

# ADA Face to Face Resolution Policy



## City of Beavercreek Parks, Recreation and Culture Division

Adopted 2-01-2021

Review 7-15-2023

Previous Versions New Policy

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## 1.) Americans with Disabilities Act

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990 by president George H.W. Bush. The ADA is one of America's most comprehensive pieces of civil rights legislation that prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life – to enjoy employment opportunities, to purchase goods and services, and to participate in State and local government programs and services.

To be protected by the ADA, one must have a disability, which is defined by the ADA as a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

The ADA does not require the City of Beavercreek to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

### a. Statement of Philosophy

In Accordance with the Requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Beavercreek will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Core value: Inclusion:** We believe everyone should have convenient access to a broad range of parks, facilities, and programs. We are committed to removing barriers and ensuring everyone in Beavercreek is welcomed and able to enjoy a variety of experiences.

### b. Employment

The City of Beavercreek does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

### c. Communication

The City of Beavercreek will upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in City of Beavercreek programs, services and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech hearing or vision impairments.

### d. Modifications to Policies and Procedures

The City of Beavercreek will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.



## **e. Authority**

The ADA Coordinator for the City of Beavercreek is the Human Resources Manager. The office is located at City Hall 1368 Research Park Drive, Beavercreek, Ohio 45440, phone (937) 427-5500. The City Manager has final authority.

The Parks, Recreation and Culture Superintendent is required to have comprehensive knowledge of objectives and principles of public recreation including a thorough understanding of the activities which comprise a community recreation program. These are assigned in the Job description of the Superintendent. As such the Superintendent is responsible for receiving requests for accommodations for services, programs and activities related to Parks and Recreation. The office is located at the Municipal Maintenance facility, 789 Orchard Lane, Beavercreek, Ohio 45434, phone (937) 427-5514.

### **Appendix 1 Superintendent of Parks, Recreation & Culture 02.11.16**

## **2.) Complaint Procedure**

### **a. Employee**

#### **i. Equal Employment Opportunity**

An employee who feels discriminated against because of race, color, religion, gender, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws may address either internally, by following the procedures outlined in the Grievance Procedure section of the Employee Manual.

#### **ii. Work Place Harassment**

The City has a strict policy against harassment of any of its employees by anyone, including directors, associates, supervisors, other employees, visitors and citizens.

#### **iii. Grievance Procedure**

Informal Step: the Aggrieved employee will make an earnest and honest effort to settle the differences with their immediate supervisor

Step 1 Written grievance with the employees immediate supervisor

Step 2 Department Director

Step 3 City Manager

Exceptions if the Grievance cites issues of law which the individual hearing the grievance is unable to address, the individual may forward the grievance to the City Manager for reference to the City Attorney for an opinion before proceeding.

### **Appendix 2 Employee Manual Section 2.01 Equal Opportunity Employer Section 5.24 Work Place harassment Section 6.08 Grievances**

**b. Parks, Recreation, and Culture Program or Activity**

Complaints that a Parks, Recreation and Culture program, service, or activity is not accessible to persons with disabilities should be directed to the Parks, Recreation and Culture Superintendent. If resolution is not satisfactory the participant may contact the Human Resources Manager and ultimately the City Manager.

