

AMERICANS WITH DISABILITIES ACT

GRIEVANCE PROCEDURE

The Helena City Commission is desirous of establishing grievance procedures to be followed by any person or persons who wish to submit a complaint regarding access or alleged discrimination relating to Title I and Title II of the Americans with Disabilities Act of 1990.

The city is desirous of providing for prompt and equitable resolution of complaints alleging any action prohibited by Title I and Title II of the Americans with Disabilities Act of 1990, which provides comprehensive civil rights protection in the areas of employment, state and local government services programs, and telecommunications to individuals with disabilities.

Section 1. The Helena City Commission hereby designates the Community Development Director or designee as the official ADA Coordinator for the city of Helena and the Human Resource Director or designee as the assistant ADA Coordinator to oversee the planning, training and implementation of compliance activities and to handle grievances.

Section 2. A complaint must be filed within 30 days after the complainant knows or should have known of the alleged violation. The time may be extended for good cause shown.

Section 3. A complaint must be filed in writing and contain: Name and address of the individual or representative filing the

complaint, a description of the alleged discriminatory action in sufficient detail to inform the entity of the nature and date of the alleged violation, and signed by the complainant or authorized representative. Complaints filed on behalf of third parties must describe or identify the alleged victims of the discrimination.

A complaint form can be obtained by contacting the city's ADA Coordinator at (406) 447-8490, or from the city website: <http://www.helenamt.gov>

Complaints should be addressed to the City ADA Coordinator, 316 North Park Avenue, Room 445, Helena, MT 59623.

Persons with disabilities requiring accommodations to participate in the city's meetings, services, programs, or activities should contact the city's ADA Coordinator, as soon as possible to allow sufficient time to arrange for the requested accommodation, at any of the following: Phone: (406) 447-8490; TTY Relay Service [1-800-253-4091](tel:1-800-253-4091) or 711; Email: citycommunitydevelopment@helenamt.gov; Mailing Address & Physical Location: 316 North Park, Avenue, Room 445, Helena, MT 59623

Section 4. An investigation must follow a filing of a complaint. The ADA Coordinator conducts the investigation. The investigation may be informal but must be thorough, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

Section 5. A written determination as to the validity of the complaint and description of the resolution, if any, must be

issued by the city and a copy forwarded to the complainant no later than 30 days after its filing.

Section 6. The ADA Coordinator shall maintain the files and records of the city of Helena relating to the complaints filed as required by law.

Section 7. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made in writing within 30 days to the ADA Compliance Committee, in care of the city of Helena ADA Coordinator, 316 North Park Avenue, Room 445, Helena MT 59623.

Section 8. The ADA Compliance Committee shall review grievances forwarded by the ADA Coordinator that are being appealed; and make a determination as to validity of the complaint and resolution. The ADA Compliance Committee shall issue a written determination of the appeal and a copy forwarded to the complainant no later than 30 days from the date of the review.

Section 9. The right of a person to a prompt and equitable resolution of the complaint filed hereunder may not be impaired by the person's pursuit of other remedies such as filing of an ADA complaint with the responsible federal department or agency. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.