

SAN DIEGO UNIFIED PORT DISTRICT

Administrative Procedure No. 261

Dated: August 24, 1992

SUBJECT: ADA GRIEVANCE PROCEDURE FOR SETTLING COMPLAINTS

REFERENCE: Americans with Disabilities Act (ADA),

Paragraph 35.107 (b):

Complaint Procedure. A public entity that employs 50 or more persons shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by this part.

PURPOSE: To encourage the settlement of disagreements and to provide an orderly procedure for handling grievance matters under the ADA.

PROCEDURES:

1. Any individual who believes he or she has been subjected to discrimination under the ADA may file a complaint with the District Clerk's Office.
2. A complaint must be filed no later than 180 days from the date of the alleged discrimination, unless the time for filing is extended by the District for good cause.

FILING A COMPLAINT:

COMPLAINANT

3. Submits to the District Clerk's Office a completed ADA Grievance Report as set forth in Exhibit A attached hereto. The form shall be signed by the complainant, and shall contain the complainant's full name, mailing address, and a statement of the inequity experienced and the relief that is sought.

DISTRICT CLERK'S  
OFFICE

4. Promptly reviews the complaint. If the information submitted by the complainant is insufficient, the Clerk's Office shall contact the complainant and specify the information needed.

5. Complaints filed by employee shall be forwarded to the Director of Administrative Services. Complaints from individuals not currently employed by the District shall be forwarded to the Planning Department. Complaints not within the jurisdictional boundaries of the District shall be referred to the Department of Justice as provided for in Paragraph 35.170 of the Act.

PLANNING DEPARTMENT,  
IF APPLICABLE

6. Reviews the nature of the complaint and determines a course of action, as follows:
  - a. If the complaint is related to tenant matters, Planning will contact the designated staff in the Property Department for guidance.
  - b. If the complaint is related to the design of District-operated facilities, Planning will contact the Engineering Department for guidance.

ADMINISTRATIVE SERVICES,  
IF APPLICABLE

6. Investigates and resolves all complaints filed by current employees. Administrative Procedure No. 260, regarding reviewable grievances applicable to permanent employees in the classified service, shall be used for guidance only in determining a course of action.