



City of Indian Wells
Complaint and Grievance Procedure

This Complaint and Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973. It may be used by anyone who wishes to file a complaint or grievance alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Indian Wells (CIW). CIW Personnel Policy governs employment-related complaints of disability discrimination.

The CIW wants to hear concerns and complaints from citizens in order to provide accessible programs, services, and activities. A member of the public can contact the CIW with a comment, concern, or complaint without filing a formal grievance. A formal grievance can be filed by completing the CIW Grievance Form.

It is preferred that the formal grievance 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. If additional accommodations are needed, please contact the ADA Coordinator. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Mirian Fulson
ADA Coordinator
44950 Eldorado Drive, Indian Wells, CA 92210
mfulson@indianwells.com
(760) 776-0237
California Relay Service: dial 711

Within 30 calendar days after receipt of the complaint, Mirian Fulson or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 30 calendar days of the meeting Mirian Fulson or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the CIW and offer options for substantive resolution of the complaint.

If the response by Mirian Fulson or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 30 calendar days after receipt of the response to the **Public Works Director** or his/her designee.

Within 30 calendar days after receipt of the appeal, the **Public Works Director** or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting, the **Public Works Director** or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Mirian Fulson or her designee, appeals to the **Public Works Director** or his/her designee, and responses from these two offices will be retained by the CIW for at least three years.



City of Indian Wells
Americans with Disabilities Act and
Section 504 of the Rehabilitation Act of 1973 Grievance Form

Instructions: Please fill out this form completely. A printed or typed response is recommended. Sign and return to the address on last page by email, fax, mail or in person. If you need an accommodation to complete or submit this form, please contact the ADA Coordinator.

1. Complainant: _____
Address: _____
City, State and Zip Code: _____
Telephone: Home: _____ Business: _____

2. Person Discriminated Against: (if other than the complainant): _____
Address: _____
City, State, and Zip Code: _____
Telephone: Home: _____ Business: _____

3. Department or person which you believe has discriminated (if known):
Name: _____
Address: _____
City, State and Zip Code: _____
Telephone Number: _____
When did the discrimination occur? Date: _____

4. Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated:

5. Have efforts been made to resolve this complaint?
Yes _____ No _____
If yes: what efforts have been taken and what is the status of the grievance?

6. Has the complaint been filed with another bureau, such as the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes _____ No _____

If yes:

Agency or Court: _____

Contact Person: _____

Address: _____

City, State, and Zip Code: _____

Telephone Number: _____ Date Filed: _____

7. Do you intend to file with another agency or court?

Yes _____ No _____

Agency or Court: _____

Street Address: _____

City, State and Zip Code: _____

Telephone Number: _____

8. Additional comments or information:

Signature: _____ Date: _____

Return to:

Attn: Mirian Fulson
ADA Coordinator
44950 Eldorado Drive, Indian Wells, CA 92203
mfulson@indianwells.com
(760) 776-0237
California Relay Service: dial 711

REFERENCES

Americans with Disabilities Act Title II Regulations, Department of Justice 28 CFR Part 35 §35.107