**i. Modification Request Chain of Command**

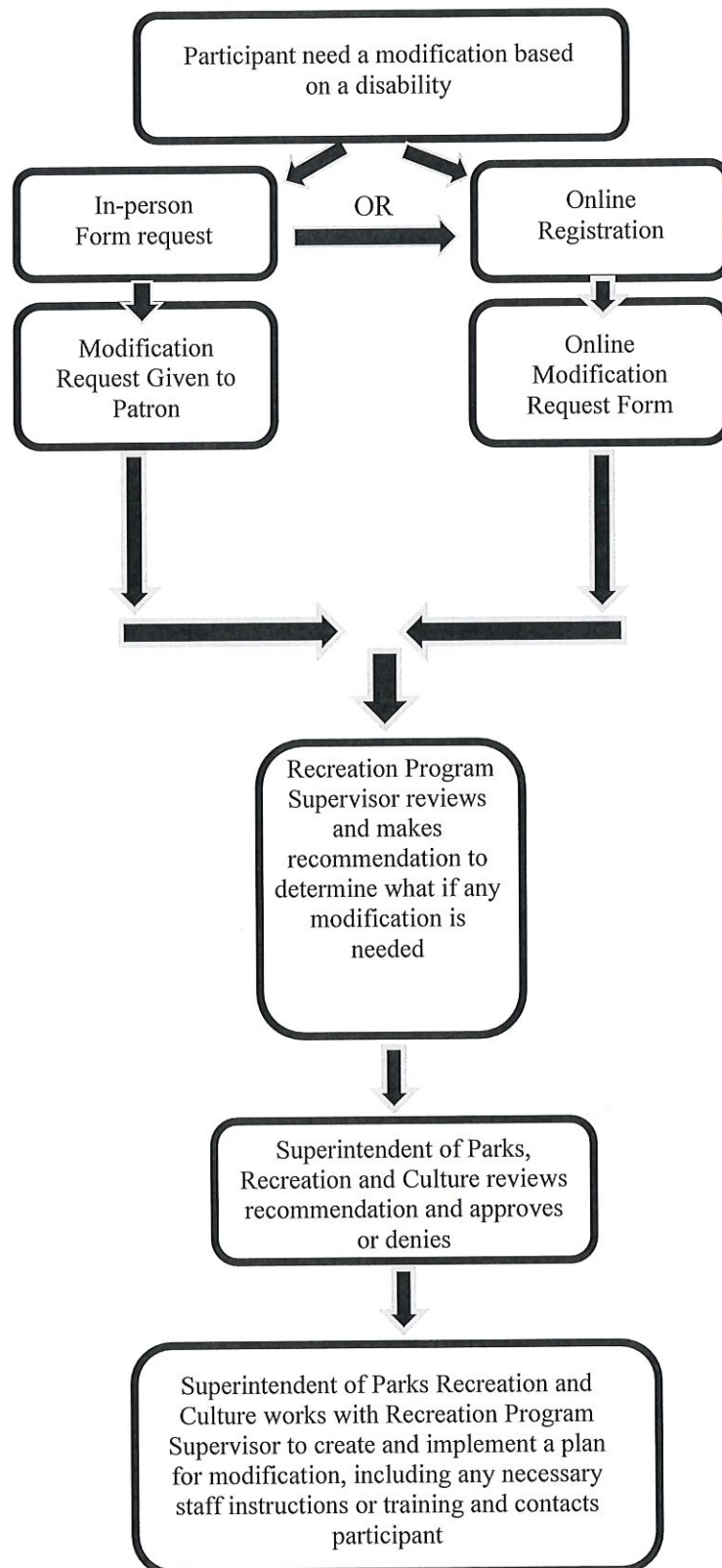
Requests for modification can be made by completing the request for modification form that is part of online registration. A paper copy of the request of modification can be made available if needed or staff may assist in registering the person online.

Forms received are sent to the Recreation Program Supervisor to review and make recommendations to determine what if any modification is needed. The Recreation Program Supervisor makes a recommendation to Superintendent of Parks, Recreation and Culture for modification. The Superintendent of Parks, Recreation and Culture and Recreation Program Supervisor create and implement a plan for modification, including any necessary staff instructions or training and contacts participant.

We invite participation by people with disabilities, alongside people without disabilities, in our programs, sites, and facilities. Please complete as thoroughly as possible. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service or activity should contact the Parks, Recreation and Culture Department as soon as possible, but not later than 48 hours before the scheduled event.

Assessment process can take 7-14 days, which means you or your child may not be able to attend until assessment process is complete.

