



City of Medford Administrative Regulation

Regulation No. 93-3

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Subject Area ADA

Date of Issue July 14, 1993

Supersedes Regulation No. 92-4

Title Americans with Disabilities Act—
Grievance and Request for Accommodation Policy

I. PURPOSE

To establish appropriate procedures to ensure prompt and equitable resolution of matters under the ADA and to create an ADA Grievance and Accommodation Committee. This Committee shall review complaints received from the public regarding the accessibility to programs, services, or activities sponsored by the City of Medford and review requests for accommodations from employees. These procedures shall be construed to protect the substantive rights of interested persons under due process standards, and to assure that the City complies with the ADA and implementing regulations.

II. AUTHORITY

Public entities with 50 or more employees must adopt grievance procedures to resolve complaints of ADA violations pursuant to Title II, Section 35.107(b), of the Americans with Disabilities Act.

III. MEMBERSHIP

The committee shall consist of six members to include the City's Personnel Director, a City Councilmember, and the ADA Coordinator, who shall Chair the committee and facilitate all proceedings and investigations. The other three members shall be appointed by the City Manager on an annual basis and may include a City labor union representative, a member of the disabled community, and a member of the health or medical profession.

IV. PROCEDURE

- A. A complaint can be filed in writing or verbally to any City Department. City Departments shall submit all complaints regarding access or alleged discrimination to the ADA Coordinator for resolution. A record of the complaint, containing the date, name and address of the complainant, a brief description of the alleged violation, and action taken, will be maintained by the ADA Coordinator.

- B. Employee requests for accommodation shall be made by completing the Employee Request for Accommodation form (CMO/309) attached to this Administrative Regulation and forwarding it directly to the ADA Coordinator. Forms are available in the Administrative Regulations binders in each department, or a form can be obtained from the ADA Coordinator. The timeline for processing an employee request for accommodation begins the day the request is received by the ADA Coordinator.
- C. The ADA Coordinator shall have up to 15 days to process complaints or requests for accommodation. An investigation may be undertaken, allowing all interested parties and their representatives an opportunity to submit relevant evidence. Under Department of Justice regulations, the City need not process complaints from applicants for employment. If the complaint or request for accommodation is not resolved to the satisfaction of the person filing, the issue will be forwarded to the Grievance and Accommodation Committee for review.
- D. The Grievance and Accommodation Committee shall have up to 30 days to process complaints or requests for accommodation. Further investigation into the matter may be undertaken, allowing all interested parties and their representatives an opportunity to submit additional evidence. All meetings of this Committee shall be open to the public. A written determination as to the validity of the issue and a description of the resolution, if any, shall be issued by the ADA Coordinator on behalf of the Committee to the complainant or employee by the end of this 30 day period.
- E. Matters still in dispute after review by the Grievance and Accommodation Committee may be appealed to the City Manager. A decision will be issued within 30 days, and the decision of the City Manager is final.
- F. The ADA Coordinator shall maintain the files and records of the City of Medford relating to all complaints and requests for accommodations.



City Manager

7-14-93

Date