

Gates County

ORDINANCE

Establishment of a Grievance Procedure in accordance with the Americans with Disabilities Act February 1, 2012 – January 31, 2015

BE IT ORDAINED by the Board of Commissioners for Gates County, that, in accordance with Sections 35.107(a) and 35.107(b) of the Americans with Disabilities Act of 1990 (ADA), the following grievance procedure is adopted for resolving complaints arising under the ADA.

Section 1. Morgan Jethro is hereby designated as Gates County's ADA coordinator. The responsibilities of the ADA coordinator will be to facilitate efforts to comply with and carry out Gates County's responsibilities under the ADA, including any investigation of any complaint alleging Gates County's noncompliance with the ADA or alleging any actions that would be prohibited by the ADA.

Section 2. Individuals must file complaints with the ADA coordinator no later than 180 days from the date of the alleged discrimination, unless the time for filing has been extended by the Board of Commissioners. All complaints must be made in writing. The ADA coordinator will provide forms necessary for filing complaints.

Section 3. Upon receipt of any complaint, the ADA coordinator will open an investigation. The ADA coordinator is to meet with all parties named in the complaint. Within 30 days of the date of the complaint, the ADA coordinator must issue a report to the County Manager providing for the prompt and equitable resolution of the complaint. The report will state the nature of the complaint, references to specific sections in the ADA dealing with the complaint, and recommended actions by the County departments to resolve the complaint.

Section 4. Upon receipt of the report from the ADA coordinator, the County Manager has 15 days to accept, reject, or modify any or all recommendations of the ADA coordinator in issuing their letter of determination. Decisions of the County Manager are to be given, in writing, to the individual filing the complaint, the County department named in the complaint, the County Attorney, and the ADA coordinator.

Section 5. Individuals may appeal the County Manager's decision to the Board of Commissioners. Appeals to the Board must be made in writing and be received by the Clerk to the Board within 30 days of the date of the County Manager's letter of determination.

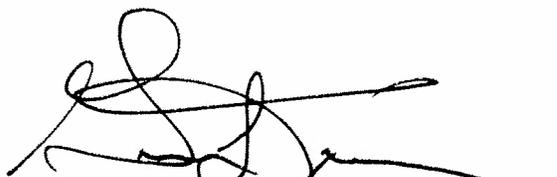
Section 6. Upon receipt of the appeal, the County Board of Commissioners will call a hearing. The County Board of Commissioners shall receive copies of the original

complaint, the report by the ADA coordinator, and the County Manager's letter of determination, and any other information provided by the complainant. The County Board of Commissioners must render a decision within 30 days of the day of the appeal. The County Board of Commissioners may accept, reject, or modify any actions previously recommended by the County Manager or ADA coordinator. Actions of the County Board of Commissioners are to be made in writing and entered into the official minutes of the Board.

Section 7. Individuals that require aid in filing a complaint or appeal under this procedure will be provided special assistance by the County.

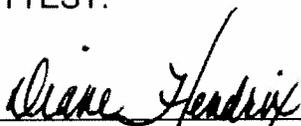
Section 8. Exercise of an individuals right to file a grievance under this ordinance in no way limit an individuals rights to file under State or Federal law.

Adopted this 1st day of February, 2012.



Graham L. Twine, Chairman

ATTEST:



Diane Hendrix, Clerk to the Board



Posted in Gates County office buildings for personnel review on:

02-01-12

Date

Citation: Americans with Disabilities Act of 1990 as amended.