



**CITY OF GOSHEN GRIEVANCE PROCEDURE UNDER  
THE AMERICANS WITH DISABILITIES ACT  
AND  
NONDISCRIMINATION POLICY**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA) and the City of Goshen's Nondiscrimination Policy. It may be used by anyone who wishes to file a complaint alleging:

- (1) Discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Goshen; or
- (2) Exclusion from participation in, denial of the benefits of, or discrimination under any of the City of Goshen's services, programs, or activities on the basis of race, color, national origin, sex, age, disability/handicap, income status, or limited English proficiency.

The City of Goshen's Discrimination and Harassment Policy, as may be amended from time to time, governs job-related complaints of discrimination in employment with the City of Goshen.

The complaint should be in writing and contain information about the alleged discrimination, including:

- (1) Name, address and phone number of the person alleging the discrimination.
- (2) Name, address and phone number of person filing the complaint if different from the person alleging the discrimination.
- (3) Description of the alleged discrimination, including date and location, and the remedy sought.

Anyone wishing to file a complaint may use the Grievance Form included with this Grievance Procedure. The Grievance Form is also available on the City of Goshen's website at [www.goshenindiana.org](http://www.goshenindiana.org). Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for a person with a disability upon request.

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

City of Goshen Human Resources Department  
Attention: Rita Huffman Title VI Coordinator and ADA Coordinator  
204 East Jefferson Street, Suite 3  
Goshen, Indiana 46528  
Fax: (574) 534-2410  
Email: [humanresources@goshencity.com](mailto:humanresources@goshencity.com)

The Title VI Coordinator and ADA Coordinator will acknowledge the receipt of the complaint within ten (10) working days.

The Title VI Coordinator and ADA Coordinator will forward the complaint to the City of Goshen's Legal Department which will conduct the investigation necessary to determine the validity of the alleged discrimination. The Legal Department may contact the grievant to discuss the matter as part of the investigation. The Legal Department will submit written findings and a proposed resolution within forty-five (45) calendar days of receiving the complaint from the Title VI Coordinator and ADA Coordinator. If a resolution of the complaint is reached during this investigation, the resolution will be documented in Title VI Coordinator and ADA Coordinator's file.

If the grievant is not satisfied with the Legal Department's determination, the grievant may request a hearing before the Goshen Board of Public Works and Safety. The hearing will be scheduled within thirty (30) days of the request unless the grievant and City agree on a different date. The request for a hearing before the Board of Public Works and Safety must be requested with fifteen (15) days of receiving the Legal Department's written findings and proposed resolution. At the hearing the grievant may appear with or without legal counsel. The grievant will be given the opportunity to present evidence, and/or witnesses and will be given the opportunity to question any witnesses that the City presents to the Board of Public Works and Safety.

The resolution of any specific complaint will require consideration of the specific nature of the alleged discrimination, the nature of the access to services, programs, activities, or facilities at issue, the essential eligibility requirements for participation, the health and safety of others, and the degree to which an accommodation would constitute a fundamental alteration to the program, service, activity, or facility or cause undue hardship to City. Accordingly, the resolution of any complaint does not create a precedent for any future complaint.

At any time during the process, a grievant may file a complaint directly with the US Department of Justice, Indiana Civil Rights Commission, or other appropriate state or federal agency. All written complaints received by the Title VI Coordinator and ADA Coordinator or his/her designee, appeals to the Goshen Board of Public Works and Safety or the Board's designee, and responses from these two offices will be retained by the City of Goshen for at least three (3) years.