

## 5.0 ADA Policy and Complaint Procedure

### ADA Grievance Procedure

If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate Americans with Disabilities Act (ADA) compliance. The City of Lathrop has designated the Senior Administrative Assistant of the Public Works Department as its primary ADA Coordinator. The ADA Coordinator is responsible for coordinating the efforts of the City to comply with Title II and for investigating any complaints that the City has violated Title II of the ADA. The ADA Coordinator is also responsible for coordinating the efforts of the City to comply with Title 24 and all other applicable State and Federal physical and program accessibility requirements.

All complaints or grievances submitted to the City of Lathrop must be in writing on the designated form and contain specific information about the alleged violation or discrimination including: name; address; telephone number of the complainant; and the location, date, and a complete description of the problem. Anonymous complaints or grievances will not be accepted. Complaints or grievances will be kept confidential to the greatest extent possible, unless ordered released by a court of competent jurisdiction (see Evidence Code 1040). Alternative means of filing complaints or grievances may be accepted at the discretion of the ADA Coordinator. These may be submitted by telephone, e-mail (confidentiality cannot be assured), letter, personal interview, or tape recording, upon request. However, all complaints or grievances must provide all the information required consistent with the format of the official complaint form. See Appendix B.

All complaints must be submitted by the complainant or his/her designee to the ADA Coordinator at the below location or, upon approval of a request to submit in an alternative method, by telephone at (209) 941-7422 or (209) 941-7430 (Voice); by fax at (209) 941-7449; via the ADA Grievance Form provided on the City of Lathrop Website, or via e-mail at [ccarrillo@ci.lathrop.ca.us](mailto:ccarrillo@ci.lathrop.ca.us). Complaints should be submitted as soon as possible, but no later than 60 calendar days, after the date of the alleged violation or discriminatory act.

City of Lathrop  
Carlos Carrillo, ADA Coordinator  
390 Towne Centre Drive  
Lathrop, CA 95330

If a complaint is regarding building or facility inaccessibility, the ADA Coordinator will forward the complaint within 5 business days to the appropriate City of Lathrop Department for investigation and will formally acknowledge receipt of the complaint to the complainant.

For all other complaints or grievances, the ADA Coordinator will contact the complainant to discuss the complaint or grievance within 10 business days after receipt of the complaint or grievance. Within 30 calendar days of this contact, the ADA Coordinator will respond in writing and, where appropriate, in an alternative format accessible to the complainant. The response will explain the position of the City of Lathrop and offer options for substantive and reasonable resolution of the complaint or grievance.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the decision may be appealed to the City Manager or his/her designee within 30 calendar days following receipt of the response.

Within 10 business days after receipt of an appeal, the City Manager or his/her designee will contact the complainant to discuss the complaint or grievance and possible resolutions. Within 15 business days of this contact, the City Manager will respond in writing and, where appropriate, in a reasonable format accessible to the complainant, with a final resolution of the complaint or grievance.

Every reasonable attempt will be made by the City of Lathrop to remedy the disability complaints or grievances in a timely manner subject to staff and budget constraints.

If any Title 24 Building Code or ADA complaint or grievance resides under the jurisdiction of another public entity, the complainant will be notified that the City of Lathrop lacks jurisdiction and will be referred to the appropriate jurisdiction.