

County of Merced
Grievance Procedures under Title II
Of the Americans with Disabilities Act

Merced County is committed to complying with the provisions outlined in the Americans with Disabilities Act regarding barrier free access to all County programs, services, and activities. This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). In accordance with section 35.107(b) of Title 28 of the Code of Federal Regulations, the Board of Supervisors has adopted this formal grievance procedure to address any complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Merced County, California. This grievance procedure shall not apply to any claims under Title I of the ADA (employment-related complaints of disability discrimination); the County'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 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.

A complaint should be submitted by the complainant and/or his designee with the ADA Coordinator as soon as possible, but no later than sixty (60) calendar days after claimant becomes aware of the alleged violation. Grievances should be submitted to the ADA Coordinator at the following address, phone number, or facsimile number:

ADA Coordinator
Department of Public Works – Roads
715 Martin Luther King Jr. Way
Merced, CA 95341-6041
Phone: (209) 385-7601
Fax: (209) 722-7690

Within fifteen (15) calendar days after the receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/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 County and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the County CEO that will designate a three member panel.

Within 15 calendar days after the receipt of the appeal, the three member panel will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the three member panel will respond in writing, and where appropriate, in a format accessible to the complainant.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the three member panel, and responses from both will be retained by the County for at least three years.