

Grievance and Appeal Policy This policy and procedure shall apply to all City of Philadelphia entities*

Under the Americans with Disabilities Act (ADA), qualified people with disabilities can submit a grievance if they feel that have been discriminated against based on disability. City employees who believe the City has violated their rights under the ADA should contact their Department HR Manager or the EEO officer in the Office of Labor Relations. This document outlines the grievance and appeal policy and procedures.

Resident submits Grievance:

Resident has 14 days from perceived discrimination to make a complaint.

While the city has an online form for grievances, residents may submit requests with directly with departments. If the resident makes the request via email, mail, phone, or in person, the employee should enter the information from the request into the form at phila.gov/ADA-grievance.

The following information must be collected from the requestor:

- Name and contact information
- Description and date of the complaint
- Description of suggested relief

If further information is required, the Office of ADA Compliance (OAC) will request the information. Once all the information is received, the OAC will oversee the process and work with the department to resolve the request.

Department Level Grievance Process:

Step 1: Department will meet with the resident within 15 business days from receiving the request to determine possible resolutions to the grievance

After receiving the request, the department liaison will schedule a meeting with the resident within 15 business days to determine if the department can reach a mutually agreeable resolution. Meetings can be in person, electronic (skype, email, etc.) or phone. The Department will work closely with the OAC when processing the grievance.



Step 2: Department will create a written response to the grievance within 45 business days from the date of the request for the resident.

Responses from the City will be in documented in writing. Departments are encouraged to use the Grievance Response template. Responses must be communicated in an alternative format, if requested. The response must indicate a right to appeal.

If the written response refers to activities to take place in the future, the Department ADA Liaison will track and inform the resident when the activities have been fully implemented.

If the department is unable to propose a mutually acceptable resolution to a grievance, the department must seek review from the OAC. The Director of ADA Compliance will consult with the Law Department on potential denials or unresolved requests, when necessary.

Step 3: Resident has 10 business days from the date on the letter from the Department to request an appeal

Requests for appeals should be directed to ADA.Request@Phila.gov. If the resident does not request an appeal the Department decision is final on the 15th business day after the date on the letter. The Office of ADA Compliance will communicate any appeal requests or outcomes to departmental ADA Liaisons.

Level I Appeal Process:

Step 1: Office of ADA Compliance will meet with the resident within 15 business days from receiving the appeal to determine possible resolutions to the grievance

The Director of ADA Compliance will schedule a meeting with the resident within 15 business days to determine if the City can reach a mutually agreeable resolution. Meetings can be in person, electronic (skype, email, etc.) or phone. The Director of ADA Compliance will work closely with the Law Department and the City Department when processing grievance requests.

Step 2: Office of ADA Compliance will create a written response to the grievance within 45 business days from the date of the Level I appeal from the resident.



Responses will be in documented in writing. Use of the Grievance Response template is encouraged. Responses must be communicated in an alternative format, if requested. The response must indicate a right to appeal. If the written response refers to activities to take place in the future, the Department ADA Liaison will track and inform the resident when the activities have been fully implemented.

If the department is unable to propose a mutually acceptable resolution to a grievance, the department must seek review from the Law Department.

Step 3: Resident has 10 business days from the date on the letter from the Department to request an appeal

Requests for appeals should be directed to the ADA.Request@Phila.gov. If the resident does not request an appeal the Level I decision is final on the 15th business day after the date on the letter. The Office of ADA Compliance will communicate any appeal requests or outcomes to departmental ADA Liaisons.

Level II Appeal Process:

Step 1: The Level II Committee will meet with the resident within 15 business days from receiving the appeal to determine possible resolutions to the grievance

The Director of ADA Compliance will schedule a meeting with the resident within 15 business days to determine if the City can reach a mutually agreeable resolution. Meetings can be in person, electronic (skype, email, etc.) or phone. The Level II Committee will work closely with the Law Department and the City Department when processing grievance requests.

Step 2: Level II Committee will create a written response to the grievance within 45 business days from the date of the Level I appeal from the resident.

Responses will be in documented in writing. Use of the Grievance Response template is encouraged. Responses must be communicated in an alternative format, if requested. The response must indicate a right to appeal.

If the written response refers to activities to take place in the future, the Department ADA Liaison will track and inform the resident when the activities have been fully implemented.



If the Level II Committee is unable to propose a mutually acceptable resolution to a grievance, the Committee may seek review from the Law Department.

Step 3: The decision from the Level II Committee is final

The decision from the Level II Committee is final. The request will be closed. Residents may enter new requests in the future and submit substantially different information that was not considered.

Timelines

The time frames in the above procedure shall be maintained unless there are unusual or unforeseen circumstances. The City will respond as quickly as possible and will act without undue delay.

Written Responses

Responses from the City will be in writing and communicated in an alternative format, if requested. The response from the City Department and Level I Appeal must indicate a right to appeal.

If the written response refers to activities to take place in the future, the Department or Director of ADA Compliance will inform the resident when the activities have been fully implemented. All complaints will be retained by the City of Philadelphia for at least three (3) years.