

## **ADA GRIEVANCE PROCEDURE**

### *City of Madera ADA Grievance Procedure*

#### **Grievance Procedure under ADA and California State Disability Rights Laws**

This grievance procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"), the Americans with Disabilities Amendments Act (ADAAA) and California State law. It may be used by anyone wishing to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the City of Madera. The City's Disability Discrimination Policy governs employment-related complaints of disability discrimination.

1. The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of the complainant and location, date and a description of the problem(s). The City's Grievance Procedure form is available online at <https://www.madera.gov/home/departments/human-resources/ada-advisory-council/>. Alternative means of filing a complaint, such as personal interviews or a tape recording of the complaint, are available to persons with disabilities upon request.
2. The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation to the City's ADA Coordinator. The contact information is:

*Wendy Silva, Director of Human Resources*

*205 W. 4<sup>th</sup> Street*

*Madera, CA 93637*

*Phone: (559) 661-5400, option 8*

*Email: [hrinfo@madera.gov](mailto:hrinfo@madera.gov)*

3. An investigation, as may be appropriate, shall follow the filing of a complaint. The appropriate investigation will be conducted by the ADA Coordinator or a designated representative. These rules contemplate an informal but thorough investigation affording all interested persons an opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53, the City need not process complaints from applicants for employment or housing. Such complaints will be referred to the California Civil Rights Department.
4. A written determination as to the validity of the complaint and a description of resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than 30 calendar days after its filing.
5. The complainant may appeal the ADA Coordinator's decision to the City Manager within 10 calendar days of receipt of the decision. The City Manager will review the

decision and within 30 days provide the complainant with a written response to the appeal.

6. The complainant may appeal the decision of the City Manager by filing an appeal with the City Council. All such appeals must be submitted within 10 days of the complainant's receipt of the decision from the City Manager. Such appeals will be heard by the City of Madera ADA Advisory Council at its next regularly scheduled meeting. The City of Madera ADA Advisory Council will make findings and recommendations in writing regarding the complaint and appeal, and such findings and recommendations will be forwarded to the City Council at its next regularly scheduled meeting for which an agenda has not already been published. The City Council will consider the findings and recommendations of the City of Madera ADA Advisory Council and make a final decision regarding the complaint and the matter will be closed. The City Council's decision will be provided in writing to the complainant within 10 calendar days after the matter is heard at a public meeting.