

SMITH COUNTY

Grievance Procedure under the 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 Smith County's Personnel Policy which 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:

**Esmeralda Delmas
ADA Coordinator
200 E. Ferguson, Ste. 202
Tyler, TX 75702**

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

If the response by Esmeralda Delmas, ADA Coordinator, or 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 Judge or his designee.

Within 15 calendar days after receipt of the appeal, the County Judge or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Judge or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Esmeralda Delmas or her designee, appeals to the County Judge or his designee, and responses from these two offices will be retained by Smith County for at least three years.