## Parks, Recreation and Culture Program or Activity Modification Request Chain of Command





**Appendix 3 Program or Activity Modification Request form**

**c. Facilities**

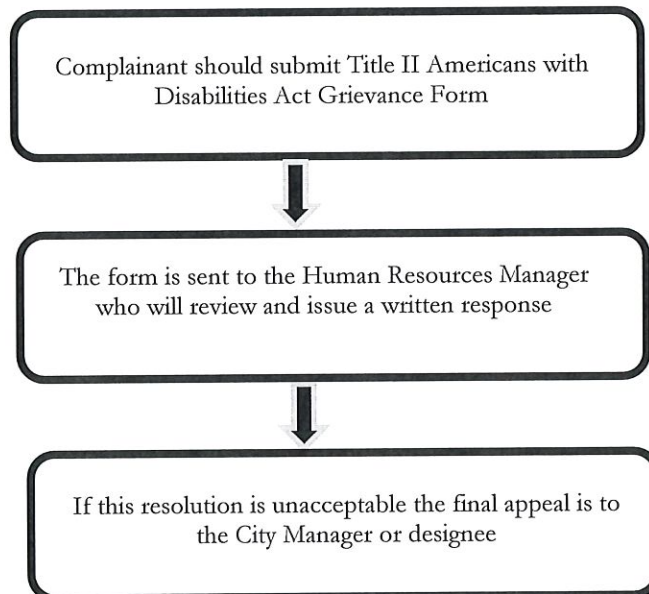
The City of Beavercreek has completed an ADA Transition Plan. The plan has 27 site reports with findings, images, and retrofit recommendations, including one finding of technical infeasibility. The Transition plan that phases retrofit work over 11 fiscal years, in a total amount of over \$1.8 million dollars. The transition plan includes three phases and some Smart Practices and optional improvements. Improvements are budgeted annually and requests for adjustment in priority may be submitted to the Park Superintendent for consideration.

**d. Grievance for Unsatisfactory Resolution to Request for Modification**

Complainant should submit Title II Americans with Disabilities Act Grievance Form. The Form is then sent to the Human Resources Manager who will review and issue a written response. If this resolution is unacceptable the final appeal is to the City Manager or designee.

**Appendix 4 City of Beavercreek Grievance Procedure Americans with Disabilities Act**

**Grievance for unsatisfactory resolution to request for Modification**



### 3. Training Requirements

The City of Beavercreek Parks, Recreation & Culture Department (BPRC) is committed to employee and park patron safety. This Policy is reviewed with employees during their orientation, and is available on the Company shared drive. Upon review and updating of the Policy the document is reviewed with Staff and signed off on.

### 4. Management Planning

Upon receipt of the modification request or grievance form the management team will review each report and make recommendations for improvements noting any trends.

Approved by:

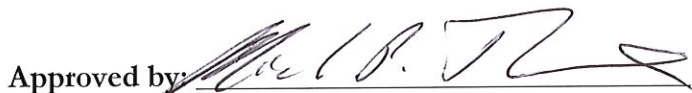


Date

1/22/2021

Pete Landrum, City Manager

Approved by:

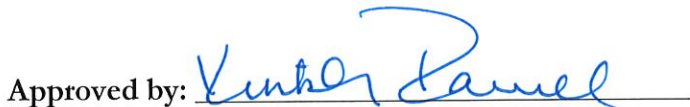


Date

1-20-2021

Michael Thonnerieux, Public Administrative Service Director

Approved by:



Date

1-21-2021

Kim Farrell,  
Superintendent of Parks, Recreation and Culture



# APPENDIX 1

**City of Beavercreek**  
*An Equal Opportunity Employer*

**Position Title: Superintendent of Parks, Recreation, and Culture**

**Department: Public Administrative Services**

**Employment Status: Full-Time**

**FLSA Status: Exempt**

The City of  
BEAVERCREEK  
Ohio

**GENERAL NATURE OF WORK:** This is responsible administrative and supervisory work in planning, directing, and coordinating the activities, personnel, and resources of the Parks, Recreation, and Culture Division. An employee in this class is responsible for the total operation of the Parks, Recreation, and Culture Department. Duties are performed under the limited direction of the Public Administrative Services Director.

**EQUIPMENT & JOB LOCATION:** This position requires thorough knowledge of office and recreation equipment, including: personal computer, telephone, general office equipment, and transportation vehicles; and general knowledge of maintenance tools and vehicles. The primary work site is the Municipal Maintenance Facility and the City's recreation facilities.

