

CITY OF SNELLVILLE GRIEVANCE POLICY AND PROCEDURE FOR DISABLED INDIVIDUALS ADOPTED PURSUANT TO THE AMERICANS WITH DISABILITIES ACT

I. CITY OF SNELLVILLE GRIEVANCE POLICY AND PROCEDURE FOR DISABLED INDIVIDUALS ADOPTED PURSUANT TO THE AMERICANS WITH DISABILITIES ACT

II. POLICY

In compliance with the Americans with Disabilities Act, 42 U.S.C. 12101, et seq, 1990, and 28 C.F.R. 35.107 (B), the City of Snellville establishes a policy to provide disabled individuals with a local grievance procedure for resolution of complaints lodged under the Act. It is the Council's stated intention that this policy is intended to assist disabled individuals in accessing the programs, services, and facilities of the City of Snellville government.

III. ADMINISTRATION

The City Council, as creator and executor of this policy and procedure, has established several administrative positions with certain responsibilities related to compliance and administration of accessibility programs:

1. ADA Coordinator. The City Manager shall designate an individual to serve as ADA Coordinator until their successor is appointed. It shall be the duty and responsibility of this individual to maintain all files and records of the City of Snellville relating to records, grievances, and audits pursuant to the Americans With Disabilities Act. In addition, the coordinator shall be responsible for ensuring that the provisions of this Grievance Policy are implemented and conducted fairly under the terms of the Americans with Disabilities Act and 28 C.F.R. 35.107 (B), and as these may be amended from time to time. The Coordinator's name shall be posted on notices and other relevant documentation as required by the Act.
2. ADA Department Representatives. Each City Department shall designate an individual within the department to serve as the ADA Representative. Departmental representatives are responsible for serving as the organizational lead for providing responses and coordination of information related to the processing of any grievances relevant to the department's operational function
3. ADA Committee. The City Manager is hereby authorized to select, in coordination with the City ADA Coordinator, a panel of not less than three (3) people to hear appeals or grievances filed pursuant to this policy. It shall be the duty of the panel to render timely recommendations and to utilize its best efforts to resolve any disputes presented regarding matters under the Americans With Disabilities Act and 28 C.F.R. 35.107 (B), and as these may be amended from time to time.

IV. PROCEDURE FOR FILING AND CONSIDERING A GRIEVANCE OF AN EMPLOYEE

- a. Any individual desiring to file a grievance shall complete the City of Snellville Employee Discrimination Complaint Form, which is adopted in the form attached hereto. The completed form shall be submitted by the affected City staff to the ADA Coordinator no later than five (5) working days after the grievant becomes aware of the alleged violation or questioned activity.
- b. Thereafter, the ADA Coordinator shall investigate and review the grievant complaint in coordination with the relevant department's ADA Representative. The ADA Coordinator shall meet with the grievant within three (3) working days of receiving a complaint. Certain specific and rare cases, such as pre-scheduled use of paid time off or medical leave by the grievant, may impact the timeline for a meeting between the grievant and the ADA Coordinator. Resolution through written proposal of action by the ADA Coordinator and signed agreement by the grievant is the encouraged method for addressing grievances.
- c. However, if no satisfactory resolution can be reached through this process, then it shall be the responsibility of the ADA Coordinator at the request of the grievant to schedule a grievance hearing before the ADA Committee not later than two (2) weeks following the receipt by the ADA Coordinator of written request for a hearing from the grievant. At the hearing, the ADA Coordinator, the department's ADA Representative, and the grievant shall be given the opportunity to submit pertinent information to the panel.
- d. Thereafter, the panel shall submit a written recommended resolution to the City Manager not later than ten (10) working days following the hearing by the panel, unless otherwise agreed upon by the grievant and panel. The determination made by the City Manager shall be issued within three (3) working days and deemed the final determination.

V. PROCEDURE FOR FILING AND CONSIDERING A GRIEVANCE OF THE PUBLIC

- a. Any individual desiring to file a grievance shall complete the Discrimination Complaint Form, which is adopted in the form attached herein. The completed form should be submitted to the ADA Coordinator no later than five (5) working days after the grievant becomes aware of the alleged violation or questioned activity.
- b. The ADA Coordinator will meet with the complainant within five (5) working days and attempt to resolve the grievance. The ADA Coordinator will provide a written response in appropriate format to the complainant within fifteen (15) calendar days of the meeting.
- c. If the response of the ADA Coordinator is not acceptable to the complainant, the complainant may within 10 calendar days of receiving the written response from the ADA Coordinator request in writing to the ADA Coordinator that the grievance be elevated to the ADA Committee.

- d. The committee along with the City Manager shall schedule a public meeting within ten (10) working days from receipt of request for hearing. Adequate public notice of the meeting must be given. The committee and City Manager shall issue a written decision within thirty (30) days of the public meeting. The decision made by the committee and City Manager is final.