

4.0 ADA Policy and Complaint Procedure

A review was conducted of the current ACHD procedures for ADA-based complaints. These procedures were compared to the “ADA Best Practices Tool Kit for State and Local Governments” to assess alignment with best practices identified by the U.S. Department of Justice.⁵⁷ The assessment indicated that ACHD does not publish a notice as recommended, and the existing grievance procedure needed an update to align with best practices. This section provides the text of the notice and the updated grievance procedure. Appendix F includes the new grievance procedure and associated form.

4.1 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 Ada County Highway District will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Ada County Highway District 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: Ada County Highway District will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Ada County Highway District’s programs, services, and activities, including qualified sign language interpreters, documents in braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Ada County Highway District 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. For example, individuals with service animals are welcomed in Ada County Highway District offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Ada County Highway District, should contact the office of the ADA Coordinator as soon as possible but no later than 48 working hours before the scheduled event.

⁵⁷ See <https://www.ada.gov/pcatoolkit/chap2toolkit.htm>.

The ADA does not require the Ada County Highway District to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden. Complaints that a program, service, or activity of Ada County Highway District is not accessible to persons with disabilities should be directed to:

Rachel Chipman, Accessibility Compliance Coordinator
Traffic Engineering Department
Ada County Highway District
3775 Adams Street
Garden City, ID 83714
Phone: (208) 387-6301
Fax: (208) 387-6391
Email: rchipman@achdidaho.org
TTY: (800)-377-3529

Ada County Highway District 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 modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

4.2 ADA Grievance Procedure

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 Ada County Highway District (ACHD). ACHD's Personnel Policy governs employment-related complaints of disability discrimination.

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 an audio recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the complainant and/or their designee as soon as possible but no later than 180 calendar days after the alleged violation to:

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Ada County Highway District
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Garden City, ID 83714
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Email: rchipman@achdidaho.org
TTY: (800)-377-3529

Within 10 calendar days after receipt of the complaint, Rachel Chipman or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Rachel Chipman or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, braille, or audio recording. The response will explain the position of the Ada County Highway District and offer options for substantive resolution of the complaint.

If the response by Rachel Chipman or her designee does not satisfactorily resolve the issue, the complainant and/or their designee may appeal the decision within 10 calendar days after receipt of the response to the ACHD Director or their designee.

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

All written complaints received by Rachel Chipman or her designee, appeals to the ACHD Director or their designee, and responses from these two offices will be retained by the Ada County Highway District for at least three years.

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