minimum, the AAATA will comply with Federal requirements of the Americans with Disabilities Act and Title VI pertaining to discrimination. Protected status categories for AAATA are:

- Race and national origin,
- Gender,
- Gender identify, sexual orientation, and gender expression,
- Religion,
- Age,
- Degree of physical or cognitive ability. (In addition, the AAATA will take legally required steps to reasonably accommodate disabilities.)

However, programmatic requirements may allow dissimilar treatment in certain circumstances. For example, under federal law persons with no mobility limitations are not eligible to use paratransit.

### **Evidence**

- **Federal Audit:** AAATA's 2015 Triennial audit conducted by the Federal Transit Administration found no deficiencies at the AAATA with respect to the Americans with Disabilities Act or Title VI. The audit covered requirements such as disparate impacts, disproportionate burdens, equity analysis, Limited English Proficiency, public participation, service change policies, etc.
- **Customer Feedback:** In the monitoring period, AAATA has received no valid complaints regarding discriminatory treatment of passengers.
  - One incident that occurred between a youth and a police officer at the Blake Transit Center on September 26, 2017 is still under review by the City of Ann Arbor Policy Department (AAPD). The AAATA is awaiting the outcome of the AAPD review to see if any further action is required.

### **Conclusion on Compliance**

In compliance.

### **EL 2.1.3**

*The CEO shall not... Operate without providing effective, comprehensible, accessible, and timely information.*

#### **Current Interpretation & Rationale**

I understand this policy to mean that the information on how to use transportation services must be provided in a manner that can be used by the vast majority of the travelling public, must meet minimum standards required by law (Americans with Disabilities Act, Title VI), and that ineffective information should never be a barrier to using our services.

In addition, I further interpret “**effective**” to mean that the information is both accurate (i.e. without error) and presented in a manner that is successful in helping the consumer understand how to use the services. I further define effective as incorporating industry best practices and standards, as appropriate.

- I interpret “**comprehensible**” to be a further definition of effective which means written or depicted in a manner that is intelligible to most people given the complexity of information displayed, and must meet legal requirements for non-English translations from Title VI.
- I interpret “**accessible**” to be a further definition of effective which means that the information is in compliance with the Americans with Disabilities Act.
- I interpret “**timely**” to be a further definition of effective which means that information is available prior to the delivery of the service and far enough in advance to allow comprehension, trip planning and personal preparation. In general, static information will be available three weeks before service begins and will remain available throughout operations.

However, if information was available but a rider did not utilize the information until it was too late, this does not count as ineffective or untimely.

Furthermore, the interpretation of “reliable” in Ends policies 1.3.1 relies on delivering services *as they were promised*. The information provided to customers constitutes the original promise of what will be delivered. If information is not delivered effectively, it can compromise the concept of reliability.

#### **Evidence**

- 1) **Rider Feedback:** 84% of responding riders were satisfied with the quality of consumer information (2017 Rider Satisfaction Survey). Consumer information was rated at 5.87 out of 7 in 2017.
  - a. **Complaints & Suggestions:**
    - i. There were no formal customer complaints regarding information accessibility.
    - ii. There were <5 formal customer complaints regarding typographical errors.
    - iii. There were <5 formal complaints regarding on-line language translation.
    - iv. There were several formal complaints regarding real-time information.
    - v. There were several formal complaints that the website was hard to use.
- 2) **Ridership:** Ridership on almost all services has been growing, indirectly suggesting that consumer information is not acting as a barrier.

- 3) **Consumer Input:** To ensure comprehension, public information in use during the monitoring period was adjusted based on feedback from consumers. Anecdotally, staff report fewer complaints after changes were adopted in 2015. Consumer feedback efforts included:
  - a. A-Ride User's Guide and website were reviewed by the LAC (2016).
  - b. 121 responses to surveys regarding content and layout of the Ride Guide (2015).
  - c. Ten members of the public participated in two focus groups to solicit feedback on the content and layout of the Ride Guide (2015).
  
