

Talking Points on Leave Attended Service

Existing leave attended service

- Customer must be in view of the driver during transport
- Upon arrival at destination, customer is left with a willing and responsible party identified by the driver as a professional or personal associate or family member of the customer

What happens under current leave attended service?

- Driver contacts dispatch if there is no one to receive customer within 5 minutes of arrival
- Dispatch attempts to contact various support staff and/or family of customer
- Dispatch instructs driver to continue to wait or to re-board customer for later attempt at drop off

Leave attended service violations policy (policy approved but not implemented)

- Violation occurs when driver is unable to locate a willing and responsible party to receive customer within 5 minutes of arrival at destination
- 1st violation – warning issued
- 2nd violation – minimum 30 day suspension
- 3rd or subsequent violation – minimum 90 day suspension

What is required under ADA?

Personal Care Attendant (PCA) – While PCAs may travel with a passenger with a disability, transportation agencies are not required to *provide* a PCA or PCA services to meet the needs of passengers with disabilities on paratransit or fixed route trips. For example, a passenger's request for a transportation entity's driver to remain with the passenger who, due to his or her disability, cannot be left alone without an attendant upon reaching his or her destination may be denied. It would be a fundamental alteration of the driver's function to provide PCA services of this kind.

- An operator is not required to provide personal care services
- A transit agency is not required to provide a personal care attendant
- This type of service could rise to the level of a fundamental alteration

Reasonable Modification must be made unless doing so

- Would fundamentally alter the nature of the program, service or activity
- Would result in a direct threat to the health or safety of others
- Without the requested modification, the individual with a disability is able to fully use the entity's service, programs or activities for their intended purpose

Request elimination of leave attended service

- Remove designation of clients as leave attended
- Effective date would follow a notification period to clients and their supports
- Provide information regarding use of Personal Care Attendant

What would service look like without leave attended?

- Curb-to-curb or door-to-door service modes available under current policy
- Door-to-door service allows service to and assistance with the exterior building door
- Driver may not enter a building to assist a passenger
- Driver is required to announce their arrival for a pick up at the door
- In current practice door-to-door service includes
 - Driver maintains visual contact with vehicle
 - Driver does not enter a private residence
 - Driver does not travel beyond the lobby of a public building
 - Driver will call dispatch for assistance if a threat to passenger safety exists in leaving passenger at the door (After checking with the dispatcher, the driver may be instructed to re-board and take the passenger to a safe location)
 - Severe weather
 - Flight risk
 - Cognitive disability
 - Physical disability