**ESSENTIAL FUNCTIONS – EXAMPLES OF DUTIES:**

*Any one position may not include all of the duties listed nor do the listed examples include all duties which may be found in all positions in this class.*

- Plans, schedules, directs, and performs programs and activities of the Parks, Recreation, and Culture Division in accordance with professional standards and departmental policy.
- Develops plans and policies for the division, including staff manuals, annual reports, yearly goals and objectives, bid specifications, and action plans.
- Prepares Parks and Recreation Master Plan.
- Conducts long and short range planning for the division.
- Establishes program priorities for leisure classes, athletic programs; and special events.
- Establishes maintenance priorities and standards.
- Establishes guidelines and provides training concerning customer service for division employees; reviews and upgrades standards for customer service.
- Inspects park facilities and equipment for safety and maintenance.
- Serves as project manager on park improvement and master plan projects; works with architects and contractors on design and construction plans.
- Provides quarterly division updates to Council.
- Prepares division-related proclamations for the Mayor and Council.
- Prepares both special and regular reports on division activities and programs for the division advisory board.
- Directs and oversees activities of the Beavercreek Senior Center.
- Reviews all reports and records prepared by division personnel; prepares necessary reports; performs other administrative duties as required.
- Prepares news releases, articles, and information for the City of Beavercreek's website and other media outlets.

## **City of Beavercreek**

### ***An Equal Opportunity Employer***

- Directs the preparation and maintenance of division records and files, including the photo and catalog files.
- Prepares budget estimates and controls the expenditure of division funds; calculates cost estimates and projected revenues; plans for capital projects.
- Recommends pricing structures for services, sales, special events, and other programs; provides staff with direction as to pricing structures and future programming and pricing goals and standards.
- Oversees the purchasing process for the division, including the preparation of purchase orders and the processing of invoices.
- Seeks out financial gifts, grants, and other revenue sources for departmental projects and programs.
- Oversees the hiring, training, directing, and evaluation of division staff, including seasonal hires for various recreational programs.
- Formulates and enforces division rules and regulations and work methods and procedures.
- Enforces disciplinary measures when necessary.
- Provides career development opportunities and counseling to subordinates.
- Represents the division to external agencies, groups, organizations, professional associations, and the media.
- Works and collaborates with various formal and informal groups to develop programs and services; attends meetings, prepares agendas and meeting minutes, presents research and data, provides recommendations and potential solutions to problems.
- Serves as liaison to various community committees.
- Makes presentations to various external agencies, groups, and organizations as necessary.
- Meets with neighborhood groups to plan and/or assist with the construction of neighborhood playgrounds.
- Coordinates the City banner program and the holiday lighting program.

#### **ADDITIONAL EXAMPLES OF WORK PERFORMED:**

- Responds to comments and complaints from citizens.
- Coordinates support for parks maintenance and special events from Superintendent of Public Service and other City departments.
- Coordinates with other City divisions and departments and advisory board concerning the planning and designing of park space.
- Staffs community special events as necessary.
- Performs other duties as assigned.

#### **DESIRABLE KNOWLEDGE, SKILLS, AND ABILITIES:**

- Ability to establish and maintain effective working relationships with City officials, fellow employees, other City employees, and the general public.
- Ability to plan, schedule, direct, and coordinate the work and operations of the division.

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- Comprehensive knowledge of the objectives and principles of public recreation, including a thorough understanding of the activities which comprise a community recreation program.
- Ability to balance numerous tasks at any given time.
- Comprehensive knowledge of the facilities and equipment needed in planning a broad recreation program.
- Comprehensive knowledge of the occupational hazards and corresponding safety precautions necessary for the safe performance of assigned duties.
- Skill in dealing firmly, tactfully, and courteously with the general public.
- Ability to handle confidential information including personnel information and litigation material.
- Ability to work under the limited direction of the Public Administrative Services Director.

