

CITY OF ANAHEIM

Disability and Civil Rights Program

ADA Title II and Title VI Grievance Policy and Procedure

GRIEVANCE POLICY

The City of Anaheim is committed to ensuring that people with disabilities are able to take part in and benefit from, the variety of public programs, services, and activities offered by the City. The City of Anaheim continues to modify its facilities, programs, policies, or practices, as necessary to ensure such access is provided.

GRIEVANCE PROCEDURE

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), and ADA Amendments Act of 2008, the City of Anaheim (City) does not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Under Title VI of the Civil Rights Act of 1964 as amended in 1972, 1978 and 1992, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance by the City of Anaheim.

The Americans with Disabilities Act and Title VI requires that public entities adopt and publish grievance procedures to assure the prompt and equitable resolution of any grievance. The purpose of this grievance procedure is to resolve as promptly as possible any problems, grievances, or conflicts related to the City's compliance without the need for the grievant to resort to other remedies available under the law.

Contents:

1. Who may file a grievance?
2. When should a grievance be filed?
3. What should the grievance include?
4. What if I need assistance filling out my grievance?
5. What happens after I file my grievance?
6. When will I receive a response?
7. Should I be concerned that a city office or employee might retaliate against me if I complain?
8. What can I do if I am not satisfied with the initial investigation by the department?
9. How long are complaints kept?

1. Who may file a grievance?

You or your authorized representative may file a grievance if you believe that:

- The City is not in compliance with the physical access requirements of the Americans with Disabilities Act related to its public facilities, land, or right-of-ways, or
- You or a specific class of individuals have been denied access to participate in any City program, service, or activity on the basis of race, color, sex, age, national origin, or disability, or

- You or a specific class of individuals have been otherwise subjected to discrimination on the basis of race, color, sex, age, national origin, or disability by the City of Anaheim, or
- The City has otherwise violated the ADA or Title VI.
- This is not for employment or employee related issues.

2. When should a grievance be filed?

Before filing a grievance, you may seek informal resolution by contacting the [Department Liaison](#) in the applicable department. If your informal concern is not resolved in a timely fashion, you may file a formal grievance under this procedure.

You are encouraged to file your grievance as soon as possible within 180 business days.

3. What should the grievance include?

The grievance should be in writing and contain information about the grievance, submission date, name, address, telephone or cell phone number of grievant, location, date and description of the problem. An alternate means of filing grievances, such as personal interviews or audio recording of the grievance, will be made available for people with disabilities upon request.

A grievance form is available for your convenience.

4. What if I need assistance filling out my grievance?

Grievances may be filed by mail, telephone, or email. Assistance is available from the Department Liaison.

5. What happens after I file my grievance?

After receiving your grievance, the Department Liaison will investigate within 15 business days. The investigation may include you and any other person(s) the investigator believes to have relevant knowledge concerning your grievance. The investigator will also consider any written evidence submitted. After completing the investigation, the investigator will review the factual information gathered. The Department Liaison will then issue a written response.

6. When will I receive a response?

The Department Liaison will provide a response within 15 business days.

7. Should I be concerned that a city officer or employee might retaliate against me if I complain?

The City does not retaliate against you for filing a grievance and does not permit retaliation by its officers or employees. Please notify the Department Liaison of any retaliation.

8. What can I do if I am not satisfied with the initial investigation by the department?

If you are not satisfied with the response you may submit an appeal within 15 business days of your receipt of the response to the ADA/Title VI Coordinator ADA@anaheim.net state the reasons for the appeal.

Within 15 business days after receipt of the appeal the ADA/Title VI Coordinator/ADA Task Force will meet with the grievant to discuss a resolution. Within in 15 business days after the meeting, the ADA/Title VI Coordinator will respond with a final resolution.

You may file your appeal with the City's designated ADA/Title VI Coordinator.

City of Anaheim
P.O. Box 3222, Mail Stop 19
Anaheim, CA 92803
(714) 765-6803 office
(714) 765-6899 fax
(714) 765-5125 TTY
ADA@anaheim.net

If you are not satisfied with the results of the appeal, you may file a complaint with the appropriate agency or department of the State or Federal government. Contact the U.S. Department of Justice, the U.S. Department of Education Office for Civil Rights, Federal Transit Administration (FTA) or the California Department of Justice Civil Rights Division for information about how to file a complaint with these agencies. www.ada.gov.

Using this grievance procedure is not a prerequisite to pursuing any of your other remedies. However, in the interest of a prompt resolution of the grievance, the City encourages you to use this procedure in addition to any other available alternatives you may choose.

9. How long are grievances kept?

All grievances received by the Department Liaison and appeals to the ADA/Title VI Coordinator will be kept by the City of Anaheim for at least three (3) years.

10. Appeal to Federal Transit Administration – Regional Level

If the Complainant wishes to appeal the decision, she or he has 30 days after the date of the letter to do so. Complainant may contact the Federal Transit Administration, Regional Civil Rights Officer, 201 Mission Street, Suite 650, San Francisco, CA 94105-1839, (415) 744-2729, Fax (415) 744-2726.

11. Appeal to Federal Transit Administration – National Level

A person may also file a Title VI complaint, no later than 180 days after the date of the alleged discrimination, directly to the Federal Transit Administration, Office of Civil Rights, 1200 New Jersey Avenue, SE, Washington, DC 20590.