



**City of Folsom
Grievance Procedure
Under The Americans With Disabilities Act**

I. Purpose:

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). 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 Folsom. The City of Folsom's Personnel Policy governs employment-related complaints of disability discrimination.

II. Provisions:

A. Complaint

Any complaint alleging an ADA violation should be in writing and include the following information: the name, address and telephone number of the complainant and the location, date and description of the alleged discrimination. Alternative means of filing complaints, such as personal interview or tape recording of the complaint, shall be made available to any person upon request. Complaints may also be submitted by email, provided the person submitting the complaint writes the words "ADA Grievance" in the subject line.

The complaint should be submitted by the complainant and/or his or her designee as soon as possible but not later than sixty (60) calendar days after the alleged violation to:

Assistant City Manager-Administrative Services or
the Assistant City Manager's Designee ("ADA Coordinator")
Folsom City Hall
50 Natoma Street
Folsom, CA 95630

B. Response

The ADA Coordinator or his or her designee shall endeavor to resolve all issues raised in any complaint submitted as quickly as circumstances allow. The ADA Coordinator or his or her designee shall conduct any investigation deemed necessary

upon receipt of a complaint. Within thirty (30) calendar days after the receipt of a complaint, the ADA coordinator or his or her designee shall meet with the complainant to discuss the allegations in the complaint and, if appropriate, a proposed resolution. Within thirty (30) calendar days of the meeting, the ADA coordinator or his or her designee shall respond in writing and, if appropriate, in an alternative format accessible to the complainant (e.g., large print, Braille, or audio tape). The written (or alternative format) response shall explain the position of the City of Folsom and offer, when appropriate, options for substantive resolution of the complaint.

C. Appeal

If the response of the ADA coordinator or his or her designee does not resolve the issue(s) raised in the complaint to the satisfaction of the complainant, the complainant or complainant's designee may appeal the decision within thirty (30) calendar days after receipt of the written (or alternative format) response. Appeals must be submitted to the City Manager or the City Manager's designee.

Within thirty (30) calendar days after receipt of the appeal, the City Manager or the City Manager's designee shall review any and all materials that were presented to the ADA coordinator or his or her designee and may meet with the complainant to discuss the allegations made in the complaint and, if appropriate, a proposed resolution of the complaint. Within thirty (30) calendar days after the City Manager's review of the materials that were presented to the ADA Coordinator, the City Manager or the City Manager's designee shall respond in writing and, if appropriate, in a format accessible to the complainant, with a decision on the appeal. The decision of the City Manager or the City Manager's designee shall be final.

D. Document Retention

All written complaints received by the ADA coordinator or the ADA coordinator's designee, all written appeals to the City Manager or the City Manager's designee, all written responses from any of these officials, and all alternative format documentation when possible shall be retained by the City of Folsom for at least three (3) years following the resolution of any complaint.

E. Pursuit of Other Remedies

The complainant's right of prompt and equitable resolution of the complaint shall not be affected by the complainant's pursuit of other remedies, such as the filing of a complaint with the Department of Justice or the Equal Employment Opportunity Commission. Complaints filed with federal agencies must be filed in accordance with the appropriate federal timelines and procedures.