

Americans with Disability Act: Policy, Grievance Procedure for Non-OAG Employees, File Maintenance and Posting

It is the policy of the Office of the Attorney General (OAG) to provide access to its programs and services for persons with disabilities in accordance with Title II of the Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973 (Section 504).

Most requirements of Title II are based on Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap in federally assisted programs and activities. The ADA similarly extends Section 504's nondiscrimination requirement to all activities of state and local governments, not only those that receive federal financial assistance.

Oversight of ADA compliance is the responsibility of the ADA Coordinator and all inquiries concerning the OAG's efforts to make its programs and services accessible to persons with disabilities should be directed to:

Name: Jeanne Cole-Amos, Director of Human Resources
Address: Virginia Office of the Attorney General
900 East Main Street
Richmond, Virginia 23219
Phone: Voice: 804-786-2071
Fax: 804-786-1991
TTY: Toll Free 800-828-1120 7-1-1
E-mail: jcole-amos@oag.state.va.us

The OAG has established the following grievance procedure to be used by non-OAG employees with disabilities to allege violations of the ADA by the OAG. Individuals are not required to use this procedure before filing a complaint with a federal or state agency, or filing a lawsuit.

The complaint should be in writing and contain the following information: name, address, phone number or TTY of complainant; and the location, date, and description of the problem. A complaint may be filed using the *ADA Grievance Form* found on the OAG web site address or as requested from the address above. Alternative means of filing a complaint, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The ADA Coordinator shall determine whether a complaint is grievable. Written notice of the complaint shall be presented by the complainant to the ADA Coordinator within sixty (60) calendar days of the event or action giving rise to the complaint. Once the notice of the complaint is given to the ADA Coordinator, additional claims may not be added to it.

The ADA Coordinator shall render a determination regarding the grievability of the complaint within fifteen (15) days of receipt of the complaint. That determination is final.

If the response by the ADA Coordinator has not satisfactorily resolved the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within fifteen (15) calendar days after receipt of the determination letter to the Chief of Staff.

Name: J. Jasen Eige, Chief of Staff
Address: Office of the Attorney General
900 East Main Street
Richmond, Virginia 23219
Phone: Voice: 804-786-2071
Fax: 804-786-1991
TTY: Toll Free 800-828-1120 7-1-1
Email address: jeige@oag.state.va.us

The appeal should be submitted to the Chief of Staff by the complainant and/or his/her designee and should contain the following information:

- name, address, phone number or TTY of complainant
- a detailed statement of the reasons for the appeal

Alternative means of filing an appeal, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

Within fifteen (15) calendar days after receipt of the appeal, the Chief of Staff or his/her designee will respond in writing and, where appropriate, in a format accessible to the complainant, with a final determination of the appeal. If the response resolves the complaint, the complainant will sign a statement to that effect on the letter.

All written complaints and appeals received by OAG and determination letters to the complaint will be kept by OAG for three (3) years.

Information concerning a grievance is to be held in confidence. Any members of the OAG who investigate a grievance are to discuss it only with those individuals who have a legitimate need to know about it or who are needed to supply necessary background information or advice.

This Grievance Procedure will be posted in prominent locations in OAG facilities. Upon request, it will be made available in alternative formats by contacting the ADA Coordinator.