**DESIRABLE TRAINING AND EXPERIENCE:**

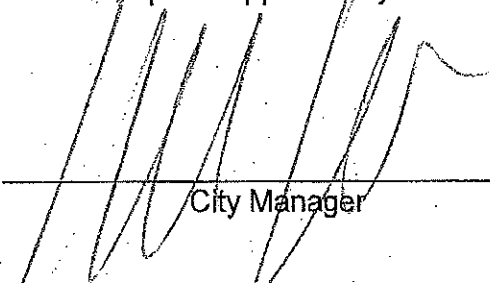
- Graduation from an accredited college or university with a baccalaureate degree in recreation administration or a related field, supplemented by some progressively responsible experience in the recreation field; or any combination of training and experience which provides the desired knowledge, skills, and abilities.

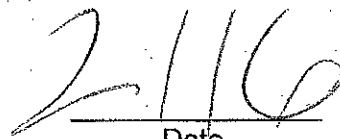
**NECESSARY SPECIAL REQUIREMENTS:**

- Possession of, or ability to obtain promptly, a valid Ohio Driver's License as required.
- Ability to work other than normal working hours, and to work various shifts as necessary.
- Designation as a Certified Park and Recreation Professional (CPRP) is recommended.

\*\*\*\*\*

Job Description Approved by:

  
\_\_\_\_\_  
City Manager

  
\_\_\_\_\_  
Date

This position description in no manner states or implies that these are the only duties and responsibilities to be performed by the position incumbent. My (employee) signature below signifies that I have reviewed and understand the contents of my position description.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date



# APPENDIX 2



# Employee Manual

Adopted 1/1/2004  
Revised 11/1/2018

and make a determination of what, if any, action should be taken regarding the employee's status until resolution of the criminal matter.

## **IDENTIFICATION CARDS**

### **Section 5.23**

All full-time and part-time employees will be issued a City photo identification card. While on duty, this card should be available to be presented to any resident or official of the City, upon their request, for verification purposes. Identification cards should be carried with the employee at all times.

Human Resources should be notified immediately if an employee's ID card has been lost.

Identification cards must be returned to Human Resources at the time of an employee's separation from employment.

## **WORKPLACE HARASSMENT**

### **Section 5.24**

- A. The City has a strict policy against harassment based on race, color, religion, gender, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws of any of its employees by anyone, including directors, associates, supervisors, other employees, visitors and citizens. Harassment, in general, includes:
1. Sexual harassment: Making unwelcome sexual advances and requests for sexual favors, or creating an intimidating, hostile, or offensive working environment by sexually related conduct or comments. Sexual harassment also includes making sexual conduct of any kind a condition of employment or the rejection of sexual conduct a basis for an employment decision.
  2. Other unlawful harassment: Making unwelcome comments and/or creating an intimidating, hostile, or offensive working environment against anyone because of race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws.
  3. Retaliation: Creating an intimidating, hostile, or offensive working environment against an individual for reporting or complaining about harassing conduct or serving as an investigator of a complaint.
- B. Employees or supervisors engaging in harassment of any type, or any supervisor failing to take appropriate action upon becoming aware of harassment, will be subjected to possible disciplinary action, up to and including termination.
- C. Any employee who believes that they have been a victim of harassment is encouraged to confront the offending individual and ask them to discontinue the offensive conduct at once. If the conduct continues or if the employee does not

feel comfortable in confronting the offending party for any reason, the employee must immediately report the problem. Reports can be made to the employee's immediate supervisor, Department Director, Human Resources Manager or the City Manager. As soon thereafter as is possible, the employee should place their complaint in writing and forward it to one of these individuals. Anyone who believes that they are a victim of harassment is urged to act promptly, because continued tolerance of the offending conduct may be viewed as participation or acquiescence.

- D. Upon a written complaint being filed with the appropriate person, an investigation will occur. If deemed warranted, the accused employee may be placed on suspension pending the outcome of the investigation. Upon conclusion of the investigation, the City will take such action as it deems appropriate under the circumstances, including terminating or otherwise disciplining the accused employee. If termination does not occur, the City will attempt to effect other personnel action designed to resolve any problem that may exist.
- E. Please refer to the City of Beavercreek's administrative policy on Anti-Harassment for a thorough understanding.
- F. Making a knowingly false claim of workplace harassment may subject an employee to discipline, up to and including termination of employment.