- 4) **Industry Best Practice:** Consumer information in use during the monitoring period was developed after review of industry best practices, including:
  - a. System maps of 25 other transit agencies were reviewed in 2015 and changes made to the AAATA maps in 2016. Timetable design was review in 2011 against 12 other agencies. Maps and tables have not substantially changed during the monitoring period.
  - b. Best practices were incorporated as appropriate from the following sources:
    - i. National Center for Transportation Research Report 77710 - Designing Printed Transit Information Materials: A Guidebook for Transit Service Providers
    - ii. Transit Cooperative Research Program Report 45 – Passenger Information Systems: A Guidebook for Transit Systems
    - iii. Transit Cooperative Research Program Synthesis Report 68 - Methods of Rider Communication
    - iv. Transit Cooperative Research Program Synthesis Report 17 - Customer Information at Bus Stops
    - v. Transit Cooperative Research Program Synthesis Report 43 - Effective Use of Transit Websites
  - c. The AAATA used an outside vendor to assess our website for accessibility, accuracy/quality, and search-engine optimization. As judged against the Web Content Accessibility Guidelines (WCAG 2.0), improvements were required on 57 pages out of 587 pages.
  
- 5) **Timeliness:**
  - a. **Ride Guide:** Within the monitoring period three new editions of the printed Ride Guide were published. About 205,000 individual Ride Guides were distributed (an average of about 67,000 per edition).
    - i. All were distributed to outlets more than three weeks prior to beginning of service (on buses, in transit centers, and at over 300 various private and public properties).
    - ii. When exhausted, stock in outlets were replenished in a reasonable time. At no time did the community run out of Ride Guides.
  - b. **Website:** The AAATA website is used accessed on average about 32,600 times per week.
    - i. The website was redesigned during the monitoring period to speed up access to relevant information.
    - ii. The website has experienced several hours of downtime due to upgrades to back-office systems. In total the website was down less than 24 hours in total.
    - iii. The My Alert system provided timely notice by email of service disruptions (e.g. detours) to 500 registered users.

- c. **Real-Time Information:** Upgraded in 2016, real-time information now updates automatically every 30 seconds, is available on the AAATA website, is available on third-party apps, and mobile devices
    - i. Unfortunately, the new system experienced intermittent technical challenges throughout 2017 that impact riders' ability to use the system effectively. These issues are still being resolved
  - d. **Variable Message Signs:** Seven signs have been installed at major boarding locations (Blake Transit Center, Ypsilanti Transit Center, Dawn Gabay Operations Center) since 2015, most within the last year. The follow best-practice document was consulted during the deployment:
    - i. Transit Cooperative Research Program Synthesis Report 104 - Usage of Electronic Passenger Information Signage in Transit
- 6) **Federal Audit:** The Federal Transit Administration triennial audit in 2015 found no deficiencies with regard to consumer information, including: accessibility, paratransit information, and translation of material (Spanish, Korean, and Chinese (top languages in area) and Google Translate for the website. No significant change to information has occurred since 2015.

### **Conclusion on Compliance**

In compliance.

#### **EL 2.1.4**

*The CEO shall not... Discourage persons from asking questions, airing a complaint, or being heard.*

#### **Current Interpretation & Rationale**

I understand this policy to mean that CEO shall take all reasonable steps to ensure that there are no passive or active deterrents or barriers for anyone to communicate with the agency or the Board of Directors. FOIA requests will be promptly resolved as per internal policy.

This policy does not require staff to tolerate abusive communication indefinitely. If the manner of communication is abusive, harassing, profane, or threatening, it can be discouraged and, in extreme cases, suspended (see also policy 2.2.1 Treatment of Staff).

#### **Evidence**

- **Complaints:** There were no recorded complaints or concerns suggesting communications were discouraged.
- **FOIA:** The agency received 10 FOIA requests during the monitoring period. All but one were responded to in accordance with internal policy (one response was delayed). All FOIA requests for information were fulfilled.

#### **Conclusion on Compliance**

In compliance.

