

# **CITY OF KENT**

## **Grievance Procedure**

### **under**

## **The Americans with Disabilities Act**

#### A. Overview

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 Kent. The City's Personnel Policy governs employment-related complaints of disability discrimination. The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination or unaccommodated barriers to access. Every effort will be made to resolve complaints informally at the city level.

#### B. Procedures

Any individual, group of individuals or entity that believes they have been subjected to discrimination or faced unaccommodated barriers to access as defined by the ADA may file a written complaint with the City's ADA Program Coordinator using the procedure outlined below.

### **1. FILING A COMPLAINT (GRIEVANCE)**

#### Contents of the Complaint

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

#### Deadline to File a Complaint

The complaint should be submitted by the complainant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation.

#### Where to File a Complaint

The complaint should be submitted to:

**Chris Hills, Risk Manager and ADA Program Coordinator**  
**City of Kent**  
**City Clerk's Office**  
**220 Fourth Avenue South**  
**Kent, WA 98032**  
[chills@kentwa.gov](mailto:chills@kentwa.gov)

### **2. RESOLUTION OF THE GRIEVANCE (COMPLAINT)**

#### Review by the ADA Coordinator

Upon receiving the written complaint, the ADA Program Coordinator, in consultation with other city staff, will determine if an external entity should conduct the investigation. If the complaint is against the City of Kent, the city may request that an external entity conduct the investigation. If the complaint is against an entity under contract with the city, the

appropriate department and/or division will be notified of the complaint within 15 calendar days, and the city will determine if an external entity should conduct the investigation.

#### Meeting with the ADA Coordinator

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee, will meet with the complainant to discuss the complaint and the possible resolutions.

#### Response from ADA Coordinator

Within 60 calendar days of receipt of the complaint, the ADA Coordinator or his/her designee, will prepare a written investigative report for the appropriate department director and Chief Administrative Officer. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for resolution.

#### Appeal of Response from ADA Coordinator

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Chief Administrative Officer.

#### Response to Appeal from Chief Administrative Officer

Within 15 calendar days after receipt of the appeal, the Chief Administrative Officer or his/her designee, will schedule a time to meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Chief Administrative Officer or his/her designee will respond in writing and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint or with a date by which a final resolution will be issued.

### **3. RETENTION OF COMPLAINT FILES**

All written complaints received by the ADA Coordinator, appeals to the Chief Administrative Officer, or their designees, and responses from these two offices will be retained by the City of Kent in accordance with the City's adopted records retention policy.