

ADA GRIEVANCE PROCEDURE

CITY OF ANDREWS, TEXAS
AMERICANS WITH DISABILITIES ACT (ADA)
GRIEVANCE PROCEDURE
FOR CITY SERVICES, PROGRAMS OR FACILITIES

The City of Andrews, Texas has adopted the following internal grievance procedure related to City Services, Programs or Facilities. The purpose of this procedure is to ensure the responsive and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities Act (ADA) Legislation as more fully defined in United States Law 101-336.

Complaints related to City Services, Programs or Facilities should be addressed to the following appointed officer of the City of Andrews, who has been designated Americans with Disabilities Act (ADA) Coordinator for the City:

Steve Eggleston
Finance Director

111 Logsdon
Andrews, Texas 79714

Office Hours: 8:00 a.m. to 5:00 p.m.
Monday through Friday

Grievance Procedure

1. Filing a Grievance. Any and all grievances and/or complaints shall be submitted in writing to the office of the ADA Coordinator. The written documentation shall include:
 - a. The name, address and telephone number of the complainant.
 - b. The names, addresses and telephone numbers of associated witnesses.
 - c. A narrative and/or statement, in sufficient written detail including date and time of the incident to fully define and explain the alleged violation of the ADA regulations.

- d. A narrative and/or statement, in sufficient written detail, identifying proposed recommendations, from the complainant's viewpoint, to adequately resolve the alleged violation; and
- e. Any other written information or documentation to more fully explain or identify the alleged violation.

Any and all grievances and/or complaints shall be filed no later than thirty (30) days after the complainant becomes aware of an alleged violation.

2. Investigation. An investigation, as may be appropriate, shall be initiated following the filing of a grievance and/or complaint. The investigation shall be under the administrative direction of the ADA Coordinator and involve appropriate City staff members as deemed necessary. This procedure contemplates informal but thorough investigations, affording the complainant, City staff and all other interested parties and their representatives, if any, an opportunity to further explain or provide additional evidence beyond that submitted or known when the complaint was filed. The ADA Coordinator, at his or her discretion, may meet in person with the complainant, City staff members or other interested parties or representatives to discuss the alleged violation, the resultant investigation and any pertinent aspects of the complaint situation.
3. Findings. A written determination as to the validity of the written grievance and/or complaint filed along with a description of resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant via Certified Mail or Personal Service Delivery no later than thirty (30) days after the initial grievance or complaint filing. This thirty (30) day period may be extended upon the approval of the ADA Coordinator, in consultation with the complainant, in instances where investigation or research requires additional time for proper grievance or complaint consideration. The ADA Coordinator shall maintain the files and records of any and all ADA grievances and/or complaints filed.
4. Appeal/Reconsideration. A complainant may request a reconsideration of a written grievance and/or complaint filed in instances where he or she is dissatisfied with the

resolution decision made by the ADA Coordinator. A request for reconsideration shall be made in writing to the City Manager. This written request must be received by the Office of the City Manager within ten (10) days after receipt of the ADA Coordinator's determination in which the complainant is aggrieved, including the complainant's rebuttal to these conflict areas. The City Manager, at his or her discretion, may meet in person with the complainant, ADA Coordinator, City staff members or other interested parties or representatives to discuss the reconsideration issue. A written determination as to the validity of the written reconsideration request along with a description of resolution, if any, shall be issued by the City Manger and a copy forwarded to the complainant via Certified Mail or Personal Service Delivery no later than fifteen (15) days after filing of the written reconsideration request. This fifteen (15) day period may be extended upon the approval of the City Manager, in consultation with the complainant, in instances where investigative or research needs require additional time for proper reconsideration review. The decision of the City Manager shall be final.

5. The right of a person to the prompt and equitable resolution of a written complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an Americans with Disabilities Act (ADA) complaint with the responsible state or federal department/agency. The utilization of this City of Andrews Grievance Procedure is not a prerequisite to the pursuit of other remedies.
6. This Grievance Procedure related to City Services, Programs or Facilities shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the City of Andrews meets the spirit and guidelines of the Americans with Disabilities Act (ADA).

In addition to this Grievance Procedure for City Services, Programs or Facilities, the City of Andrews has also enacted Grievance Procedures for its Employment and Personnel Policies. Grievances and/or complaints related to the City's Employment and Personnel Policies should be directed to the Director of Personnel per established written procedures in the City of Andrews Personnel Policies and Procedures Manual.