

NOTICE OF GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

NOTICE IS HEREBY GIVEN That the Genesee County Legislature has adopted an ADA Grievance Procedure on December 14, 2011, and further notice is given that a copy of the Grievance Procedure will be available in the County Manager's Office, 7 Main Street, Batavia, New York. The procedure reads as follows:

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 Genesee County. The County's Personnel Policy governs employment-related complaints of disability discrimination.

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.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 45 calendar days after the alleged violation to:

Genesee County ADA Coordinator
Old Courthouse
7 Main Street
Batavia, New York 14020

Within 30 calendar days after receipt of the complaint, the ADA Coordinator or designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 30 calendar days of the meeting, the ADA Coordinator or designee will respond in writing. The response will explain the position of Genesee County and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Ways and Means Committee of the Genesee County Legislature.

Within 30 calendar days after receipt of the appeal, the Ways and Means Committee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Chair of the Ways and Means Committee or designee will respond in writing with a final resolution of the complaint.

The right of a person to prompt an equitable resolution of the complaint filed thereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 or Title II complaint with the responsible federal department or agency. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

These procedures shall be construed to protect the substantive rights of interested persons. To meet appropriate due process standards and to assure that Genesee County complies with Section 504, Title II, and their implementing regulations.

All written complaints received by the ADA Coordinator or designee, appeals to the Ways and Means Committee Chair or his/her designee, and responses from these two offices will be retained by Genesee County for at least three years.