

# GRIEVANCE PROCEDURE UNDER TITLE II OF THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of Title II of the Americans with Disabilities Act of 1990 ("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 Town of Westfield, Westfield, New Jersey ("Town"). (The Town's Personnel Policy governs employment-related complaints of disability discrimination.)

The complaint should be in writing and contain information about the alleged discrimination such as the name, address, phone number, and e-mail address of the complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 business days after the alleged violation to:

Chris Roth  
Public Works Building  
959 North Avenue West  
Westfield, NJ 07090  
(908) 789-4100, ext. 4604  
croth@westfieldnj.gov

As close to within 15 business days as possible after receipt of the complaint, Chris Roth or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. As close to within 15 business days as possible of the meeting, Chris Roth or his/her designee will formally respond with the results of his/her investigation, explain the position of the Town and, whenever possible, offer options for substantive resolution of the complaint.

If the response by Chris Roth or his designee does not resolve the issue, or if Chris Roth is unable to resolve the complaint, the complainant and/or his/her designee may appeal the decision within 15 business days after receipt of the Mr. Roth's response to the Town Administrator or his/her designee.

As close to within 15 business days as possible after receipt of the appeal, the Town Administrator or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. As close to within 15 business days as possible after the meeting, the Town Administrator or his/her designee will respond with a final resolution which will include explaining the position of the Town and, whenever possible, offer options for substantive resolution of the complaint.

All written complaints received by Chris Roth or his/her designee, appeals to the Town Administrator or his/her designee, and any written responses from these two offices will be retained by the Town for at least three years.

**Please take note that this procedure applies exclusively to ADA compliance concerns about the provision of services, activities, and programs under the jurisdiction of the Town of Westfield. Concerns about the provisions of services, activities, and programs of the Westfield School District should be directed to the District (908.789.4400). Concerns about the provisions of services, activities, and programs of the County of Union should be directed to the County (908.527.4807). Concerns regarding places of public accommodations (businesses that are generally open to the public such as restaurants, movie theaters, grocery stores, and doctors' offices) and commercial facilities (privately owned, nonresidential facilities such as factories, warehouses, or office buildings) should be directed to the United States Department of Justice (800.514.0301 or <https://www.ada.gov/complaint/>).**