#### **DRUG-FREE WORKPLACE/ALCOHOL & SUBSTANCE ABUSE TESTING**

#### **Section 5.25**

- A. It is the policy of the City to maintain a safe and productive zero tolerance "drug-free workplace" for its employees in which employees are prohibited from using, possessing, buying, selling, manufacturing, delivering or dispensing illegal drugs. This Drug-Free Workplace Policy shall apply to all employees and also to all prospective employees.
- B. All current and new employees will receive a copy of the City's Drug-Free Workplace Policy and are required to sign an acknowledgement of receipt for the policy which will become a permanent part of their personnel file.
- C. Employees must promptly disclose any restrictions from prescription medications' effect on their ability to work safely to their supervisor.
- D. The City reserves the right to order employees to submit to reasonable suspicion, just cause, post-accident, and return-to-duty testing in accordance with the City's Drug-Free Workplace Policy.
- E. The City recognizes alcoholism and drug addiction as a treatable disease. While the City reserves the right to discipline employees for violating the Drug-Free Workplace Policy set forth above, the City does encourage employees who



Resources Manager, must be filed within five (5) working days of the employee's receipt of the City Manager's decision. Appeals of layoffs must be made within ten (10) working days after the receipt of this notice or the date of displacement.

- B. The Personnel Board maintains authority to decide whether an appeal warrants a hearing. If the Personnel Board decides to hold a hearing, it will be conducted in accordance with the rules and procedures of the Personnel Board, a copy of which will be made available to the employee.
- C. After an appeal is heard, the Personnel Board may affirm, disaffirm, or modify personnel decisions made by the City Manager. The decision of the Personnel Board shall be final.

## **GRIEVANCES**

## **Section 6.08**

It is the policy of the City to ensure that employees' questions, grievances and complaints arising from misunderstandings and the application of policies, procedures and work rules are to be promptly heard, answered and action taken appropriate to the particular situation. All employees, including introductory employees, have the right to file grievances or complaints without prejudice. No employee will be disciplined, harassed or dealt with in any unfair manner as a result of filing a grievance or testifying in a grievance hearing.

### **A. "Grievance."**

A grievance is defined as a disagreement between an employee and the interpretation or application of official City policies, procedures and/or Departmental rules and regulations.

### **B. Election of Remedy.**

Nothing in this policy is intended to prevent employees from initiating proceedings in other forums having proper jurisdiction to address violations of law. For example, employees may pursue actions before the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, or any court of competent jurisdiction. However, once an employee elects as the employee's remedy the provisions or procedures of any of the above named commission or courts, the employee has waived the remedy of the Grievance Procedure provided herein.

### **C. Steps of Grievance Procedure.**

Informal Step: The aggrieved employee or employees will ensure an earnest and honest effort to settle the differences and disputes with their immediate supervisor without filing a written grievance within 5 working days from the date employee knew or should have known of the event. In the event an agreement cannot be

reached, subsequent steps shall be taken with respect to any grievance in accordance with the procedure described below.

Step 1: Immediate Supervisor

An employee having a grievance must file a written grievance with the employee's immediate supervisor. In order for the grievance to be recognized, it must be filed within fifteen (15) working days from the date employee is made aware of the incident giving rise to an alleged grievance. The immediate supervisor, or designee if the immediate supervisor is absent, shall investigate the grievance and provide a proposed solution or an explanation on the grievance within five (5) working days following the date on which the grievance was submitted.

Step 2: Department Director

If the employee is not satisfied with the response received from Step 1, the individual may pursue the matter by presenting the original copy of the grievance to the proper Department Director within ten (10) working days of receipt of the Step 1 answer. The Department Director may then schedule a meeting within five (5) working days of receipt. The employee may be accompanied at the meeting by a representative of the employee's choosing, but if any employee representative is chosen, the aggrieved must notify that employee's Department Director in advance of the hearing so that the employee representative may be relieved from duty to attend the hearing. The Department Director, after review and investigation of all actions relative to the grievance, will issue the decision on the grievance form, within ten (10) working days following the meeting.

