City of Chula Vista Complaint and Grievance Procedure Under The Americans with Disabilities Act

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Chula Vista will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

***Employment*:** The City of Chula Vista does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

***Effective Communication*:** The City of Chula Vista will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Chula Vista's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

***Modifications to Policies and Procedures*:** The City of Chula Vista will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Chula Vista, should contact the department offering the program, service or activity directly no later than 48 hours before the scheduled event. The ADA does not require the City of Chula Vista to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden upon the City.

Complaints:

This Complaint and Grievance Procedure is established to meet the requirements of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Chula Vista. The City's Personnel Policy governs employment-related complaints of disability discrimination.

The City of Chula Vista will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

A complaint can be made in writing, by phone, by using the California Relay Service, or by email and must contain information about the alleged discrimination such as name, address, phone number of

complainant and location, date, and description of the problem. The complaint should be submitted by the complainant or his/her designee no later than 60 calendar days after the alleged violation to:

Shayne Wagner
ADA Coordinator
276 Fourth Avenue
Chula Vista, CA 91910
Phone: (619) 409-1960
Email: swagner@chulavistaca.gov

Within 7 calendar days after receipt of the complaint, Shayne Wagner or his designee will forward the complaint to the appropriate department for resolution. Within 7 calendar days, the responding department will assign a staff person to the complaint, and forward his/her name and contact information, in writing, to the ADA coordinator.

Shayne Wagner, his designee or the responsible department will respond in writing within 30 calendar days to the complainant with a Plan of Action for resolving the complaint. The response will be provided in a format accessible to the complainant (e.g., large print, Braille or electronic version). The response will include options for the substantive resolution of the complaint.

Grievance: If the response by Shayne Wagner or his designee is not satisfactory to the complainant, the complainant or his/her designee may appeal the decision within 15 calendar days after receipt of the response to:

Tiffany Allen
City Manager
276 Fourth Ave
Chula Vista, CA 91910
Phone: (619) 691-5031
Email: tallen@chulavistaca.gov

Within 7 calendar days after receipt of the appeal, Tiffany Allen will confer with the complainant to discuss the complaint and possible resolution(s). Within 14 calendar days after the meeting, Ms. Allen will respond in writing, in a format accessible to the complainant, with a final resolution of the grievance.

All written complaints received by Shayne Wagner or his designee, appeals to Tiffany Allen, and related responses will be retained by the City of Chula Vista for at least three years.