

CITY OF WESTFIELD, MASSACHUSETTS  
A.D.A. GRIEVANCE POLICY AND PROCEDURE  
(Adopted in conformity with Regulations implementing  
Title II of the American with Disabilities Act)

The City of Westfield has established an internal grievance procedure in order to provide for the prompt and equitable resolutions of complaints alleging any action prohibited by the United States Department of Justice regulations implementing Title II of the Americans with Disabilities Act (ADA).

Title II states, in part, “otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits or, or be subjected to discrimination” in programs or activities sponsored by a public entity.

PROCEDURE

1. A complaint should be filed in writing, contain the name and address of the person filing it, and describing briefly the alleged violation of the regulations.
2. The complaint should be address to the:  
ADA Compliance Coordinator,  
Personnel Department  
City of Westfield  
59 Court Street  
Westfield, MA 01085,  
who has been designated to coordinate ADA compliance efforts. (Complaint filed verbally with the Compliance Coordinator will also be accepted).
3. The complaint should be filed within thirty (30) days after the complainant becomes aware of the alleged violation. (Allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.)
4. An investigation, as may be appropriate, shall follow a filing of complaint. The investigation shall be conducted by the Compliance Coordinator. The investigation is contemplated to be thorough, but informal in nature. All interested persons and their representatives, if any, shall be afforded an opportunity to be heard and to submit evidence relevant to the complaint.
5. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Compliance Coordinator and a copy forwarded to the complainant no later than fifteen (15) working days after its filing.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within fifteen (15) working days following receipt of the written determination to the Mayor of the City of Westfield.
7. The Compliance Coordinator shall maintain the files and records of the City of Westfield relating to the complaints filed under this procedure.
8. The right of a person to a prompt and equitable resolution for 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 the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.

9. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the City of Westfield complies with the ADA and implementing regulations.
10. Copies of all resolutions and findings made under this procedure shall also be filed with the City Clerk of the City of Westfield.