

ADA AND SECTION 504

Notice Under the Americans with Disabilities Act: Grievance

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Chowchilla. The City's Personnel Policy governs employment-related complaints of disability discrimination.

What to Include in the Complaint: The complaint should be in writing preferably on the City's ADA / Section 504 Grievance Form. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request. If an alternative method of filing a complaint is requested the following information will be required:

Information of Complainant: Name, address and telephone number of the person filing the complaint.

Information of Flier: Name address and telephone number of the person who was allegedly discriminated against, if different from person filing the complaint.

Facility Information: The City facility of activity in which the violation is alleged to have occurred.

Description: A complete description of the incident prompting the complaint including:

1. Time and date the incident occurred
2. Location where incident occurred
3. Names and telephone numbers of any witnesses
4. The desired remedy or solution requested

Submitting the Complaint: The complaint should be submitted by the complainant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation to:

ADA Coordinator

Jason Rogers, Director of Public Works
130 S. Second Street
Chowchilla, CA 93610
559-665-8615
JRogers@CityOfChowchilla.org

The Process: Within 15 calendar days after receipt of the complaint, the ADA Coordinator or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille or audio tape. The response will explain the position of the City of Chowchilla and proposed resolution.

If the complainant does not agree with the resolution, the complainant or designee may appeal the decision within 15 calendar days after receipt of the response to the City Administrator or designee. The appeal should include a statement of why the complainant disagrees with the resolution. Within 15 calendar days after receipt of the appeal, the City Administrator or designee will schedule a meeting with the complainant or designee to gather additional information before issuing the final decision. The City Administrator or designee will issue the final decision with 15 calendar days of the last scheduled meeting. The decision will be in a format accessible to the complainant.

Within 15 calendar days after the meeting, the City Administrator or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

Retention: All written complaints received by the ADA Coordinator or designee, appeals to the City Administrator or his designee, and responses from these two offices will be retained by the City of Chowchilla for at least three years.

Alternatives: The procedures described above do not preempt or supersede any legal procedures or remedies otherwise available to a victim of discrimination or harassment under state or federal law.