

Grievance Procedure for City of Coeur d'Alene

The following grievance procedure is established to meet the requirements of Title VI of the Civil Rights Act of 1964, the Americans With Disabilities Act of 1990 (ADA), Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended.

As a recipient of Federal Funds, The City of Coeur d'Alene certifies that all persons claiming discrimination prohibited by the Acts referenced above committed by the City have the right to submit a grievance on the basis of discrimination individually, as a member of any specific class, or in connection with any disadvantaged business enterprise. A complaint may also be filed by a representative on behalf of such person.

When filing a grievance, the person must provide detailed information to allow an investigation, including the date, location, and description of the alleged act of discrimination, or where there has been continuing course of conduct, the date on which that conduct was discontinued. 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.** In the event a person makes a verbal complaint of discrimination to an officer or employee of the City, the person shall be interviewed by the ADA Compliance Officer. If necessary, the ADA Compliance Officer will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the City's investigative procedures as outlined in this document. The complaint should be submitted by the complainant or his/her designee as soon as possible, but no later than 180 days after the alleged violation. Complaints must be signed and sent to:

Melissa Tosi, Human Resource Director
ADA Compliance Officer
710 E. Mullan Avenue Coeur d'Alene, ID 83814
208-769-2205

Within 10 calendar days after receiving the complaint, the City will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as referral to the Idaho State Transportation Department (ITD) and/or the US Department of Transportation. Upon receipt of a complaint, the ADA Officer will provide a copy to the Title VI Compliance Officer.

If the response by the City does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision of the ADA Officer. Appeals must be made within 15 calendar days after receipt of the response. Appeals must be directed to the Title VI Compliance Officer or his or her designee.

Within 15 calendar days after receiving the appeal, the Title VI Compliance Officer or his or her designee will meet with the complainant to discuss the complaint and to discuss possible resolutions. Within 15 calendar days after the meeting, the Title VI Compliance Officer 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 ADA Compliance Officer shall maintain the files and records of the City pertaining to the complaints filed for a period of three years after the grant is closed out.

The City will advise ITD within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to ITD.

- a. Name, address, and phone number of the complainant
- b. Name, address (es) of alleged discriminating official(s)
- c. Basis of complaint (i.e., race, color, national origin, or sex)
- d. Date of alleged discriminatory act(s)
- e. Date of complaint received by the City
- f. A statement of the complaint
- g. Other agencies (state, local or Federal) where the complaint has been filed
- h. An explanation of the action the City has taken or proposed to resolve the issue raised in the complaint.

Within 60 days, the City, will conduct an investigation of the allegations and, based on the information obtained, render a recommendation of action in a report of findings to the City's authorized representative. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint, the City's authorized representative will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ITD, or USDOT, if they are dissatisfied with the final decision rendered by the City. The City will also provide ITD with a copy of this decision and summary of findings upon completion of the investigation.

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.** The following are four of the eight agencies where a Title II complaint can be filed:

Department of Justice (DOJ)
Civil Rights Division
Public Access Section
P.O. Box 66738
Washington, DC 20035-9998

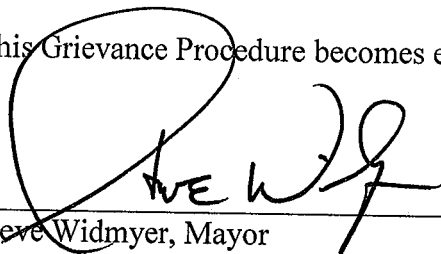
Department of Housing & Urban Development (HUD)
Community Planning and Development
451 7th Street
Washington, DC 20410-4000

Architectural & Transportation Barriers Compliance Board (ATBCB)
1331 F Street, N.W., Suite 1000
Washington, DC 20004-1111

Equal Employment Opportunity Commission (EEOC)
1801 L Street, N.W.
Washington, DC 20507

Idaho Transportation Department
Attn: EEO Office
P.O. Box 7129
Boise, Idaho 83707-1129

This Grievance Procedure becomes effective upon passage of Resolution No. 14-013



Steve Widmyer, Mayor