

RESOLUTION NO. 207-11 4-26-11 COA pol&procedureada

4-11-60-6

Updating Existing County Policies and Procedures by adding Policy No. \_\_\_ ADA  
**GRIEVANCE PROCEDURE**

BY: Hon. George Fearon, Chairman Government Operations

WHEREAS, the County Legislature has adopted numerous policies and procedures for conducting County business and others which are mandated by Federal and State governments; and

WHEREAS, the County is required to have in place an ADA GRIEVANCE PROCEDURE (see attached proposed Policy): and

WHEREAS, the HR Director, County Administrator, and County Attorney have reviewed this policy; now, therefore be it

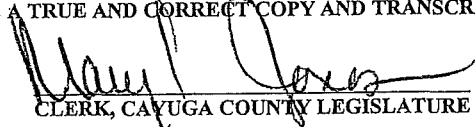
RESOLVED, that the County Legislature does hereby adopt the attached ADA GRIEVANCE PROCEDURE; and be it further

RESOLVED, that the adopted policy be available on the County's website; and be it further

RESOLVED, that this resolution will take effect immediately upon adoption.

I HEREBY CERTIFY, THAT I HAVE COMPARED THE FOREGOING COPY OF A RESOLUTION DULY PASSED AND ADOPTED BY THE LEGISLATURE OF CAYUGA COUNTY AT A MEETING HELD ON THE 26<sup>th</sup> DAY OF APRIL, 2011 WITH THE ORIGINAL RESOLUTION, AND THAT THE SAME IS A TRUE AND CORRECT COPY AND TRANSCRIPT THEREOF, AND THE WHOLE THEREOF.

4/27/2011 9:26AM

  
CLERK, CAYUGA COUNTY LEGISLATURE

CAYUGA COUNTY POLICY MANUAL  
Section 22

**Subject:** ADA Grievance Procedure  
**Effective Date:** 4/26/11: Res 207-11  
**Supersedes Policy of:** n/a

**Policy Title:** ADA Grievance Procedure

**Objective:** The objective is to establish an ADA Grievance Procedure for public officers and employees, which, if observed, can enhance public confidence in local government.

**Policy:** The County of Cayuga has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131 *et seq.*, Section 504 of the Rehabilitation Act, 29 U.S.C. § 794 *et seq.* and the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act and 504 of the Rehabilitation Act. Title II states, in part, that ‘no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination’ in programs, activities or services.

Complaints should be addressed to the ADA Coordinator. The current ADA Coordinator for the County of Cayuga is the HR Administrator.

1. A signed written complaint including the name and address of the complainant should be filed in writing with the ADA Coordinator, and shall briefly set forth the facts surrounding the alleged violation. An ADA Grievance Form is attached for convenience.
2. A complaint and any and all supporting evidence should be filed within 90 (ninety) days after the complainant becomes aware of the alleged violation.
3. The ADA Coordinator shall provide complainant written notice of receipt of the complaint and the complainant’s right to submit additional information, either orally or in writing, regarding the allegations in the complaint within 14 (fourteen) days after filing of the complaint.
4. An investigation shall be conducted and completed, and a written determination shall be issued by the ADA Coordinator with 90 (ninety) days after the filing of the complaint. The written determination shall contain findings of fact and conclusions and set forth the reasons for the final decision. Upon a finding that corrective action is warranted, the written determination should describe such corrective action. In addition, the written determination shall include a statement informing the complainant of his or her right to file a complaint in Federal Court or a complaint with the United States Department of Justice if the complainant disagrees with the County’s decision.
5. The ADA Coordinator shall maintain the files and records of the County of Cayuga relating to any and all complaints filed.
6. The County’s grievance procedure is not the only procedure for filing a claim of discrimination. Any individual alleging discrimination against the County of Cayuga is not required to follow the County’s grievance procedure and may file a Complaint alleging discrimination directly with the U.S. Department of Justice or file a complaint in Federal Court.

**County of Cayuga**  
**ADA Grievance Form**

Complainant's Name: \_\_\_\_\_  
(please print &/or type)

Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
\_\_\_\_\_ Work Phone: \_\_\_\_\_  
\_\_\_\_\_ Cell Phone: \_\_\_\_\_

Under the ADA, for an individual to be considered as having a disability, that individual must satisfy at least one of the following three conditions. He or she must either:

1. Have a physical or mental impairment that substantially limits one or more of his or her major life activities; or
2. Have a records of such impairment; or
3. Be regarded as having such an impairment.

Please state the nature of yours or the disabled person's disability: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please provide a detailed statement of your complaint as it relates to the County's services, programs, activities and/or employment (*use attachments if necessary*):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Date: April 26, 2011

**County of Cayuga**

**Policy on Non-Discrimination on the Basis of Disability**

The County of Cayuga does not discriminate on the basis of disability. No qualified individual with a disability will be excluded from participation in, or be denied the benefits of any of the County's services, programs or activities, including employment, on the basis of such disability. The County has designated the following individual to ensure its compliance with Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973: ADA Coordinator, Human Resources Director . Information concerning the requirements of federal law, as well as the process for filing a complaint alleging discrimination on the basis of disability, can be obtained from Human Resources.