



CITY OF DUBLIN

**CITY OF DUBLIN  
ADMINISTRATIVE ORDERS  
OF THE CITY MANAGER**

**ADMINISTRATIVE ORDER 1.16**

**TO:** All Directors, Managers and Supervisors

**FROM:** Jane S. Brautigam, City Manager

**SUBJECT:** Americans With Disabilities Act (ADA) Grievance Procedure

**DATE:** December 15, 2006

**Supersedes and Replaces Administrative Order 1.16 dated 11/01/93 Regarding Same Subject.**

**I. PURPOSE**

Title II of the Americans with Disabilities act prohibits the exclusion of qualified individuals with disabilities from participating in or being denied the benefits of a public service offered by a department, agency, special purpose district, or other instrument of state or local government. Furthermore, Title II places an affirmative obligation upon public entities, with 50 or more employees, to adopt and publish a grievance procedure that provides for a prompt resolution of complaints alleging non-compliance with Title II. The purpose of this Administrative Order, therefore, is to establish such a grievance procedure designed to promptly resolve complaints alleging non-compliance with Title II of the Act and to confer authority upon the designated ADA Coordinator to administer said grievance procedure.

**II. GRIEVANCE PROCEDURE**

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 Dublin.

Any individual wishing to file a complaint alleging that the City of Dublin has violated Title II of the Americans with Disabilities ACT (ADA) (42 USC Section 12131 et seq.) or the regulations implementing Title II of the Act (28 CFR Part 35), shall adhere to the following procedure:

- A. All complaints alleging non-compliance must be addressed to the City of Dublin ADA Coordinator:

David L. Harding  
ADA Coordinator  
Dublin Municipal Building  
5200 Emerald Parkway  
Dublin, Ohio 43017  
(614) 410-4407  
e-mail: dharding@dublin.oh.us

- B. The complaint must be filed in writing as soon as possible, but not later than 60 calendar days after the alleged violation. The Complaint must briefly describe the nature of the alleged ADA violation, and must include the complainant's name, address, and telephone number and the location, date, and description of the alleged violation. 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.
- C. The ADA Coordinator shall then investigate the complaint. The complainant and/or his/her representative may submit relevant information for review during the investigation; however, such information must be submitted within ten (10) calendar days after the complaint has been filed.
- D. Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Dublin and offer options for substantive resolution of the complaint.
- E. If the complaint is not resolved to the complainant's satisfaction by the ADA Coordinator, the complainant may appeal the decision within 15 calendar days after receipt of the response to the City Manager or his/her designee. Within 15 calendar days after receipt of the appeal, the City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager 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. Once a decision has been communicated by the City Manager, no further administrative appeal shall be permitted. (The City Manager is the last step in the grievance procedure.)

A record of action taken on each complaint shall be maintained at each level of this grievance procedure. All written complaints received by City Manager or his/her designee, appeals to the City Manager or his/her designee, and responses from these two offices will be retained by the City of Dublin for at least three years.

An individual's right to prompt and equitable resolution of his/her complaint shall not be impaired by the pursuit of other remedies, nor shall use of this grievance procedure be a prerequisite to the pursuit of other remedies.

**III. EFFECTIVE DATE**

This Administrative Order shall be effective immediately.