

ADA GRIEVANCE PROCEDURE
CITY OF PECK

RESOLUTION NO. 2011-09

The following grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act as amended and the Americans with Disabilities Act of 1990 (ADA).

According to these laws, the City of Peck, as a recipient of an Idaho Community Development Block Grant (ICDBG) funds other federal funding, certifies that all citizens shall have the right to submit a grievance on the basis of disability in policies or practices regarding employment, services, activities, facilities, or benefits provided by the City.

When filing a grievance, citizens must provide detailed information to allow an investigation, including the date, location, and description of the problem. The grievance should be in writing and should include the name, address, and telephone number of the complainant. Upon request, alternative means of filing complaints, such as personal interview or a tape recording, will be made available for individuals with disabilities upon request. The complaint should be submitted by the complainant or her/her designee as soon as possible, but no later than 60 days after the alleged violation. Complaints must be signed and sent to:

City Clerk, City of Peck
120 W. Howard Street
Peck, ID 83545
Telephone Number: 208-486-7791

Within 15 calendar days after receiving the complaint, the City Clerk will meet with the complainant to discuss the complaint and possible solution. Within 15 calendar days after the meeting, the City Clerk will respond in writing. Where appropriate, the response shall be in format assessable to the complainant (such as large print or audio tape). The response will explain the position of the City of Peck and offer options for resolving the complaint.

If the response by the City Clerk does not satisfactorily resolve the issue, the complainant or his designee may appeal the decision of the ADA Coordinator. Appeals must be made within 15 calendar days after receipt of the response. Appeals must be directed to the City Council of their designee.

Within 15 calendar days after receiving the appeal, the City Council or their designee will meet with the complainant to discuss the complaint and to discuss possible solutions. Within 15 calendar days, after the meeting, the City Council or their designee will provide a response in writing. Where appropriate, the response shall be in format assessable to the complainant (such as large print or audio tape). The response will explain the position of the City of Peck and offer options for resolving the complaint. The 504/ADA Coordinator shall maintain the files and records of the City pertaining to the complaints filed for a period of three years after the grant is closed out.

Other Complaint Procedures

All individuals have a right to a prompt and equitable resolution. Individuals or classes of individuals who believe they have been subjected to discrimination based on disability have several ways to file a grievance.

- Use the grievance procedure provided by the City
- File a complaint with any agency that provides funding to the City
- File with one of the eight federal agencies designated in the Title II regulations.

Under Title II, filing a grievance with the City's ADA Coordinator, filing a complaint with a federal agency, or filing a lawsuit may be done independently of the others. Individuals are not required to file either a grievance or complaint to bring a lawsuit. Lawsuits may be filed at any time. The following are four of the eight agencies where a Title II complaint can be filed:

Department of Justice
Civil Rights Division
Public Access Section
PO Box 66738
Washington, DC 20035-9998

Department of Housing & Urban Development
Community Planning and Development
451 7th Street
Washington, DC 20410-4000

Architectural & Transportation Barriers Compliance Board (ATBCB)
1331 "F" Street NW, Suite 1000
Washington, DC 20004-1111

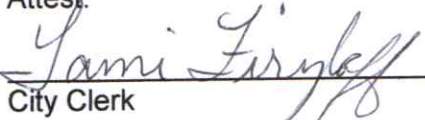
Equal Employment Opportunity Commission (EEOC)
1801 L Street NW
Washington, DC 20507

PASSED BY THE COUNCIL of the City of Peck this 9th day of November 2011.

APPROVED BY THE MAYOR of the City of Peck this 9th day of November 2011.



Mayor

Attest:


City Clerk