

# COUNTY OF PLUMAS

## AMERICANS WITH DISABILITIES ACT (ADA)

### GRIEVANCE PROCEDURE & INVESTIGATION POLICY

This grievance procedure is established to meet the requirements of the Americans with Disabilities Act (ADA). Anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or in the provision of services, activities, programs or benefits by Plumas County is encouraged to use this process. Current employees alleging a work-related ADA grievance shall follow the grievance procedure established through the County personnel rules and the MOU concurrently with the procedure established herein.

ADA regulations require the County to adopt and publish a grievance procedure to promptly and equitably resolve accessibility complaints (28 CFR 35.107). In addition, the County has an obligation to investigate and resolve certain accessibility complaints within 90 days of confirmation that a complaint is valid under California Government Code Section 4452. The following policy is intended to standardize the procedures for receiving and addressing complaints.

#### **STEP 1**

The complaint should be in writing and contain information concerning the alleged discrimination including; the name, address and phone number of the complainant as well as the location, date and description of the issue. An alternate means of filing complaints, such as a personal interview or a tape recording of the complaint, will be made available for individuals with disabilities requiring an alternate means.

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:

Plumas County Disability Coordinator  
198 Plumas Ave., Quincy, CA. 95971

(530) 283-6299

Within 15 calendar days after receipt of the complaint, the ADA coordinator or his designee will meet with the complainant to discuss the complaint and possible resolutions.

Within 15 calendar days after the meeting, the ADA Coordinator 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 Plumas County and offer options for substantive resolution of the complaint.

Complaints involving County program accessibility in general and existing County facilities shall be investigated by the Disability Coordinator, or his/her designee.

Complaints involving new construction or renovations to either public or private structures will be directed to the Building Department.

Complaints involving streets, road or sidewalks will be directed to the Public Works Department.

## **STEP 2**

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after the receipt of the response to the Plumas County, County Administrative Officer. An appeal should be addressed to:

County of Plumas  
County Administrative Officer  
520 Main St. Room 309  
Quincy Ca. 95971

Within 15 calendar days after receipt of the appeal, the County Administrative Officer will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Administrative Officer will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. Complaints that have been determined by the County Administrative Office to have no merit will not be allowed to repeat the appeal process.

## **COMPLAINTS OF IMMEDIATE CONCERN**

If the complaint is of immediate concern (for example, if a request for a sign language interpreter for an imminent meeting is denied), the ADA Coordinator will contact the complainant as soon as possible, but no later than 24 hours after receipt of the complaint, to discuss possible resolutions.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant may appeal the decision to the Plumas County Administrative Officer. As soon as possible, but no later than 24 hours from receipt of the appealed complaint, the County Administrative Officer will contact the complainant to discuss the complaint and possible resolutions.

## **RECORDS**

Upon receipt, the complaint will be recorded in the Accessibility Complaint Log, which will include the date received, contact information for the complainant, a brief description of the complaint, and a target date for resolution. Upon resolution, the outcome of each complaint shall also be recorded in the log. All complaints received by the ADA Coordinator, appeals to the County Administrative Officer, and responses from the ADA Coordinator and the Plumas County Board of Supervisors or County Administrative Officer will be kept on file by Plumas County for a period of three years.

## **RESOLUTION**

The resolution of any specific grievance will require consideration of varying circumstances, such as the specific nature of the disability; the nature of the access to services, programs, or facilities at issue, the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the County. Accordingly, the resolution by the County of any one grievance does not constitute a precedent upon which the County is bound or upon which other complaining parties may rely.

THIS ADA GRIEVANCE PROCEDURE IS AVAILABLE IN ALTERNATE FORMATS UPON REQUEST.