

	CHAPTER:	POLICY:
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SUBJECT: Grievance Procedure under--The Americans with Disabilities Act		
RELATED POLICIES:	ENABLING RESOLUTION:	
	RESOLUTION DATE:	
	REVISED RESOLUTION & DATE:	
OFFICE WITH PRIMARY RESPONSIBILITY:		

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 Sedgwick County.

The Sedgwick County Personnel Policy 4.311 governs employment-related complaints of discrimination based on disability.

II. POLICY STATEMENT

Sedgwick County is committed to compliance with the Americans with Disabilities Act of 1990. The ADA establishes certain administrative responsibilities for local governments, including a formal ADA Grievance Procedure.

III. PROCEDURES

1. The complaint should be in writing and contain information about the alleged discrimination such as the name, address, phone number of complainant and the location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for 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:

Sedgwick County ADA Coordinator
510 N. Main, Suite 306, Wichita, Kansas 67203
Phone: (316) 660-7052
TDD (Kansas Relay at 711 or 800-766-3777)

3. Within 15 calendar days after receipt of the complaint, the County ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolution.
4. Within 15 calendar days of the meeting, the County ADA Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Sedgwick County and offer options for substantive resolution of the complaint.
5. If the response by the County ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Sedgwick County Manager.
6. Within 15 calendar days after receipt of the appeal, the County Manager will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
7. All written complaints received by the County ADA Coordinator or his designee, appeals to the County Manager, and responses from these two offices will be retained by the Sedgwick County ADA Coordinator for a minimum of three years.
8. The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency, such as the U.S. Department of Justice or the Kansas Human Rights Commission. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

Complaints about violations of title I (employment) by units of State and local government or by private employers may be filed with the Equal Employment Opportunity Commission:

Equal Employment Opportunity Commission
(800) 669-4000 (voice)
(800) 669-6820 (TTY)

Complaints about violations of title II by units of State and local government or violations of title III by public accommodations and commercial facilities (private businesses and non - profit service providers) may be filed with the Department of Justice:

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Disability Rights Section - NYAV
Washington, DC 20530

The Department of Justice's ADA Information Line may be used to obtain more information about filing a complaint with the Department of Justice:

800 - 514 - 0301 (voice)

800 - 514 - 0383 (TTY)

9. For additional information, or to receive this document in alternate format, please contact the Sedgwick County ADA Coordinator.