

RESOLUTION NO. 2010- R - 02

A RESOLUTION MODIFYING THE EMPLOYEE POLICY HANDBOOK
CONCERNING THE AMERICANS WITH DISABILITIES ACT

BE IT RESOLVED by the City Council of the City of Marshall, Illinois:

Section 1. That the Employment Policy Handbook as adopted by the City Council for the City of Marshall, Illinois on May 29, 1996 is hereby amended by adding a new article, which article shall be designated Article XIX and which article shall read as follows:

ARTICLE XIX: GRIEVANCE PROCEDURE UNDER THE AMERICANS
WITH DISABILITIES ACT

19.1 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 The City of Marshall. The City's Personnel Policy governs employment-related complaints of disability discrimination.

19.2 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.

19.3 The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 days after the alleged violation to:

Steve Calhoun
ADA Coordinator
PO Box 298
Marshall, IL 62441

19.4 Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his 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 the City of Marshall and offer options for substantive resolution of the complaint.

19.5 If the response by the ADA Coordinator or his 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 Director of Public Works or his or her designee.

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

19.7 All written complaints received by the ADA Coordinator or his or her designee, appeals to the Director of Public Works or his or her designee, and responses from these two offices will be retained by the City of Marshall for at least three years.

Section 3. That this Resolution shall be effective immediately upon its passage.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
James C. Anderson			✓
Terry Clatfelter	✓		
Randall McGinnis	✓		
James McKittrick	✓		
Cheryl A. Raisner	✓		
Tim J. Sanders	✓		
Mark R. Strait	✓		
James White	✓		

PASSED this 22nd day of February, 2010.

Kenneth R. Smith
MAYOR

ATTEST:

John W. [Signature]
CITY CLERK

(SEAL)