

## Title: Code of Conduct Policy for the San Diego Region's Specialized Transportation Programs

**Objective:** To implement a uniform code of conduct policy for users of all specialized transportation programs within the San Diego region, so that they encounter consistent expectations and standards from all providers.

**Code of Conduct Statement:** This Code of Conduct policy applies to the conduct of users of FACT, Inc.'s services and facilities. Users include those who request transportation information or schedule trips with representatives of FACT, Inc, use FACT, Inc's services or accompany other users as Primary Care Attendants or Companions. By using some or all of FACT, Inc's services or facilities, users accept and agree to this Policy. If users do not accept and agree to this Policy, users should not use [Insert Agency Name Here]'s services or facilities.

All the parties mentioned above shall act at all times (whether in person, by phone, or via any other means of communication) with respect towards others, respecting their dignity, privacy, and safety. Prohibited behavior may be cause for immediate temporary or permanent suspension at the discretion of Management. Management will research any incident to ascertain the nature of the violation prior to making a determination. Prohibited behavior, whether in person or through verbal or written correspondence, is defined as seriously disruptive acts or language of a violent, criminal, abusive, and/or discriminatory nature; or that which poses an actual or perceived threat to the safety (whether physical, mental or emotional) or well-being of the self, other riders, or program staff (including but not limited to volunteers, staff, contracted drivers, or dispatch and all agency representatives of FACT, Inc.

The following are a few examples of serious prohibited behavior:

- Committing an assault or battery on another user or representative of FACT, Inc
- Using threatening, abusive, harassing, or offensive language in all forms of communication to unreasonably and knowingly disturb or alarm another user or representative of FACT, Inc,
- Safety violations – refusing to wear a seatbelt, refusing to follow public health orders, distractions to drivers
- Repeated behavior or communication that has been previously addressed by program representative

### Grievance Submission Directive:

- Written email or letter to program management: provide email and address of agency as well as a timeframe for submission of grievance
- In case of immediate threats/serious violations the suspension will be effective immediately and the user will be notified in writing as early as possible, but no later than the first business day after the violation.
- Initial response from staff within 3 business days acknowledging the receipt of grievance and initial start of investigation
- Research and gather documentation to respond with a resolution within 1 week of grievance acknowledgement
- Determination of temporary or permanent suspension from all Agency services at this time
- Temporary Suspension for 30 days after investigation is complete and violation(s) confirmed
- 2<sup>nd</sup> violation by the same user of any kind within a 12 month period may result in permanent disqualification of Agency services

### Appeal Submission Directive:

- Written email or letter to program management stating user wishes to appeal temporary or permanent suspension: provide email, address and agency timeframe for submission of appeal within 30 business days of notice of suspension. The request must include the following:

#### Mailing Address:

FACT, Inc  
Attn: Suspension Appeals Administrator  
516 Civic Center Dr  
Oceanside, CA 92054

OR

#### Email Address:

factsd@factsd.org

For an appeal to be deemed valid and accepted for review, it must also include the following information:

- The user's full name, address, and contact information such as the user's phone number and/or email address.
- Evidence and reasons for why an issued suspension or termination should be modified or repealed.

Any appeals that do not adhere to the above Appeal Requirements will not be accepted for review.

- Initial response from staff within 3 business days acknowledging the receipt of appeal and initial start of appeal review.
- Determination of sustained, modification, or repeal of temporary or permanent suspension from all Agency services to be provided within 2 weeks of acknowledgement letter/email
- The Notice of Determination will be sent to the user's address of record within fourteen (14) calendar days following the conclusion of the review or hearing date, whichever is applicable. The appeals process is complete once the final Notice of Determination is sent to the user.

### Implementation of Policy:

This policy shall be in effect following approval of a motion by the Social Services Advisory Council (SSTAC) and will be piloted for a timeframe of 1 year. At the 1 year mark a review and feedback from the implementation of the policy will be reviewed and revised if needed. This policy, should it continue, will be reviewed at a frequency determined at the 1-year review.

FACT, Inc adheres to the following Federal Regulation:

Consistent with 49 Code of Federal Regulations (CFR) §37.5(h), FACT, Inc shall not refuse to provide services to a user with disabilities solely because the user's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of FACT, Inc or other persons. Consistent

with this policy, FACT, Inc, however, reserves the right refuse service to a user with disabilities because that user engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others.