Step 3: City Manager

If the employee is not satisfied with the Step 2 response, the individual may submit the original grievance to the City Manager within ten (10) working days of the receipt of the Step 2 answer. The City Manager reviews the grievance and all responses within ten (10) working days following the date the grievance was received. If the City Manager determines that responses were adequate and proper, the City Manager will so inform the employee by letter. If the City Manager determines the responses to be inadequate or improper, or that sufficient evidence does not appear based on facts to warrant a response, the City Manager may take such action as is determined to resolve the matter, and in addition may exercise the following option:

1. Conduct a hearing with all parties involved in attendance and available for questioning within ten (10) working days of receipt of the grievance.

The City Manager shall issue a written report of findings of fact within fifteen (15) working days from the date of hearing.

#### D. Settlement

Potential settlement of grievances is to be pursued at the earliest possible step of the procedure. The employee nevertheless must proceed through all steps of the grievance procedure in proper order and within the prescribed time limits, except as otherwise noted.

#### E. Group Grievances

Where a group of employees desires to file a grievance involving a situation affecting each employee in the same manner, one employee selected by such group will process the grievance on behalf of all of the grieving employees. All employees who wish to participate in the group grievance must sign the original grievance.

#### F. Exceptions to Procedure

Where a grievance cites issues of law which the individual hearing the grievance is unable to address, the individual may forward the grievance to the City Manager for reference to the City Attorney for an opinion before proceeding. All time limits set forth in this procedure are held in abeyance until a response from the City Attorney is received.

Grievances are to be filed at Step 1, unless the occurrence that gave rise to the grievance originated at the Department Director's level (Step 2) or the City Manager's level (Step 3). If the occurrence that gave rise to the grievance originated at Step 2 or Step 3, the grievant may initiate the grievance at that step if the parties agree.

#### G. Waiver of Time Limits

Time limits set forth in the procedure may be extended by mutual agreement of the parties in writing.

#### H. Forms

All grievances filed under this departmental procedure must be in writing.

#### I. Health and Safety Grievances or Complaints

In the case of grievances relating to issues of health and/or safety, the participants to the grievance procedure are to use all reasonable efforts to move through the procedure expeditiously.

J. Final Decision

The City Manager's decision shall be final and binding on the parties.

**RESIGNATION**

**Section 7.01**

- A. Employees who plan to voluntarily resign should notify their immediate supervisor, in writing, at least ten (10) working days in advance of the effective date of termination.
- B. Any employee who resigns is encouraged to give the reasons for resigning and discuss with the employee's supervisor any working conditions which the employee feels to be unsatisfactory.
- C. A formal letter of resignation is required by the City Manager. Resignations may not be revoked without permission. A copy of the letter of resignation shall be forwarded to Human Resources.
- D. Failure to give proper notification may result in ineligibility for reinstatement.
- E. A person who resigned in good standing may be reinstated, at the discretion of the City Manager, in a former type of position within one year following resignation, provided the person remains qualified to perform the duties of the position and such reinstatement would be in the best interests of the City.

**LAYOFF AND RECALL**

**Section 7.02**

- A. If it becomes necessary to reduce staffing levels, the City Manager may lay off employees by using the procedure below. Layoffs may occur when one of the following reasons can be demonstrated:
  - 1. Lack of work
  - 2. Lack of funds
  - 3. Abolishment of job
- B. The Department/Division Supervisor concerned will prepare and process through Human Resources, for the City Manager's approval, a list of those employees to be laid off based upon the criteria identified below.
- C. Consideration will be given to transferring employees to a vacant position in another Department/Division rather than laying them off. However, if the employee is not qualified to hold another position, Department/Division Supervisors will make their recommendations for layoff to the City Manager based on the following criteria:



# APPENDIX 3

Date \_\_\_\_\_  
Form received by staff \_\_\_\_\_



## Request for Program or Activity Modification

We invite participation by people with disabilities, alongside people without disabilities, in our programs, sites, and facilities. Please complete as thoroughly as possible. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service or activity should contact the Parks, Recreation and Culture Department as soon as possible, but not later than 48 hours before the scheduled event. Assessment process can take 7-14 days, which means you or your child may not be able to attend until after assessment process is complete.

