

SECTION 3.2

ADA GRIEVANCE PROCEDURES

The County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice in accordance with the Americans with Disabilities Act (ADA). This Act states, in part, that “no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by a public entity. Any individual who believes they have a grievance under the ADA should file a complaint in accordance with the following guidelines:

1. Complaints should be addressed to: Human Resources Director, Annex 1, 1225 Pearl, Suite 201, Beaumont, Texas 77701, (409) 839-2391, or for the hearing impaired, through RELAY Texas at 1-800-735-2989. The Human Resources Director has been designated to coordinate ADA compliance efforts.
2. A complaint should be filed in writing and should contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations. Any individual needing assistance with filing a complaint should notify the ADA Coordinator.
3. A complaint should be filed within ten (10) working days after the complainant becomes aware of or should have known of the alleged violation. (Processing allegations of discrimination occurring before this grievance procedure was in effect will be considered on a case-by-case basis.)
4. An investigation shall follow a filing of complaint. The ADA Coordinator or a designee shall conduct the investigation. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
5. A written determination as to the validity of the complaint and a description of the resolution shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than thirty (30) working days after the complaint is filed.
6. The ADA Coordinator shall maintain the files and records of Jefferson County relating to ADA complaints filed and the County’s responses.
7. The complainant can request a review of the findings in instances where he or she is dissatisfied with the resolution. The request for review should be made within ten (10) days to the County Judge of Jefferson County.
8. The rights of a person to request a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person’s pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of the grievance procedure is not a prerequisite to the pursuit of other remedies.
9. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that Jefferson County complies with the ADA and implementing regulations.