### EL 2.1.5

*The CEO shall not... Operate without established and enforceable standards for customer services and rider safety.*

#### Current Interpretation & Rationale

I interpret this policy to have two parts:

1. **Customer service:** I understand this element to mean that the AAATA must have written expectations for staff on how customers are to be treated and how services are to be provided, and for safe operation of AAATA services. These standards apply to AAATA staff, contractors, etc. Customer services include clear expectations for professional, respectful, dignified, and customer-satisfaction oriented behavior in interactions with patrons and members of the general public. These standards also related to the quality of services delivered. All such standards must be implemented in a manner that allows accountability and improvement for staff (see also 2.2.2).
2. **Public Behavior:** I understand this element to mean that the AAATA will establish, communicate and enforce expectations of behavior for the public while on AAATA property or vehicles. Such information will be available to the public in advance and upon entering AAATA property.

#### Evidence

##### 1. **Customer Service Standards and Enforcement**

- a. **Personal Treatment:** Customer service expectations and enforcement mechanisms (discipline) for unionized staff are outlined in the collective agreement, job descriptions and the non-union staff handbook. Expectations are reinforced during training.
  - i. In total, there were 38 valid complaints against AAATA regarding staff errors (e.g. courtesy, driving, pass ups, etc) during the monitoring period. For 2017, the annual rate was 0.56 valid complaints per 100,000 passenger boardings (38/6,700,000 trips). Appropriate corrective actions were enforced in all situations. *(Please note that Quarterly Reports count more categories of complaints.)*
- b. **Bus Condition:** Expectations for safety, cleanliness of buses, as well as passenger crowding, are contained in the Service Standards (1981). Safety, cleanliness and crowding are tracked, and reported quarterly to the Board and monitored daily by staff.
- c. **Safety:** Safety items such as Drug and Alcohol policies and procedures, Accident reporting, etc are audited in the Triennial Review. The 2015 Federal Transit Administration audit found no deficiencies in these areas. Safety statistics are reported quarterly to the Board and monitored daily by staff.
- d. **On-Time Performance:** Expectations for reliability of services are contained in the Service Standards (1981). On-time performance is tracked and reported quarterly to the Board, and is monitored daily by staff.

2. **Public Behavior:** During the monitoring period, six members of the public were temporarily banned from the AAATA services, vehicles or property. For 2017, the annual suspension rate was 0.09 suspensions per 100,000 passenger boardings.

**Conclusion on Compliance**

In compliance.

### EL 2.1.5.1

*The CEO shall not... Fail to communicate standards and expectations to the public and riders.*

#### Current Interpretation & Rationale

I interpret this policy to have two elements:

1. The AAATA will clearly articulate the quality of service delivery the riding public can expect.
2. I understand this policy to mean that the AAATA will establish, transmit and enforce expectations for *public behavior* while on AAATA property or vehicles. Such information will be readily available to the public in advance and upon entering AAATA property.

#### Evidence

- **Passenger Charter:** TheRide has never before made a commitment to the riding public about the quality of service they can expect. This is sometimes called a "[Passenger Charter](#)".
- **Code of Conduct for the Public:** The AAATA does have a "Code of Conduct" which is available in both transit centers, on all buses, in the Ride Guide, and on the website. The AAATA Code of Conduct reads:

*For your safety and comfort, TheRide does not permit the activities listed below on any of the TheRide vehicles or property. Violations may result in banning from TheRide property and loss of riding privileges.*

*TheRide prohibits the following on its vehicles and property:*

- *Smoking (including e-cigarettes)*
- *Possession or consumption of alcohol or illegal substances*
- *Lack of proper attire (i.e. shirts and shoes)*
- *Loitering at transit centers and other bus stops*
- *Panhandling, soliciting, harassing or intimidating any person*
- *Disorderly, loud or disruptive behavior, including, but not limited to:*
  - *Obscene, threatening, inciting or insulting language and/or gestures*
  - *Running, yelling or throwing objects*
  - *Spitting, littering, vandalism or graffiti*
  - *Fighting, mock fighting or roughhousing*
  - *Standing, sitting, or walking in a way that inconveniences, obstructs or interferes with others (i.e. blocking doors, feet on seats, etc.)*
  - *Any actions which may interfere with or disrupt safe operation of TheRide vehicles and properties*
- *Use of radios, CD players, or other sound-producing devices without the use of personal headphones*
- *Bicycling, rollerblading or skateboarding, or wearing skates on TheRide vehicles*
- *Weapons of any kind or possession of any hazardous material or item*
- *Animals, except those used for service (i.e. guide dogs), must be transported in a suitable crate or container*
- *AAATA is not responsible for lost items*

#### Conclusion on Compliance

The CEO reports partial compliance. The AAATA will work to develop a Passenger Charter before January 2020.

