

**THE CITY OF AKRON, OHIO  
GRIEVANCE PROCEDURE FOR THE  
AMERICANS  
WITH DISABILITIES ACT ("ADA") TITLE II**

**I. PURPOSE AND INTENT**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by qualified persons with disabilities to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Akron.

This Grievance Procedure is to effect and accomplish the goals of the City of Akron, Ohio, consistent with the purpose and intent of Title II of the Americans with Disabilities Act of 1990 (ADA). This procedure is available for use by qualified persons with disabilities to resolve alleged discrimination on the basis of disability in the provision of services, activities, programs, or benefits provided by the City of Akron.

**City of Akron's Grievance Procedure:**

It is the intent of the City of Akron to expediently and equitably resolve issues concerning barriers to persons with a disability or alleged discrimination toward persons with disability, in an employment practice or in the provision of services provided by the City.

- **ADA Coordinator.** The ADA Coordinator is responsible to hear and/or cause investigation of any question or concern by a member of the public or employee regarding discriminatory practices in the provision of services, barriers to accessibility to services or employment practices. The ADA Coordinator will render a decision whether there are reasonable grounds to believe that a discriminatory violation of the ADA has occurred.
- **Conference.** If the ADA Coordinator determines that there are reasonable grounds to believe a violation of the ADA occurred, the ADA Coordinator shall hold an informal conference to attempt to resolve the grievance.
- **Alternative Remedies.** The City of Akron's grievance procedure shall not prevent the City of Akron or any person from exercising any right or seeking any remedy to which that party might otherwise be entitled or from filing any grievance with any other agency or court of law or equity.

**II. GRIEVANCE: Complaint**

A person who believes that he/she is aggrieved by any alleged discriminatory conduct prohibited by the ADA (hereinafter referred to as the "Grievant") may file

a written grievance with the Office of the ADA Coordinator, Yamini Adkins, Director of Human Resources, 166 S. High Street, Room 103, Akron, Ohio 44308, within sixty (60) calendar days from the date of the alleged discriminatory conduct.

The Grievant must complete the grievance forms as provided by the ADA Coordinator. 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.

### **III. Grievance: Process**

Within 15 calendar days after receipt of the complaint, *[ADA Coordinator's name]* or *[his/her]* designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, *[ADA Coordinator's name]* 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 the **[name of public entity]** and offer options for substantive resolution of the complaint.

If the response by *[ADA Coordinator's name]* 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 **[City Manager/County Commissioner/ other appropriate high-level official]** or *[his/her]* designee.

Within 15 calendar days after receipt of the appeal, the **[City Manager/County Commissioner/ other appropriate high-level official]** or *[his/her]* designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **[City Manager/County Commissioner/ other appropriate high-level official]** or *[his/her]* designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

The ADA Coordinator shall conduct or cause to be conducted an informal investigation of the alleged discriminatory conduct and shall attempt resolution of the grievance by an informal conference between the Grievant and the person alleged to have violated the ADA (hereinafter referred to as the "City").

The ADA Coordinator shall conduct or cause to be conducted an investigation of the grievance and shall determine whether:

- a) There are reasonable grounds to believe that a discriminatory violation of the ADA may have occurred, in which case the ADA Coordinator shall initiate the conference process as set forth.
- b) There are reasonable grounds to believe that a discriminatory violation of the ADA has not occurred, in which case the ADA Coordinator shall prepare a report and notify the parties of the decision. The ADA Coordinator should first attempt to personally notify the Grievant and explain the findings to that person. If personal contact cannot be achieved, a copy of the written report shall be sent by certified mail to the Grievant. A copy of the finding shall also be filed in the records of the ADA Coordinator.

## 2) **CONFERENCE**

If the ADA Coordinator has made a determination that there are reasonable grounds to believe that a discriminatory violation of the ADA may have occurred, the ADA Coordinator shall:

- a) Notify the Grievant and the City of the time, place and date of the conference

at least ten (10) days prior thereto, and both parties shall appear at the conference in person or by a legal representative; and

- b) Attempt to resolve the grievance by methods of conference with all interested

parties and such representatives as the parties may choose to assist them. Conferences shall be informal and nothing said or done during such conference shall be

made public unless the parties agree thereto in writing. The terms agreed to by the parties may be reduced to writing. Any written agreement shall be filed in the records of the ADA Coordinator, and shall be available to all appropriate federal, state or local agencies or courts having competent jurisdiction.

## **IV. Record Retention**

All written complaints received by ADA Coordinator or her designee, appeals to the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee, and responses from these two offices will be retained by the City for at least three years.



