

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans With Disabilities Act of 1990 ("ADA"), the Amador County Transportation Commission (ACTC) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: ACTC does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective communication: ACTC will generally, upon request, provide appropriate aids and services leading to effective communication per qualified persons with disabilities so they can participate equally in ACTC's programs, services, and activities, in order to make information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: ACTC will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Anyone who requires an auxiliary aid or service for effective communication, or modification of policies or procedures to participate in a program, service, or activity of ACTC, should contact the office of the ACTC Executive Director at:

Executive Director
Amador County Transportation Commission
117 Valley View Way
Sutter Creek, CA 95685
(209) 267-2282
info@actc-amador.org

As soon as possible, but not later than, 72 hours before the scheduled event.

The ADA does not require ACTC to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial administrator burden.

Complaints that a program, service, or activity of ACTC is not accessible to persons with disabilities should be directed to the ACTC Executive Director under the ACTC ADA Grievance Procedure. This Grievance Procedure is available on the ACTC website at: www.actc-amador.org.

ACTC will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable accommodations.

AMADOR COUNTY TRANSPORTATION COMMISSION'S AMERICAN'S WITH DISABILITIES ACT POLICIES AND PROCEDURES

AMERICANS WITH DISABILITIES ACT OF 1990

This program reflects the commitment of the Amador County Transportation Commission (ACTC) to comply with Title II of the Americans With Disabilities Act of 1990 (ADA) and to ensure that no person shall, on the basis of disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity provided by ACTC.

Information in another language may be obtained on the ACTC's website by using the Google Translate function on the text on this page, or by calling (209) 267-2282.

La información en otro idioma se puede obtener mediante la función Google traducir el texto en esta página, o llamando al (209) 267-2282.

ACTC NON-DISCRIMINATION POLICY:

It is ACTC's policy to comply with state and federal laws and regulations including Title VI of the Civil Rights Act of 1964, Americans With Disabilities Act of 1990 (ADA) and other federal discrimination laws and regulations, as well as the Unruh Civil Rights Act of 1959, the California Fair Employment and Housing Act, and other California State discrimination laws and regulations. ACTC does not discriminate on the basis of race, color, sex, creed, religion, national origin, age, marital status, ancestry, medical condition, disability, sexual orientation, or gender identity in conducting its business. ACTC prohibits discrimination by its employees, contractors and consultants.

ACTC ADA GRIEVANCE PROCEDURE

As an agency serving the public, ACTC is required to comply with Title II of the Americans with Disabilities Act of 1990 (ADA) and ensure that services and benefits are provided on a non-discriminatory basis. ACTC has implemented this Grievance Procedure to meet the requirements of the ADA, which outlines a process for local disposition of ADA complaints and is consistent with guidelines found in the Federal Department of Justice Rules effective March 15, 2011.

This Grievance Procedure is established to meet the requirements of the 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 ACTC. All complaints, request for reconsideration, and appeals will be retained by ACTC for at least seven years. ACTC's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint procedure has five steps, outlined as follows:

1. **Submission of a Complaint:** Any person who feels that he or she, individually, or as a member of any class of persons, on the basis of disability status has been excluded from or denied the benefits of, or subject to discrimination under any program or activity through ACTC may file a written Complaint with ACTC's Executive Director either on-line or in hard copy. Such Complaint must be filed within 180 calendar days after the date the person believes the discrimination occurred. Alternative means of filing a Complaint will be made available to people with disabilities:
 - ACTC's ADA Grievance Form (contains contact information for ACTC).

2. **Referral to Review Officer:** Upon receipt of a Complaint, the ACTC Executive Director shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the Complaint, in consultation with ACTC Legal Counsel. The staff review officer(s) shall complete their review no later than 60 days after the date ACTC received the Complaint. If more time is required, the ACTC Executive Director shall notify the Complainant of the estimated time frame for completing the review. Upon completion of the review, the staff officer(s) shall make a recommendation regarding the merit of the Complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to ACTC's processes relative to the ADA, as appropriate. The staff review officer(s) shall forward their recommendation to the ACTC Executive Director, for concurrence. If the Executive Director concurs, an ACTC written response shall be issued to the Complainant (or, where appropriate, in a format accessible to the Complainant, such as large print, Braille, or audio tape).
3. **Request for Reconsideration:** If the Complainant disagrees with ACTC's response, he or she may request reconsideration by submitting the request, in writing, to the ACTC Executive Director within 10 calendar days after its receipt. Alternative means of filing a request for reconsideration will be available to people with disabilities who require such an alternative. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood by the ACTC Executive Director or staff review officer(s). The ACTC Executive Director will notify the Complainant of his or her decision either to accept or reject the request for reconsideration within 10 calendar days. In cases where the ACTC Executive Director agrees to reconsider, the matter shall be returned to the staff review officer(s) to reevaluate in accordance with Paragraph 2, above. Submissions to the ACTC Executive Director shall be addressed as follows:

