

To: Operations & Scheduling Committee

Date: 5/25/2018

From: Rashida Kamara, Manager of Accessible Services

Reviewed by:

SUBJECT: Late Cancellation/No-Show Policy Change

Background:

The LINK system has a Late Cancellation/No-Show Policy that was adopted by the Board and sets out penalties for multiple late cancellations or no-shows. The U.S.DOT regulations implementing ADA address the issue of no-show policies in ADA complementary paratransit programs. Specifically, 49 CFR 37.125(h) states that:

The entity may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA paratransit eligible individuals who establish a pattern or practice of missing scheduled trips.

Current Procedure:

An individual who demonstrates a pattern or practice of repeated late cancellations or no-shows without sufficient notice is in violation of the Late Cancellation/No-Show Policy.

An individual who violates the Late Cancellation/No-Show Policy is subject to a loss of service for thirty (30) days for the first violation, sixty (60) days for the second violation, and ninety (90) days for the third violation in a calendar year. Sufficient notice is defined as twenty-four (24hrs) hours prior to pick-up time in determining cancellations and one hour prior to pick-up time in determining no-shows.

The current procedures include the following issues; our current policy does not allow a warning to be given in order for the passenger to correct the pattern of behavior, and two (2) late cancellations or no-shows in a month does not necessarily constitute a pattern of behavior. In addition, our cancellation policy is considered unreasonable as recommended by the FTA Circular.

Proposed Late Cancellation/No-show Procedure:

In order to improve the existing system, staff recommends the following; shorten the cancellation window from twenty-four (24hrs) hours to one (1hr) hour before the beginning of the pick-up window, and the No-show to anything within one (1hr) hour of the pick-up time.

Suspensions should progressively increase in penalty from thirty (30) days, sixty (60) days, and then ninety (90) days within a calendar quarter for six (6) No-shows.

Calendar Quarters:

Q1: January 1 to March 31

Q2: April 1 to June 30

Q3: July 1 to September 30

Q4: October 1 to December 31

A passenger would be warned in writing when they have accrued four (4) late cancellations or no-shows in a quarter. They are not penalized for late cancellations or no-shows that occur because of sudden emergencies, which make it impossible for them to cancel less than one (1hr) hour before their trip or not report for their trip at all.

Upon receiving six (6) No-Shows, they will be given a suspension letter.

If a passenger has been served a suspension and then continue to show a pattern of no-shows after their original suspension has ended, they may subsequently be suspended for longer periods. As in the existing policy, the passenger will still have the right to appeal the suspension.

First Suspension: 30 days

Second Suspension: 60 days

Third Suspension: 90 days

Recommendation:

Staff recommends that the Committee request the Board to approve the proposed changes to the Late Cancellation/No-Show Policy to:

- Include language specifying that a pattern or practice of no-shows is required.
- Adopt a more realistic procedure that captures a pattern and allows LINK staff to warn the passenger, potentially correcting the behavior.
- Reduce the Late Cancellation from twenty-four (24hrs) hours to one (1) hour.
- Develop a realistic timeframe in which a passenger may acquire no-shows.

Committee Questions:

At the May O&S meeting the committee requested staff to look into the possibility of charging passengers the cost of a fare if they were a no-show. Staff found the FTA published ADA circular does not provide any provisions for imposing penalties for no-shows other than a suspension policy. This includes financial penalties, including charging fares for trips scheduled but not taken or requiring payment of a fine in order to restore complementary paratransit service.

The committee also wanted to know if a rolling three month period for establishing the pattern of No-Shows could be implemented rather than the proposed calendar quarter system. In order for a no-show policy to be successful, it must be easily enforced. Simplicity

for staff involved is key to making that happen. A rolling 3-month period would be difficult administratively to manage since passengers will be on different cycles requiring the ability to track potentially hundreds of separate individuals records to determine where they are in establishing a practice of No-Shows. Staff believes this would represent a burden for the current contractor to manage accurately.

Financial Implications:

An appropriately managed No-Show policy has the potential of improving deployment of LINK resources and thus reducing expenses. At this time is not possible to provide a reasonable estimate of potential efficiency gains.

Options:

- 1) Approve recommendation
- 2) Decline recommendation
- 3) Other

Attachments:

Attachment I: Late Cancellation/No-Show Policy

Late Cancellation/No-Show Policy

An individual who demonstrates a pattern or practice of repeated no shows or late cancellations without sufficient notice is in violation of the Late Cancellation/No Show-Policy. ~~The basic penalty results in loss of service after two late cancels or no shows within one month.~~ the basic penalty results in suspension of service after 6 no-shows in a calendar quarter. An individual will receive a warning notice after four (4) no-shows. An individual who violates the Late Cancellation/No-Show Policy is subject to a loss of service for thirty (30) days, for the first violation, sixty (60) days, for the second violation, and ninety (90) days, for the third violation in a ~~calendar year~~ two year period from the first violation. Sufficient notice is defined as **one hour prior to pick-up time** in determining no-shows and ~~twenty-four (24hrs) hours~~ **more than one (1) hour** prior to pick-up time in determining cancellations. A person is considered a no-show if County Connection is not notified one hour before scheduled pick-up time or if driver waits five minutes after pick-up time and person is not ready for boarding. Of course, exceptions will be made for illness or other emergencies (including cancellation of a doctor's appointment by the doctor). Individuals who have subscription service, and violate the Late Cancellation/No-Show Policy, will be subject to a loss of their subscription service. Individuals who lose their subscription service due to a violation of this policy will not have their subscription service reinstated and will not be eligible for future subscription service.

Individuals who are subject to a loss of service due to violation of the Late Cancellation/No-Show Policy will be notified in writing of the proposed suspension and the basis for suspension, and they will have the opportunity to be heard and present information and arguments. County Connection will issue a written notice of the decision, including the reasons for the decision. The individual may appeal the decision within sixty (60) days of the decision to suspend service. The individual will have the opportunity to be heard and present information and arguments before an individual or panel not involved in the initial decision to suspend

service. County Connection will issue a written notice of the decision, including the reasons for it.

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