



Administrative Manual of Operating Procedures

Procedure #: 09.04	Procedure Title: ADA Grievance Procedure		Revision #: 2
Original Issue Date: 07/01/2016	Revised Issue Date: 03/10/2020	Next Review Date: 03/10/2021	Responsible Department: DAS-Office for Persons with Disabilities
Statutory References: ADA 1990 (P.L. 101.336), ADA Amendments Act (P.L. 110-325); Wis. Stat. § 111.31 et seq.		Ordinance References: None	
Appendices: Appendix B - 09.04 LMS Training PowerPoint Appendix C - 09.04 Flowchart		Forms: None	

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.

This grievance procedure is established to meet the requirements of the 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 provided by Milwaukee County.

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).
- B. ADA. Americans with Disabilities Act. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life and all public and private places that are open to the general public.
- C. Milwaukee County Commission for Persons with Disabilities. The Commission is organized to be an advisory body to the County Executive and to the County Board of Supervisors. The power of this Commission is found in Chapter 73 of the ordinances of Milwaukee County (Chapter 73.09).

3. PROCEDURE

- A. Complaint.
 - i. Should an individual feel the need to express a grievance, they must submit an official 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.

B. Timing.

- i. The complaint should be submitted to the ADA Coordinator by the grievant and/or his/her designee as soon as possible but preferably within 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 ADA Coordinator, his or her designee, and/or members of the Milwaukee County Commission for Persons with Disabilities. Any Milwaukee County department(s) could be consulted during the investigation based on the nature of the complaint.
- 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 45 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.

4. REVISION HISTORY:

Rev. #	Summary of Changes	Date of Change	Author
2	Annual review. Minor clarifications and changes only. Added definitions: ADA and Milwaukee County Commission for Persons with Disabilities.	03/10/2020	Tim Ochnikowski