Executive Director
Amador County Transportation Commission
117 Valley View Way
Sutter Creek, CA 95685

3. **Appeal:** If the request for reconsideration is denied, the Complainant may appeal the Executive Director's response to the Complainant by submitting a written appeal (or, where appropriate, in a format accessible to the Complainant) to the ACTC Governing Board no later than 10 calendar days after receipt of the Executive Director's written decision rejecting reconsideration. Submissions to the ACTC Governing Board shall be addressed as follows:

Chairman
Amador County Transportation Commission
117 Valley View Way
Sutter Creek, CA 95685

5. **Submission of Complaint to the U.S. Department of Justice:** The Complainant may also file the Complaint directly with the U.S. Department of Justice at U.S. DOJ, 950 Pennsylvania Ave., NW, Civil Rights Division, Disability Rights Section - 1425 NYAV, Washington, D. C. 90530 or (202) 307-1197 or ADA.complaint@usdoj.gov.

Amador County Transportation Commission (ACTC)
Americans with Disabilities Act (ADA)
Grievance Form

Grievances must be filed within 180 days of the alleged act of discrimination.

Section I:				
Name:				
Address:				
Telephone (Home):		Telephone (Work):		
Electronic Mail (Email) Address:				
Accessible Format Requirements? Check all that apply.		Large Print		Audio Tape
		TDD		Other:
Section II:				
Are you filing this grievance on your own behalf?		Yes*	No	
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are filing this grievance:				
Please explain why you are filing for this person:				
Please confirm that you have obtained the permission of the complaining person if you are filing on their behalf.		Yes	No	
Section III				
Date of Alleged Discrimination (Month, Day, Year):				

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as the names and contact information of any witnesses. Please feel free to attach additional pages if needed.

Section IV				
Have you previously filed an ADA grievance with this agency?	Yes		No	
Section V				
Have you filed a grievance with any other Federal, State or local agency, or with any Federal or State Court?	Yes		No	
If yes, check all that apply?		Federal Agency		State Agency
		Federal Court		Local Agency
		State Court		

You may attach any written materials or other information that you think is relevant to your grievance.

Please sign here: _____ **Date:** _____

Note: ACTC cannot accept your grievance without a signature.

Please print, scan and email your completed signed form to info@actc-amador.org

OR

Mail or fax your completed, signed form to:

Executive Director
Amador County Transportation Commission
117 Valley View Way
Sutter Creek, CA 95685
Fax: (209) 267-1930

**BEFORE THE AMADOR COUNTY TRANSPORTATION COMMISSION
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION ADOPTING THE AMADOR COUNTY TRANSPORTATION) RESOLUTION NO. 15- 21
COMMISSION'S AMERICANS WITH DISABILITIES ACT GRIEVANCE)
PROCEDURE AND NOTICE)

WHEREAS, the Amador County Transportation Commission (ACTC) was established pursuant to Government Code Section 29535 and was designated as the Regional Transportation Planning Agency serving the Amador County Region by the Secretary of the California Business, Transportation and Housing Agency; and

WHEREAS, Title II of the Americans with Disabilities Act (ADA) requires public entities, such as the Amador County Transportation Commission, to establish an ADA Grievance Procedure and Notice to ensure that all person with disabilities are assured meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals with disabilities; and

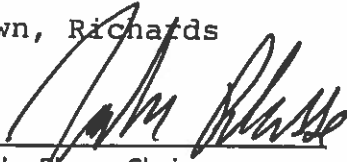
WHEREAS, as a public entity the ACTC is subject to these requirements and must create an ADA Grievance Procedure and Notice ensuring that person with disabilities have meaningful access to ACTC's programs, services, and information, at no additional cost; and

WHEREAS, the ACTC has developed an ADA Grievance Procedure and Notice utilizing the U.S. Department of Justice's ADA Title II Technical Assistance Manual, which lays out the requirements for state and local government programs and services; and

NOW, THEREFORE BE IT RESOLVED that the Amador County Transportation Commission approves the attached ACTC Americans with Disabilities Act Grievance Procedure and Notice.

The foregoing resolution was duly passed and adopted by the Amador County Transportation Commission at a regular meeting thereof, held on the 17th day of December 2015, by the following vote:

AYES: Plasse, Murphy, Colburn, Brown, Richards
NOES:
ABSENT: Oneto



John Plasse, Chairman
Amador County Transportation Commission

ATTEST:



Recording Secretary