

CITY OF BRECKSVILLE

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

The City of Brecksville has adopted a grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U. S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act of 1990. Title II states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by a public entity.

1. COMPLAINT SUBMISSION:

- a. Complaints regarding access to or participation in programs, activities, facilities, and functions of the City of Brecksville should be submitted to:

Scott Packard, Building Commissioner
ADA Coordinator, Facilities
City of Brecksville
9069 Brecksville Road
Brecksville, Ohio 44141
440-526-4351
spackard@brecksville.oh.us

- b. Complaints regarding any aspect of employment with the City of Brecksville, including but not limited to job applications, recruitment, hiring, discharge, compensation, benefits, job assignments, advancement, City-sponsored employee social activities, and job training, should be submitted to:

Lisa Helbert, Supervisor Payroll and Personnel
ADA Coordinator, Employee Matters
City of Brecksville
9069 Brecksville Road
Brecksville, Ohio 44141
440-526-4351
lhelbert@brecksville.oh.us



2. COMPLAINT FILING AND CONTENTS:

A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and a brief description of the alleged violations of the regulations as soon as possible, but no later than 60 calendar days after the alleged violation. If filed verbally, the complaint should be witnessed. A record of the complaint and action taken will be maintained by the appropriate ADA Coordinator(s), in accordance with the division of responsibilities described above.

3. COMPLAINT INVESTIGATION:

An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by the appropriate ADA Coordinator(s) in accordance with the division of responsibilities described above. These rules contemplate informal but thorough investigations affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

4. COMPLAINT DETERMINATION AND RESOLUTION:

A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the appropriate ADA Coordinator(s) and a copy forwarded to the complainant no later than 30 days after its filing.

5. COMPLAINT RELATED RECORDS:

The ADA Coordinator(s) shall maintain the files and records of the City of Brecksville relating to complaints filed, in accordance with the division of responsibilities described above.

6. REQUEST FOR RECONSIDERATION:

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within 15 working days of receipt of the written determination described in Section 4. above. The request for reconsideration should be made to the Mayor or his designee. The Mayor or his designee shall conduct an investigation and, within 30 days, issue a written determination following the procedures set forth in Sections 3. and 4. above.

7. PURSUIT OF OTHER REMEDIES:

The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal and/or state department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

8. RULE CONSTRUCTION.

These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure the City of Brecksville complies with the ADA and implementing regulations.

The City of Brecksville will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, without limitation, providing interpreters to the deaf, providing tape cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The appropriate ADA Coordinator(s) will be responsible for such arrangements.