### **EL 2.1.6**

*The CEO shall not... Use methods of collecting, transmitting, or storing client information that allows improper access to the material gathered or inappropriate disclosure of information protected under Privacy regulations.*

#### **Current Interpretation & Rationale**

I understand this policy to mean that personal information regarding riders/customers that is in the possession of the AAATA must be handled and stored in a manner such that it can only be accessed by staff who are using it for legitimate business reasons. Staff must secure the information in accordance with the Americans with Disabilities Act requirements on maintaining Confidentiality of Applicant Information.

#### **Evidence**

- All paratransit-related, GoldRide and Fare Deal forms are secured in locked filing cabinets or offices, with access restricted to only certain authorized staff. In 2015, the Federal Transit Administration found no deficiencies with this approach.
- Inactive forms are destroyed after seven years.

#### **Conclusion on Compliance**

In compliance.

### **EL 2.1.6.1**

*The CEO shall not... Use forms that elicit personal information for which there is no clear necessity.*

#### **Current Interpretation & Rationale**

I understand this policy to mean that the agency will not seek information from or about members of the public unless there is a legitimate and unavoidable business-related need for that information (i.e. information we are legally required to collect, information needed to effectively administer programs, information needed to increase safety or security of the public or staff, and information needed to document relevant processes).

I interpret “**form**” to mean any written or electronic means of information collection that can be stored and reviewed later. This would include all paper and electronic forms, and audio or visual recordings.

#### **Evidence**

The CEO conducted a limited survey of agency’s most highly-used forms. In his judgement, none appeared to be seeking unnecessary information. Forms surveyed include:

- Application forms (Americans with Disabilities Act, Fare Deal, Senior),
- Complaints/suggestions forms, and
- Operational forms: accident report, exoneration form, compliment card, emergency card.

Based on this sample, the CEO has no reason to believe other forms are seeking inappropriate information. Nevertheless, a systemic review of all forms will be required to demonstrate total compliance by January 2019.

#### **Conclusion on Compliance**

In compliance.

### Notes: CEO Comments on Written Policy

- The CEO would suggest the Board consider moving Ends policies 1.2.1 and 1.3 into section 2.1 Treatment of Riders, and restate those policies in the proscriptive, negative format of Executive Limitations. The rationale is that 1.2.1 and 1.3 speak to how existing riders are to be treated. These expectations should be a given of today's operations, not an aspiration for the future. There is also some overlap between these policies that creates redundancies (i.e. safety, equity/discrimination) and consolidation may be necessary.
- Policy 2.1.5 is mixing expectations for staff, and expectations for riders. This feels awkward. The CEO would like to ask the Board to consider whether separate new policies, specific to both circumstances, might be preferable.
- Policy 2.1.5 seems to combine expectations for staff and expectations of the public. It seems awkward to try to cover to fundamentally different issues in the same policy. The CEO would ask the Board to consider whether these issues should be separated into different policies. There may also be overlap with 2.2 Treatment of Staff.

**Record of Board Decision Regarding Monitoring Report**

**(To be filled in based on Board action after submission)**

**Policy: EL 2.1 Treatment of Riders**

**Date Submitted:** Feb 7, 2018

**Date of Board Response:** TBD

The Board has received and reviewed the CEO's Monitoring Report references above. Following the Board's review and discussion with the CEO, the Board makes the following conclusions:

**Executive Limitations Report (select one)**

The Board finds that the CEO:

- A. Is in compliance
- B. Is in compliance, except for item(s) noted.
- C. Is making reasonable progress toward compliance.
- D. Is **not** in compliance or is **not** making reasonable progress toward compliance
- E. Cannot be determined.

Board notes: