

# THE CITY OF LAKE FOREST

## Grievance Procedure for Complaints Filed Under The Americans with Disabilities Act of 1990

### 1.0 Purpose:

The purpose of this procedure is to establish formal guidelines to be followed upon receipt of a complaint submitted by any of the following:

1. An individual who believes that he/she has been subjected to discrimination by The City of Lake Forest because of his/her disability, as defined and set forth in the "Americans with Disabilities Act" (hereafter known as ADA).
2. A disabled individual who believes that he/she has been denied by The City of Lake Forest any right guaranteed under the ADA.
3. An individual who believes that he/she has been subjected to discrimination by The City of Lake Forest because of his/her relationship to a person with a disability, as outlined in the ADA.
4. Any individual who believes that The City of Lake Forest is not acting in compliance with any applicable requirement set forth in the ADA.

### 2.0 Manner of Filing:

All complaints will be forwarded to The City of Lake Forest ADA Coordinator or, in his/her absence, the City Manager or the Manager's designee.

It will be the responsibility of the ADA Coordinator to inform the individual bringing forth the complaint (hereinafter known as the "complainant") of all rights under the ADA, including the grievance process and the right to a hearing on the issue at hand.

Complaints alleging violations of the ADA are to be submitted in writing, either by the complainant or his/her designated agent, to the ADA Coordinator. The complainant will be requested to complete a complaint form for Violations of the Americans with Disabilities Act. Complainant is not limited to the utilization of this form and may add any written documentation desired.

Written complaint must be made and received by the ADA Coordinator (or City Manager, in his/her absence) within 30 days of the date of alleged violation or action.

In the event a conflict of interest exists and the ADA Coordinator is not capable of hearing the complaint, the City Manager (or designee) shall accept and investigate with the complaint in the same manner as the ADA Coordinator.

### 3.0 Procedure:

1. Upon receipt of the grievance, the ADA Coordinator shall conduct an investigation into the charges and may request additional information from complainant and then will prepare a comprehensive report. The report shall include a position on the validity of the grievance and suggest measures required to alleviate any ADA violations found to be existent.
2. A reply shall be returned in writing to the complainant in a timely manner. The reply will advise of the position taken by the ADA Coordinator on the grievance and the reasons for the position. If the grievance is found to be valid, the reply

shall also include measures that will be suggested to alleviate violations. It will be the responsibility of the ADA Coordinator to insure that the complainant receives the reply.

#### 4.0 Appeal:

If the complainant is not satisfied with the response and action taken by the ADA Coordinator, he/she may submit a written request to the City Manager for review.

The City Manager shall review the case and any other relevant information available and rule on the appeal.

The City Manager shall document the reasons for the ruling reached and return a copy to the complainant within a reasonable time period not to exceed 30 days from the date of the review request.

All information regarding the appeal and the ruling made by the City Manager will be included in the case investigation report.

The ruling of the City Manager shall be considered final.