**Date Form Completed** \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

### Participant Information – to be completed by Participant/Parent/Guardian

Participant \_\_\_\_\_ Date of Birth \_\_\_\_\_ Age \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_  
Parent/Guardian \_\_\_\_\_ Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_  
Work Phone \_\_\_\_\_ E-Mail address \_\_\_\_\_

### Program Information (name of program, location, date program begins)

\_\_\_\_\_

### Information

Your answers to the questions below will help City staff, so we can make participation safe and enjoyable. City staff may reach you to clarify your answers or gather more information.

### **Disability Information as Diagnosed by a Physician:**

\_\_\_\_\_  
\_\_\_\_\_

Who made this diagnosis? \_\_\_\_\_

On what date was this diagnosis last updated? \_\_\_\_\_

In school, my child has these supports:

\_\_\_\_ behavior plan      paraprofessional aide      OT/PT/ST  
\_\_\_\_ other (please briefly describe) \_\_\_\_\_  
\_\_\_\_\_

What modification are you requesting?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Assessment

Once we have received this request form, you will likely be contacted so an interview can be arranged. This important step allows us to make a plan to support your participation.

# APPENDIX 4



## **City of Beavercreek Grievance Procedure Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements 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 **City of Beavercreek**. **The City of Beavercreek** Employee Manual 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.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to: **The Human Resource Manager, 1368 Research Park Drive, Beavercreek, Ohio 45440.**

Within 15 calendar days after receipt of the complaint, Human Resource Manager or designee will arrange to meet with the complainant to discuss the complaint and the possible resolutions. An information investigation, as may be appropriate, shall follow the filing of a complaint. The ADA Coordinator or appropriate designee shall conduct the informal investigation with 30 days after the initial receipt of the grievance.

Within 15 calendar days of the meeting or the conclusion of the informal investigation, whichever occurs later, the Human Resource Manager or 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 City of Beavercreek, determine the validity of the grievance, if any, and offer options for substantive resolution of the complaint.

If the response by the Human Resource Manager or 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 City Manager or his designee.

Within 15 calendar days after receipt of the appeal, the City Manager or his designee will arrange to meet with the complainant to discuss the complaint and possible resolutions. Within



15 calendar days after the meeting, the City Manager or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

The right of a person to a prompt and equitable resolution of the complaint filed under this Grievance Procedure shall not be impaired by the person's pursuit of other remedies, such as the filing of an ADA complaint with the responsible federal and/or state department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.



Title II of the Americans with Disabilities Act Grievance form

**Complainant Information:**

Name\_\_\_\_\_

Address\_\_\_\_\_

Phone Number\_\_\_\_\_ Email Address\_\_\_\_\_

1. **DESCRIBE YOUR COMPLAINT OF DISCRIMINATION BASED UPON DISABILITY:** Be specific and give date(s), time(s) and location(s). Use the reverse side of this sheet or attached pages, if needed
  
2. **PERSONS NAMED IN YOUR COMPLAINT:** List the names of (or describe) all persons involved in your complaint. Indicate the job title and City Department if possible.
  
3. **WITNESSES TO YOUR COMPLAINT:** List the names of (or describe) all persons involved in your complaint. Indicate the job title and City Department, if possible.
  
4. **EVIDENCE AND DOCUMENTATION:** List and provide any physical evidence, written or recorded documents, or any other information that directly supports your specific claim of discrimination.

5. **CASE REMEDY AND/OR RESOLUTION:** What remedies or resolutions are you seeking?

**CERTIFICATION**

**I hereby certify that the information and statements provided above are true.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If Complainant is not the individual completing this form, please provide:

Representative's Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

For more information or assistance in completing this form, please contact Human Resource Manager – ADA Coordinator via phone 937-427-5500 or (email) [Bissinger@beavercreekohio.gov](mailto:Bissinger@beavercreekohio.gov)

CITY OF BEAVERCREEK

EMPLOYEE CERTIFICATION

I, \_\_\_\_\_, certify that I have received  
(Employee Printed Name)

ADA Face to Face Resolution Policy adopted 2-1-2021

In addition, Risk Management Policy can be found **Q:\Parks-Rec-Culture\Accreditation\9.0 ADA Face to Face resolution policy**

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Please forward signed Employee Certification Page to Human Resources