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| **Policy on: Disciplinary Action/Suspension** | **Procedure on: Suspension Appeals** |
| **Date Initiated: 07/2022** | **Page 1 of 2** |

**Purpose:** to provide direction for the application of disciplinary action and/ or suspension of difficult passengers and to provide passengers with an appeal process for such actions.

**Policy Statement:** The actions described in the following guidelines when displayed upon entering or while riding or attempting to ride a SITS vehicle will be considered disorderly conduct and subject to an appropriate disciplinary action. The actions listed in the guidelines are not all inclusive but provide a guide toward recognizing and understanding the types of actions/behaviors which will result in the denial of transportation; cause the need for progressive disciplinary action and/or lead to the suspension from SITS service. Additionally, SITS is interested in providing a formal process for passengers to formally issue an appeal in response to disciplinary action.

# Guidelines:

1. Refusal to pay fare upon entering the vehicle.
2. Exhibiting dangerous/hazardous/disruptive behavior to the driver or other passengers (this can include any loud, raucous, unruly, harmful, harassing, or other related behaviors)
3. Willful intimidation of the driver or another passenger or other behavior that warrants alarm for the safety of other persons.
4. Violation of any federal, state or municipal civil and criminal law
5. Extending any object or portion of one’s body through the door or window of a SITS vehicle while it is in motion
6. Spitting at, in or on the property of SITS or a SITS driver or passenger
7. Destroying, defacing or otherwise damaging the property of SITS
8. Boarding a SITS vehicle with any animal/pet that is not contained in a pet container, (service animals are exempt)
9. Displaying any sexually harassing behavior toward a SITS driver and or any other passengers (this includes the use of explicit language/dialogue, display of sexually graphic materials or any other sexually harassing behaviors).
10. Carrying out any act which tends to create or incite, or creates/incites, an immediate breach of peace. This includes, but is not limited to fighting, pushing, hitting, dangerous horseplay, use of foul/obscene/racist/sexually explicit language or discussion, noisy or boisterous conduct, threats of any sort or any other dangerous actions or actions likely to provoke a violent reaction, fear, and or apprehension.
11. Throwing any object at SITS property, SITS drivers or other passengers
12. Additional reasons for disciplinary action are defined under separate policies/procedures included this manual.

**Refer to:** Policy on Passenger Self-Sufficiency, Procedure Disruptive Passenger

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# Consequences:

Progressive disciplinary process is set forth below:

1. The first violation will result in a written warning.
2. The second violations will result in suspension from riding SITS for a 30- day period.
3. The third violation will result in a suspension from SITS for a 60-day period.
4. The fourth violation may result in a disciplinary hearing or could result in disciplinary action up to and including permanent disbarment from riding SITS.
5. Based upon the severity of the conduct/behavior of the passenger SITS reserves the right to shorten the progressive disciplinary process at any point, allowing for the ability to proceed directly to the fourth step in the process (suspension in excess of 60 days or permanently disbarring a passenger from use of SITS).

SITS Administration will notify the passenger in writing within seven days of any disciplinary action. The letter will state the reasons for and the duration of the suspension.

A passenger who wishes to appeal a decision of suspension may do so through the SITS appeal process. The SITS county Public Transportation Commission will serve as the body addressing all passenger appeals.

Passengers should address an appeal in the following manner:

1. The passenger must request a hearing in writing within thirty (30) days from the written notice of suspension from SITS County Area Transportation. Hearing requests must be mailed, faxed of hand delivered to the attention of the Director, SITS Public Transportation Department, 812-738-1681 3143 Progress Blvd, Corydon, IN 47112

Fax: 812-734-1036

1. The Director will inform the passenger of the hearing date, place and time in writing, providing at least 10 days’ written notice of such;
2. The passenger may bring one or more witnesses to the hearing if desired;
3. Decisions must be presented in writing to the passenger on behalf of SITS County Public Transportation Department within seven (7) days of the hearing.

# Management Responsibilities:

SITS Administration has the responsible to enforce this policy, determine and carrying out any resulting consequences. SITS Administration is responsible for investigating all complaints of non-compliance fairly, thoroughly, and expeditiously and make decisions for or against disciplinary action in compliance with other transportation policies SITS Administration has the responsibility to coordinate the facilitation of an appeal process for passengers who request it.