

VILLAGE OF CAROL STREAM
500 N. Gary
Carol Stream, Illinois 60188

RESOLUTION NO. 1401

A RESOLUTION ADOPTING A PROCEDURE FOR HANDLING GRIEVANCES
UNDER THE AMERICANS WITH DIABILITIES ACT (ADA)

ADOPTED BY THE PRESIDENT AND
BOARD OF TRUSTEES OF THE VILLAGE OF
CAROL STREAM

THIS 24TH DAY OF MARCH, 1992

Published in pamphlet form by
authority of the President and
Board of Trustees of the
Village of Carol Stream
County of DuPage, Illinois
this 30th day of March, 1992.

RESOLUTION NO. 1401

A RESOLUTION ADOPTING A PROCEDURE FOR HANDLING GRIEVANCES
UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

WHEREAS, The Americans with Disabilities Act of 1990 (ADA) makes it unlawful for public agencies to discriminate in their facilities, services, programs, policies, procedures and practices against individuals with disabilities; and,

WHEREAS, the ADA requires public entities to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the Act; and,

WHEREAS, the Village endorses and promotes the rights and privileges of persons with disabilities and wishes to actively remove barriers which prevent their assimilation into society and access to jobs, programs and services which the Village makes available to the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CAROL STREAM, COUNTY OF DUPAGE, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, as follows:

SECTION 1: That the procedure for handling grievances under the Americans with Disabilities Act, as attached to this Resolution as Attachment A, shall be adopted by the Village of Carol Stream.

SECTION 2: After its adoption by the Village Board, this grievance procedure shall be posted at each Village owned facility

where employees normally work, as well as in the main lobby of the Village Hall where it may be viewed by the general public.

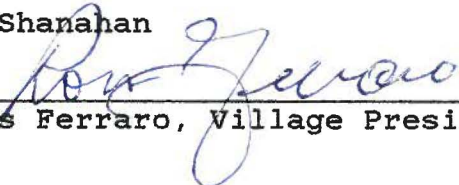
SECTION 3: This Resolution shall be in full force and effect from and after its passage and publication in pamphlet form as prescribed by law.

PASSED AND APPROVED THIS 24th DAY OF MARCH, 1992.

AYES: 5 (Trustees Sutenbach, Sutcliffe, Pugh,
Vinson and McNeese)

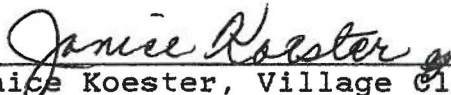
NAYS: 0

ABSENT: 1 Trustee Shanahan



Ross Ferraro, Village President

ATTEST:



Janice Koester, Village Clerk

VILLAGE OF CAROL STREAM
AMERICANS WITH DISABILITIES ACT (ADA)
GRIEVANCE PROCEDURE

The following procedure is meant to serve as a means of resolving disputes which may arise under the provisions of the ADA. Although complainants are not required to exhaust all steps available in this grievance procedure before seeking alternative complaint measures, it is intended to be used as a mechanism for resolution of complaints at the local level without requiring the complainant to resort to Federal Complaint procedures available under the ADA. The Village of Carol Stream, as well as the ADA provisions, encourages the use of this local grievance procedure as an alternative means of dispute resolution.

- I. Policy Statement - It is the desire and intent of the Village of Carol Stream, its elected officials and employees to provide facilities, services and programs which are free from unlawful and unwanted discrimination. The Village of Carol Stream does not discriminate in its facilities services and programs, including employment, based on race, color, religion, national origin, place of residence, political affiliation, marital status, handicap, sex or age (except in employment when sex, age or handicap are a bona fide occupational qualification).

- II. Who may file.

- a. Any individual who feels that he/she has been discriminated against because of any of the foregoing reasons may file a complaint with the following person in charge of ADA compliance:

Robert Mellor, Assistant Village Manager
500 North Gary Avenue
Carol Stream, Illinois 60188
(708) 665-7606 - Voice
(800) 526-0844 - TDD Relay Service
(800) 526-0857 - TDD Voice Relay Service
Monday - Friday, 8:00 a.m. - 5:00 p.m.

In conjunction with the ADA, an individual who believes that he or she or a specific class of individuals has been subjected to discrimination on the basis of disability by the Village may by himself or herself or by an authorized representative, file a complaint under this grievance procedure.

- b. Time for filing - In order to provide every opportunity for prompt resolution of grievances, a complaint should be filed as soon as possible after the alleged discrimination has occurred. A complaint is deemed to be filed on the date a complete complaint is received by the Village.

- c. Form of Complaint - The filing of a complaint under this grievance procedure shall be in the form of a "Complete Complaint" as specified in the ADA. The complaint shall be in writing and contain the following information:
 - 1. Complainant's name, address and telephone number.
 - 2. A description of the Village's alleged discriminatory action in sufficient detail to inform the Village of the nature and date of the alleged violation of the ADA.
 - 3. Signature by the complainant or by someone authorized to do so on his or her behalf.
 - 4. A description or the identify (by name, if possible) of the alleged victims of discrimination if the complaint is filed on behalf of classes or third parties.
 - 5. A description of the relief requested.
- d. Assistance in Filing - If an individual's disability impedes his/her completion of the form, please notify Bob Mellor, ADA Coordinator, so that appropriate assistance can be provided.

III. Acceptance of Complaints

- a. Notification of Receipt of Complaint - Upon receipt of properly filed complaints, the ADA Coordinator will notify complainant of the receipt and acceptance of the complaint.
- b. Incomplete Complaints - If the Village receives a complaint which is not complete, it shall notify the complainant and specify the additional information that is needed to complete the complaint. If the complainant fails to complete the complaint, the Village shall close the complaint without prejudice to the individual's right to re-file a complete complaint at a later time. The Village shall notify the complainant of such action.

IV. Resolution of Complaint

- a. The ADA Coordinator will investigate each complaint which has been properly completed and filed with the Village and attempt to mutually resolve the complaint. Such attempt shall include a meeting with the complainant within fifteen (15) business days after receipt of the complaint.

- b. Findings - After investigation of the complaint, the ADA Coordinator will issue a letter of findings of fact and conclusions to the complainant. The letter of findings will include a written response to each complaint and any recommendations on how the complaint can be resolved. The letter of findings shall be issued within fifteen (15) business days after the meeting with the complainant described in Section IV.a.
- c. Complainants who disagree with the determination of the ADA Coordinator may request that the Village Board review the decision. A request for review by the Village Board should be sent to the Village Manager's office within thirty (30) days from receipt of the ADA Coordinator's decision.
- d. Notice of Rights to pursue Legal Recourse - At any time, the complainant may file a private suit pursuant to section 203 of the ADA, whether or not the Village finds any violation. It is strongly recommend however, by both the Village and the provisions of the ADA, that the complainant attempt to resolve disputes at the local level before deciding whether or not to pursue alternative means, including legal recourse.