

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LINCOLN COUNTY, WASHINGTON**

**IN THE MATTER OF ADOPTING A POLICY)
FOR THE HANDLING OF ADA GRIEVANCE) RESOLUTION 09-35
COMPLAINTS AND ENACTING CHAPTER 2.37)
OF THE LINCOLN COUNTY CODE)**

WHEREAS, the Board of County Commissioners of Lincoln County having convened in Regular Session, in their office at the Lincoln County Courthouse this 15th day of June, 2009, with all members present; and

WHEREAS, the Americans with Disabilities Act of 1990 (ADA) requires that any State or Local Government having 50 employees or more develop grievance procedures to provide fair and prompt resolution of complaints under Title II of the ADA at the local level; and

WHEREAS, ADA also requires the appointment of one employee to coordinate compliance with the ADA and investigating ADA complaints; and

WHEREAS, ADA also requires that each entity adopt and distribute a public notice about the relevant provisions of the ADA to all persons who may be interested in its programs, activities, and services; and

WHEREAS, the Lincoln County Board of Commissioners is committed to providing full access to services for all its citizens and recognizes the need to be in compliance with the ADA;

NOW, THEREFORE, BE IT RESOLVED that the attached policy entitled ADA Grievance Complaint Procedure is hereby adopted and codified as Chapter 2.37 of the Lincoln County Code.

BE IT FURTHER RESOLVED that the Lincoln County Auditor, is hereby appointed as ADA Coordinator.

DATED at Davenport, Lincoln County, Washington, this 15th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
OF LINCOLN COUNTY, WASHINGTON



ATTEST

Clerk of the Board – Shelly Johnston

By Marci Patterson
Deputy Clerk of the Board
Marci Patterson

Dennis D. Bly
Chairman – Dennis D. Bly

Scott M. Hutsell
Vice Chairman – Scott M. Hutsell

Ted Hopkins
Member – Ted Hopkins

***Americans with Disabilities Act Compliance
Section 504 of the Rehabilitation Act Compliance***

**LINCOLN COUNTY
ADA GRIEVANCE
COMPLAINT PROCEDURE**

1.1 Lincoln County Grievance Procedure – Purpose - The grievance procedure is herein established to meet requirements of the Americans with Disabilities Act of 1990 (“ADA”) and Section 504 of the Rehabilitation Act of 1973. 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 Lincoln County. The grievance procedure may be used to file a complaint alleging:

- 1.1.1 Policies or the provision of services, activities, programs, or benefits provided by Lincoln County.
- 1.1.2 Discrimination of Section 504 of the Rehabilitation Act of 1973
- 1.1.3 Structural and parking accessibility issues on county owned or controlled property.
- 1.1.4 Note: Employment complaints shall be directed to the Lincoln County Auditor’s Office and investigated pursuant to Lincoln County policies and applicable labor contracts.

1.2 Complaint Procedure and Format

- 1.2.1 The complaint should be in writing and contain information regarding the alleged discrimination to include the 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.

1.3 Complaint Filing

The grievant and/or his/her designee should submit the complaint as soon as possible but no later than 60 calendar days after the alleged violation to:

Lincoln County ADA Coordinator
450 Logan / P O Box 28
Davenport, WA 99122
(Voice) 509-725-3031; (FAX) 509-725-2034
CSchumacher@co.lincoln.wa.us

1.4 Complaint Review

- 1.4.1 Within 15 calendar days after receipt of the complaint, the ADA Coordinator will meet/contact the complainant to discuss the complaint and the possible resolutions. Within 30 calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Lincoln County and offer options for substantive resolution of the complaint.
- 1.4.2 Complaints involving employment issues will be referred to the Auditor's Office for review and investigation.

1.5 Complaint Appeal Process

- 1.5.1 If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the Lincoln County Board of County Commissioners or their designee.
- 1.5.2 Within 15 calendar days after receipt of the appeal, the Board of County Commissioners or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Board of County Commissioners or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. The Board or their designee may, when appropriate, utilize the services of county mediation programs to resolve complaints.

1.6 Complaint Retention

- 1.6.1 All written complaints received by the ADA Coordinator, appeals to Board of County Commissioners or their designee, and responses from the ADA Coordinator and Board of County Commissioners or their designee will be kept by Lincoln County for at least three years.