

## **City of Hendersonville Grievance Procedure under The Americans with Disabilities Act**

The grievance procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone wishing to file a complaint alleging discrimination based on disability in the provisions of services, activities, programs or benefits by the City of Hendersonville.

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. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The availability and use of this grievance procedure via a submission of a Grievance form does not preclude filing a complaint of discrimination with any appropriate state or federal agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

There is a separate complaint procedure for ADA issues relating to employment. Please contact the City of Hendersonville Human Resource Department for further information regarding employment issues.

Grievances shall be processed in the following manner:

**Step 1:** The complaint should contain as much information as possible about the alleged discrimination, including pictures if possible. The Grievant or his/her representative should file a Grievance form with the Mayor's office no later than thirty (30) calendar days from the date of the alleged discrimination. The City of Hendersonville Grievance form is available at City Hall during regular business hours and on the City's website at [www.hvilletn.org](http://www.hvilletn.org). Other arrangements for submitting a request, such as personal interviews or tape recordings, as well as assistance in completing forms, are available by contacting the ADA Coordinator.

Once the grievance is received in the Mayor's Office, the ADA Coordinator will be notified, will review the complaint and attempt to resolve the issue, if possible. If the complaint cannot be resolved within fourteen (14) calendar days, it will be directed to the ADA Board for further review and investigation.

The ADA Coordinator will notify the Grievant in writing of any additional information that is needed to complete the complaint. If the complainant fails to complete the complaint form, the ADA Coordinator shall close the complaint without prejudice.

**Step 2:** Upon notification and receipt of a complaint, the Chairman of the ADA Board shall establish a meeting of the ADA Grievance Committee. The ADA Grievance Committee meeting shall be held no later than thirty (30) days after the complaint is received. The committee shall render its finding(s) and recommendation(s) to the ADA Board within fourteen (14) calendar days of the ADA Grievance Committee meeting. Written notification from the ADA Board shall be sent to the grievant and the Mayor within seven (7) calendar days.

**Step 3:** If at this stage the complaint cannot be satisfactorily resolved, the complaint shall be submitted to the Board of Mayor and Aldermen (BOMA). Upon receipt of such appeal, the Board of Mayor and Aldermen shall hear the complaint at their next scheduled public meeting. A determination must be made by the Board of Mayor and Aldermen within thirty (30) calendar days. The decision of the Board of Mayor and Aldermen shall be the final decision at the municipal level.

The City of Hendersonville is dedicated to ensuring that all City programs, benefits, activities and facilities are fully accessible to and useable by persons with disabilities. The City of Hendersonville is here to serve the community and to coordinate and ensure equal access for all. Any questions or concerns about accessibility issues regarding City programs and services should be directed to the City of Hendersonville ADA Coordinator.