

Resolution 218-2015
Grievance Procedure for City of New Meadows
2015

The following grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act as amended and the Americans With Disabilities Act of 1990 (ADA).

According to these laws the City of New Meadows, as a recipient of an Idaho Community Development Block Grant (ICDBG) funds, certifies that all citizens shall have the right to submit a grievance on the basis of disability in policies or practices regarding employment, services, activities, facilities, or benefits provided by the City of New Meadows.

When filing a grievance, citizens must provide detailed information to allow an investigation, including the date, location and description of the problem. The grievance should be in writing and should include the name, address and telephone number of the complainant. Upon request, alternative means of filing complaints, such as personal interviews or a tape recording, will be made available for individuals with disabilities upon request. The complaint should be submitted by the complainant or his/her designee as soon as possible, but no later than 30 days after the alleged violation. Complaints must be signed and sent to:

504/ADA Coordinator – Jacob “Mac” Qualls
PO Box 324, New Meadows Idaho 83654
208-347-2171

Within 15 calendar days after receiving the complaint, Mac Qualls will meet with the complainant to discuss the complaint and possible resolution. Within 15 calendar days after the meeting, Mac Qualls will respond in writing. Where appropriate, the response shall be in a format accessible to the complainant (such as large print or audio tape). The response will explain the position of the City of New Meadows and offer options for resolving the complaint.

If the response by Mac Qualls does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision of the ADA coordinator. Appeals must be made within 15 calendar days after the receipt of the response. Appeals must be directed to the chief elected official or his or her designee.

Within 15 calendar days after receiving the appeal, the chief elected official or his or her designee will meet with the complainant to discuss the complaint and to discuss possible resolution. Within 15 calendar days after the meeting, the chief elected official or his or her designee will provide a response in writing. Where appropriate, the response shall be in a format accessible to the complainant. The response shall be accompanied by a final resolution of the complaint. The 504/ADA Coordinator shall maintain the files and records of the City of New Meadows pertaining to the complaints filed for a period of three years after the grant is closed out.

Other Complaint Procedures

All individuals have a right to a prompt and equitable resolution. Individuals or classes of individuals who believe they have been subjected to discrimination based on disability have several ways to file a grievance:

- Use the grievance procedure provided by the public entity
- File a complaint with any agency that provides funding to the public entity
- File with one of the eight federal agencies designated in the Title II regulations

Under Title II, filing a grievance with the public entity's ADA coordinator, filing a complaint with a federal agency, or filing a lawsuit may be done independently of the others. **Individuals are not required to file either a grievance or complaint to bring a lawsuit. Lawsuits may be filed at any time.** However the individual has 180 days to file with the Department of Justice. The following are agencies where a Title I, Title II or Section 504 complaint can be filed:

For Title I Complaints (Employment) Private Entities Only

Equal Employment Opportunity Commission
<http://www.eeoc.gov/employees/howtofile.cfm>
1-800-669-4000
1-800-669-6820 (TTY)

For Title II Complaints Including Employment

Department of Justice (DOJ)
Civil Rights Division
Disability Rights Section – NYAV
950 Pennsylvania Avenue, NW
Washington, DC 20530
<http://www.justice.gov/crt/complaint/#two>
1-800-514-0301
1-800-514-0383 (TDD)

For Section 504 Complaints

Department of Housing and Urban Development (HUD)
Community Planning and Development
451 7th Street, SW
Washington, DC 20410
<http://www.hud.gov/offices/fheo/disabilities/sect504complaint.cfm>
1-202-708-1112
1-202-708-1455 (TTY)

Passed by City of New Meadows, Idaho this **14th** day of **September, 2015** by the New Meadows City Council.

Anthony J Koberstein, Mayor

ATTEST _____
Jacob Mac Qualls, City Clerk