

CITY OF SHELBYVILLE
GRIEVANCE PROCEDURE



1. ADA Auxiliary Aids & Services or Barrier Removal

A person who requires an accommodation, an auxiliary aid or service to participate in a City program, service, or activity or who requests a modification of policies or procedures should submit a Request for Accommodation or Barrier Removal Form (attached) to the ADA Coordinator. The Request Form should be submitted as far in advance as possible before the scheduled event. The best effort to fulfill the request will be made.

An individual may also submit a Request for Accommodation or Barrier Removal Form when seeking the removal of a physical barrier in order to gain or improve access. Request forms and other information are available from the City of Shelbyville, ADA Coordinator, 201 N. Spring Street, Shelbyville, TN 37160, during regular business hours, via fax, mail, or electronic mail. Other arrangements for submitting a request, such as personal interviews or tape recordings, as well as assistance in completing the form, are available by contacting the ADA Coordinator.

The City will review the request and notify the requesting party of the City's proposed resolution. The City's notification will be in writing or a reasonable alternative format if requested. If an individual feels that the City's response is unsatisfactory, he or she may submit a formal complaint following the Formal Complaint Process. (*See below*)

2. Formal Complaint Procedures

The City has adopted a formal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Title II of the ADA and state disability rights. The following is designed to meet requirements of both §504 of the Rehabilitation Act of 1973, as amended, and Title II of the ADA. This procedure is available for any individual who wishes to file a complaint alleging discrimination by the City based on disability, regarding access to the government services, programs, and facilities of the City. It is unlawful for the City of Shelbyville to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

There is a separate complaint procedure for ADA issues relating to employment issues. Please contact the Human Resources Director for further information regarding employment issues.

The availability and use of this grievance procedure via submission of a Complaint Form (attached) does not preclude filing a complaint of discrimination with any appropriate state or federal agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

A grievance may be in writing, tape recording, or any other device, containing the name, address and telephone number of the person filing it (the Complainant). The grievance shall state the problem or action alleged to be discriminatory and the remedy or relief sought by the complainant.

Grievances shall be processed in the following manner.

Step 1: Submission of Complaint

The complaint should contain as much information as possible about the alleged discrimination. The Complainant or his/her representative should file a Complaint Form with the ADA Coordinator no later than thirty (30) calendar days from the date of the alleged discrimination. The City of Shelbyville Complaint Form is available at City Hall during regular business hours via fax, mail, or electronic mail. Other arrangements for submitting a request, such as personal interviews or tape recordings, as well as assistance in completing the form, are available by contacting the ADA Coordinator.

The ADA Coordinator will notify the Complainant in writing of any additional information that is needed to complete the complaint. If the Complainant fails to complete the complaint form, the ADA Coordinator shall close the complaint without prejudice.

Step 2: Consideration of Complaint

The ADA Coordinator will oversee the investigation of the complaint. Within thirty (30) calendar days of the receipt of the complaint, the ADA Coordinator or his/her designee will respond to the complaint in writing or a reasonable alternative format if requested. The response will explain the position of the City with respect to the complaint and offer options for a reasonable solution.

Step 3: Appeals

If the response of the ADA Coordinator does not satisfactorily resolve the issue, the Complainant, or his/her designee, may appeal the decision to the City Manager. The request for appeal must be made within fifteen (15) calendar days of the date of the ADA Coordinator's decision.

Within thirty (30) calendar days after receipt of the request for appeal, the City Manager (or his/her designee) will conduct a hearing to consider the appeal. Within thirty (30) calendar days of the hearing, the City Manager (or his/her designee) will issue a final determination of the complaint. The decision on the appeal will be in writing and, when requested, in a reasonable alternative format.

SUMMARY

The City of Shelbyville is dedicated to ensuring that all City programs, benefits, activities, and facilities are fully accessible to and useable by persons with disabilities. The ADA Coordinator is here to serve the community as a whole and to coordinate and ensure equal access for all. Any questions or concerns about accessibility issues regarding City programs and services should be directed to the City of Shelbyville ADA Coordinator.