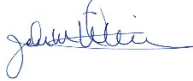


Subject: <b>American with Disabilities Act Policy and Grievance Procedure</b>		
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Approved by:		Effective Date: 11/27/2018

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### 1.0 **PURPOSE:**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Moses Lake. These procedures do not apply to employment-related complaints of disability discrimination.

### 2.0 **ORGANIZATIONS AFFECTED:**

All departments, elected officials, and the public.

### 3.0 **REFERENCE:**

Title II of the Americans with Disabilities Act of 1990  
28 CFR 35.107  
City Council Resolution 3751

### 4.0 **POLICY:**

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Moses Lake will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** The City of Moses Lake does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

**Effective Communication:** The City of Moses Lake will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in [the City of Moses Lake programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

**Modifications to Policies and Procedures:** The City of Moses Lake will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the City of Moses Lake offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Moses Lake, should contact the appropriate ADA Coordinator for the City of Moses Lake as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the the City of Moses Lake to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

## 5.0 PROCEDURES

If you believe you have been subject to unlawful discrimination based on a disability, submit a written complaint or fill out the ADA Grievance Form as soon as possible, but no later than 60 calendar days after the alleged violation. A copy of the ADA Grievance Form is attached as Appendix 1 to these procedures. The attached form or written complaint may be submitted to the appropriate ADA Coordinator, Monday through Friday, 8:00 a.m. to 5:00 p.m.:

Public Facilities:

City Engineer  
321 S Balsam  
Moses Lake, WA 98837  
Phone 509-764-3782

Human Resource Director

401 S Balsam  
Moses Lake, WA 98837  
Phone 509-764-3704

Services or Programs:

A written complaint should contain the following information:

- Name, address, and contact information of the person alleging discrimination;
- Name and contact information of representative of complainant, if any;
- Description of the service, activity, program, facility, or benefit alleged to be inaccessible;
- Date, time, and location of incident giving rise to the grievance; and,
- Other persons or city personnel involved.

Alternative means of filing complaints, such as personal interview or video recording of the complainant, will be made available for persons with disabilities upon request to the designated ADA Coordinator.

Within 15 calendar days after receipt of the complaint, the appropriate ADA Coordinator, or designee, will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the appropriate ADA Coordinator, or his/her designee, will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Moses Lake and offer options for substantive resolution of the complaint.

If the response from the City does not satisfactorily resolve the issue, the complainant, or designee, may appeal the decision within 15 calendar days after receipt of the response to the City Manager.

Within 15 calendar days after receipt of the appeal, the City Manager, or designee, will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager, or designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by an ADA Coordinator, appeals to the City Manager, and responses from these two offices will be retained by the City for at least three years if the complainant is not an employee, and for six year if the complainant is an employee.