

AMERICANS WITH DISABILITIES ACT (ADA)
ADA COMPLAINT PROCEDURE
Incorporating suggestions of Assembly ADA Committee

The City and Borough of Juneau has adopted an internal complaint procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part that “no otherwise qualified disabled individual shall, solely, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by a public entity.

Complaints should be addressed to ADA Coordinator:

Robert Barr, Deputy City Manager
155 South Seward Street
Juneau, AK 99801
907 586-5240
TDD: 586-5351

1. A complaint must be filed in writing, contain the name, address and phone number of the person filing it, be signed by the complainant or the complainant’s authorized representative and briefly but specifically describe the alleged discriminatory action or practice and any relevant facts. Complaints must be filed with the Coordinator personally or by U.S. Mail.
2. If a disability prevents a complainant from writing, the ADA Coordinator, at the request of the complainant, shall seek the assistance of an advocate or assistant to assist the complainant in writing the complaint.
3. A complaint should be filed within 30 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred before this complaint procedure was in place will be considered on a case-by-case basis.)
4. The ADA Coordinator shall conduct an investigation if warranted. These rules contemplate an informal but thorough investigation, affording all affected persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

This complaint procedure may also be used for complaints of ADA violations from applicants for employment.

5. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Coordinator and a copy forwarded to the complainant no later than 30 days after its filing.

6. The complainant may request a reconsideration of the case in instances where he or she is dissatisfied with the Coordinator's written decision. The request for reconsideration should be in writing and be received by the City and Borough Manager at the above address within 30 days of the date of the Coordinator's decision under (4). The Manager shall respond in writing within 30 days. The Manager may affirm the Coordinator's decision, or may refer the matter back to the Coordinator with instructions about further measures to take to reach a fair resolution.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies, such as the filing of an ADA complaint with a responsible state or federal agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. The ADA Coordinator shall maintain the files and records of the CBJ relating to the complaints filed.
9. The City will not retaliate, coerce, intimidate, harass or interfere with an individual, or that individual's authorized representative, who files a complaint against the city alleging discrimination because of a disability.