

ADA GRIEVANCE PROCEDURE

The City of Roseburg has adopted a grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act.

Complaints should be addressed to: John VanWinkle, ADA Coordinator, City of Roseburg, 900 SE Douglas Avenue, Roseburg, Oregon 97470 - (541) 492-6866, who has been designated to coordinate ADA compliance efforts. Oregon Communications Relay Service 1-800-735-2900 (TDD users).

1. A complaint regarding access or discrimination should be filed in writing. It must contain the name and address of the person filing it and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within thirty days after the complainant becomes aware of the alleged violation.
3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be conducted by the ADA Coordinator or designee. This procedure anticipates informal but thorough investigations, affording all interested persons and their representative, if any, an opportunity to submit evidence relevant to the complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued within 30 calendar days by the ADA Coordinator.
5. If the complaint cannot be resolved to the satisfaction of the complainant by the ADA Coordinator, it shall be forwarded to an ADA Compliance Committee. This Committee will be appointed by the Mayor for a term of four years and will be composed of the following groups from the community: a City business representative; a disabled representative; and a citizen at large. The committee must establish ground rules or procedures for hearing complaints, requests or suggestions from disabled persons regarding access to and participation in public facilities, services, activities and functions in the community. The committee shall hear complaints in sessions open to the public, after adequate notice, in an unbiased, objective manner and issue a written decision within 30 calendar days of notification.
6. If the complaint can't be resolved to the satisfaction of the Complainant by the ADA Compliance Committee, it shall be forwarded to the City Council. The complaint shall be heard by the Council at an open, public meeting. A determination shall be made within 30 calendar days from the date of the hearing. The decision of the City Council is final.
7. The ADA Coordinator shall maintain the files and records of the City of Roseburg relating to the complaints filed.

8. The right of a person to a prompt and equitable resolution of the complaint filed, hereunder, shall not be impaired by the person's pursuit of other remedies, such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
9. These rules shall be construed to protect the substantive rights of interested persons to meet the appropriate due process standards and to assure that the City of Roseburg complies with the ADA and implementing regulations.
10. Time lines referred to above concerning the scheduling of hearings may be extended if, after reasonable effort and justification, the hearing cannot be conducted within the 30 calendar day limitation period.
11. All decisions shall be sent by regular mail or email to the complainant within 30 calendar days of the date of the hearing and shall be retained in the program file. Phone notification shall also be made in cases involving visually impaired individuals.
12. This grievance and appeal process may be modified by the ADA Coordinator in order to assure equal access to programs, services and activities for people with disabilities.
13. Nothing in this grievance process is meant to be used for any personnel, EEO or labor agreement grievance procedure for the City of Roseburg. Contact the City of Roseburg Personnel Department for information regarding Title I grievances.
14. At any stage of the ADA grievance process, the complainant may choose to be represented by an attorney or other representative, but the complainant shall bear all costs of such representation.