

## AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

It is the policy of the Village of Johnsburg to comply with all provisions of the Americans with Disabilities Act ("ADA"). The Village will not discriminate against anyone with respect to any disability or the perception of a physical or mental disability. The Village will make reasonable accommodations provided that such accommodations do not pose a threat to safety or cause an undue hardship to the Village.

Anyone who believes that he or she has been discriminated against based on a physical or mental disability, or based on a perception that they suffer from a physical or mental disability, should take the following steps:

- A. **Reporting of the Incident:** Make a report of any suspected violation of the ADA to the ADA Coordinator. The report may be made initially either orally or in writing, but reports made orally must be reduced to writing before an investigation can be initiated and a resolution achieved. If the complaint involves the ADA Coordinator, then report of any suspected violation of the ADA should be made to the Village President.
- B. **Investigation of the Complaint:** When a complaint has been reduced to writing, the Village Coordinator will, within five (5) working days, meet with the complaining party to determine the nature of the complaint. If it is determined that a disability does not exist, the ADA Coordinator will so notify the complaining party in writing within five (5) working days of their meeting. If it is determined that a disability does exist, the ADA Coordinator will determine whether a reasonable accommodation can be made and, if so, what that reasonable accommodation is. Within seven (7) working days from the date of the meeting, the ADA Coordinator will advise the complaining party, in writing, of the proposed resolution of the complaint.
- C. **Keeping of Records and the Confidentiality of Such Records:** Anyone who submits a written complaint of a violation of the ADA is encouraged to keep written notes in order to accurately record the chain of events. Every effort shall be made to keep all matters related to the investigation and various reports confidential. In the event of a lawsuit, however, the Village advises that those records maintained by the Village and any records maintained by the complainant may not be considered privileged from disclosure. Written records will be maintained by the Village for two (2) years from the date of the resolution, unless new circumstances dictate that the records should be kept for a longer period of time.
- D. **Time Frame for Reporting Complaints:** The Village encourages prompt reporting of complaints so that rapid response and appropriate action may be taken. Thus, all complaints should be reported within six months of the alleged violation.
- E. **Appeal Process:** Anyone dissatisfied with the outcome or resolution of an ADA complaint, may appeal the decision. Within seven (7) working days from receipt of the ADA Coordinator's response, the individual should submit his or her written comments to the ADA Appeals Committee which shall be made up of the Village President, Village Administrator and the Village Attorney.