



*City of Miami Gardens*  
**Americans with Disabilities Act**



## **GRIEVANCE PROCEDURE**

### **Grievance Procedure**

The City of Miami Gardens hereby adopts this internal grievance procedure to provide for prompt and equitable resolution of complaints alleging any action that is prohibited by Title II of the Americans with Disabilities Act (hereinafter “ADA”). The City has designated the Human Resources Director as the ADA Coordinator.

In the event a request for access to programs, services or facilities cannot be resolved, an individual may file a grievance either orally or in writing by contacting the ADA Coordinator, City of Miami gardens, 1515 NW 167<sup>th</sup> St., Suite 5-200, Miami Gardens, FL 33169; Telephone: (305) 622-8000; Florida Relay Service at 1-800-955-8771 (TTY) or for voice, call 1-800-955-9770 (English); 1-877-955-8707 (Spanish); or 1-877-955-8707 (French Cr).

The City’s ADA Coordinator is available to disabled persons requiring assistance to file a grievance. The City’s communications regarding the grievance will be in a format accessible to the grievant. **Note: The City has established an alternative procedure if the complainant alleges that the ADA coordinator or other official with responsibilities regarding the grievance procedures process is a part of the alleged discrimination [see Step 7 below].**

The procedure to file a grievance is as follows:

**Step 1.** A written grievance should be filed on the [ADA Grievance Form](#) attached hereto. If the grievance is not filed on the Grievance Form, it should nonetheless contain the following information:

- The name, address, and telephone number of the person filing the grievance.
- The name, address, and telephone number of the person alleging the ADA violation, if other than the person filing the grievance.
- A description of the alleged violation and the remedy sought.

- Information regarding whether a complaint has been filed with the Department of Justice or other federal or state civil rights agency or court.
- If a complaint has been filed, the name of the agency or court where the complaint was filed, the date the complaint was filed, and the name, address and telephone number of a contact person with the agency with which the complaint was filed.
- An oral grievance can be filed by contacting the ADA Coordinator. The oral grievance will be reduced to writing by the ADA Coordinator utilizing the ADA Grievance Form and will be signed by grievant.

**Step 2.** The grievance will be either responded to or acknowledged within 15 working days of receipt.

**Step 3.** Within 30 calendar days of receipt, the ADA Coordinator will conduct the investigation necessary to determine the validity of the alleged violation. If appropriate, the ADA Coordinator will arrange to meet with the grievant to discuss the matter and attempt to reach an informal resolution of the grievance. Any informal resolution of the grievance will be documented in the City's ADA Grievance File.

**Step 4.** If an informal resolution of the grievance is not reached, a written determination as to the validity of the complaint and description of the resolution, if appropriate, shall be issued by the ADA Coordinator and a copy forwarded to the grievant no later than 45 days from the date of the City's receipt of the grievance.

**Step 5.** The grievant may request reconsideration if he/she is dissatisfied with the written determination. The request for reconsideration shall be in writing and filed with the City Manager, City of Miami gardens, 1515 NW 167<sup>th</sup> St., Suite 5-200, Miami Gardens, FL 33169, within 30 days after the ADA Coordinator's determination has been mailed to the grievant. The City Manager shall review the request for reconsideration and make a final determination within 30 days from the filing of the request for reconsideration.

**Step 6.** If the grievant is dissatisfied with City's handling of the grievance at any stage of the process or does not wish to file a grievance through the City's ADA Grievance Procedure, the grievant may file a complaint directly with the United States Department of Justice or other appropriate state or federal agency. Use of the City's grievance procedure is not a prerequisite to the pursuit of other remedies.

**Step 7.** Should an individual wish to file a grievance regarding the actions of the ADA Coordinator, initial contact should be with the Assistant City Manager for Administration. From there Steps 1-6 are the same. If the grievance is against the City Manager, initial contact should be as outlined in Step 1. Any appeal will go to the Assistant City Manager for Public Services, who shall have the final say in such appeal for the City.

The resolution of any specific grievance will require consideration of varying circumstances, such as the specific nature of the disability; the nature of the access to services, programs, or facilities at issue and the essential eligibility requirements for participation; the health and safety of others; and the degree to which an accommodation

would constitute a fundamental alteration to the program, service, or facility, or cause an undue hardship to the City. Accordingly, the resolution by the City of any one grievance does not constitute a precedent upon which the City is bound or upon which other complaining parties may rely.

### **File Maintenance**

The City's ADA Coordinator shall maintain ADA grievance files for a period of three years.

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### **For More Information, Contact:**

City of Miami Gardens  
ADA Coordinator  
Human Resources Director  
City of Miami gardens,  
1515 NW 167<sup>th</sup> St., Suite 5-200  
Miami Gardens, FL 33169  
(305) 622-8000  
Florida Relay Service at 1-800-955-8771 (TTY)  
(Voice: English) 1-800-955-9770

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**Print and Fill-Out the [ADA Grievance Form](#)**  
in Adobe Acrobat® (PDF) [Download Adobe Acrobat® Reader](#)

#### **Printing Hints:**

ADA Grievance Form prints best using  
**letter-sized paper,**

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