



## **Grievance Procedure for the City of Blackfoot**

The following grievance procedure was established to meet the requirements of Section 504 of the Rehabilitation Act, as amended, and the Americans With Disabilities Act of 1990 (ADA).

According to these laws, the City of Blackfoot, as a recipient of Idaho Community Development Block Grant (ICDBG) funds, certifies that all citizens shall have the right to submit a grievance on the basis of disability in policies or practices regarding employment, services, activities, facilities, or benefits provided by the City of Blackfoot.

When filing a grievance, citizens must provide enough detailed information to allow an investigation into the situation, including the date, location and description of the problem. The grievance must be in writing and must include the name, address and telephone number of the complainant. Upon request, alternative means of filing complaints (eg, such as a personal interview or tape recording, will be made available should an accommodation be needed. The complaint must be submitted by the complainant, or their designee, as soon as possible but no later than 30 days after the alleged violation. Complaints must be signed and sent to:

Lisa J Tornabene  
Human Resources Director  
Fair Housing Officer/ADA Coordinator  
157 N. Broadway  
Blackfoot, ID 83221  
(208) 785-8600, x-1814

Within 15 calendar days after receiving the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolution. Within 15 calendar days after the meeting, the ADA Coordinator will respond in a format that is accessible to the complainant (such as large print or audio tape). The response will explain the position of the City of Blackfoot and offer options for resolving the complaint.

If the complainant feels that the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant or their designee may appeal the decision. Appeals must be made within 15 calendar days after the response has been sent to the complainant.

Appeals must be directed to the chief elected official (or designee) and must be in writing. Upon request, alternative means of filing and appeal, such as a personal interview or tape recording, will be made available should an accommodation be needed.

Within 15 calendar days after receiving the appeal, the chief elected official (or designee) will meet with the complainant to review details of the situation and discuss possible resolutions. Within 15 calendar days after the meeting, the chief elected official (or designee) will provide a response in a format that is accessible to the complainant. The response shall be accompanied by a final resolution of the complaint.

The 504/ADA Coordinator shall maintain the files and records of the City of Blackfoot pertaining to the complaints filed for a period of three years after the grant is closed out.

### Other Complaint Procedures

All individuals have a right to a prompt and equitable resolution. Individuals or classes of individuals who believe they have been subjected to discrimination base on disability have several ways to file a grievance:

- Use the grievance procedure provided by the public entity
- File a complaint with any agency that provides funding to the public entity
- File with one of the eight Federal agencies designated in the Title II regulations

Under Title II, filing a grievance with the public entity's ADA Coordinator, filing a complaint with a Federal agency, or filing a lawsuit may be done independently of the others. Individuals are not required to file either a grievance or complaint to initiate a lawsuit, which may be filed at any time. However, the individual has 180 days to file with the Department of Justice. The following are agencies where a Title I, Title II or Section 504 complaint may be filed:

#### For Title I Complaints (Employment) Private Entities Only

Equal Employment Opportunity Commission  
<http://www.eeoc.gov/employees/howtofile.cfm>  
1-800-669-4000  
1-800-669-6820 (TTY)

#### For Title II Complaints Including Employment

Department of Justice (DOJ)  
Civil Rights Division  
Disability Rights Section – NYAV  
950 Pennsylvania Avenue, NW  
Washington, DC 20530  
<http://www.justice.gov/crt/complaint/#two>  
1-800-514-0301  
1-800-514-0383 (TDD)

For Section 504 Complaints

Department of Housing and Urban Development (HUD)

Community Planning and Development

451 7<sup>th</sup> Street, SW

Washington, DC 20410

<http://www.hud.gov/offices/ftheo/disabilities/sect504complaint.cfm>

1-202-708-1112

1-202-708-1455 (TTY)