

9.04 ADA Grievance

Procedure Number: 9.04
Procedure Title: ADA Grievance Procedure
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Appendices: None
Forms: None
Statutory References: ADA 1990 (P.L. 101.336), ADA Amendments Act (P.L. 110-325)
Ordinance References: None
Department Responsible for Updates: DAS
Date for scheduled procedure review: 01/01/2017

1. OBJECTIVE

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), Milwaukee County provides an internal 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 ADA. Title II states in part that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by a public entity.

2. DEFINITIONS

- A. ADA Coordinator. The ADA Coordinator’s role is to coordinate the government entity’s efforts to comply with the ADA and investigate any complaints that the entity has violated the ADA. Milwaukee County has designated the Director of the Office for Persons with Disabilities as the ADA Coordinator. Director, Office for Persons with Disabilities, 901 N. 9th Street, Room 307-B, Milwaukee WI 53233, 414-278-3932, 711 (TRS), 414-278-3939 (Fax), 414-651-8109 (Emergency).

3. PROCEDURE

- A. Complaint.
 - i. 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.
- B. Timing.
 - i. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation
- C. Investigation.
 - i. An investigation, as may be appropriate, shall follow a filing of the complaint. The investigation shall be conducted by the aforementioned ADA Coordinator, his or her designee, and/or members of the Milwaukee County Commission for Persons with Disabilities.

- ii. This procedure contemplates informal but thorough investigations affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
 - iii. Under the Department of Justice regulations, Milwaukee County need not process complaints from applicants for employment.
- D. Determination.
- i. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant, in a format accessible to the complainant, no later than forty-five days after its filing.
- E. Records.
- i. The ADA Coordinator shall maintain the files and the records of Milwaukee County relating to the complaints filed.