



<b>TITLE:</b> ADA Transition Plan for Public Rights-of-Way - Accessibility Grievance Procedure		<b>PROCEDURE #:</b> 304-C - Rights-of-way
<b>DEPT:</b> Public Works		<b>PROGRAM:</b> Engineering
<b>EFFECTIVE DATE:</b> 05/2022	<b>REVIEWED:</b>	<b>REVISED:</b>

**OBJECTIVE:** To establish a request for accommodation and outline the grievance procedure for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act.

**REFERENCE:** Policy #304

**POLICY STATEMENT:** In accordance with the requirements of the Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA), Marion County does not discriminate on the basis of disability against qualified individuals with disabilities in county employment, services, programs, or activities.

**APPLICABILITY:** Members of the public.

**PROCEDURES:**

1. Request for Accommodation

- 1.1. An accommodation request may be filed in one of the following ways:
  - 1.1.1. Submit a request for accommodation to the Public Works Department via the on-line form. <https://www.co.marion.or.us/PW/Engineering/Pages/ADA-Transition-Plan.aspx>
  - 1.1.2. Email a request for accommodation to <mailto:PWADA@co.marion.or.us>
  - 1.1.3. Mail a written request for accommodation to:  
Marion County Public Works, Attn: ADA Request  
5155 Silverton Rd NE  
Salem, OR 97305
  - 1.1.4. Deliver a written request for accommodations to the  
Marion County Public Works Department  
5155 Silverton Rd NE, Bldg. 1  
Salem, OR 97305
  - 1.1.5. Verbal request to Public Works Department  
Phone: 503-588-5036
- 1.2. Public works staff will review the request and respond to requestor in writing no later than 30 calendar days after receipt of the request.

2. Complaint and Investigation Process

SUBJECT: ADA Transition Plan for Public Rights-of-Way Accessibility Grievance Procedure

- 2.1. If the response by the Public Works Department does not satisfactorily resolve the issue, the individual making the request may file a formal grievance using the on-line form <https://www.co.marion.or.us/PW/Engineering/Pages/ADA-Transition-Plan.aspx> with the county risk manager. The risk manager has been designated to coordinate ADA compliance efforts for Marion County.

Email: [riskmanagement@co.marion.or.us](mailto:riskmanagement@co.marion.or.us)

Mail: Risk Manager  
Marion County  
PO Box 14500  
Salem OR 97309  
Phone: 503-589-3295

- 2.2. A complaint must be filed in writing and contain the name, address, and telephone number of the person filing the complaint. It must describe the alleged violation of the regulations.
- 2.3. A county employee may transcribe an oral complaint from a member of the public.
- 2.4. A complaint must be filed no later than 30 calendar days after the response to the request for accommodation has been mailed to the complainant pursuant to Section 2.9 below.
- 2.5. The risk manager or designee shall conduct the investigation, as may be appropriate, following the filing of a complaint.
- 2.6. These procedures contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- 2.7. The risk manager shall issue a written determination as to the validity of the complaint and a description of the resolution, if any, and send a copy to the complainant pursuant to Section 2.9 below no later than 30 calendar days after receipt of the complaint.
- 2.8. If dissatisfied with the resolution, the complainant may request reconsideration of the case.
- 2.8.1. Requests for reconsideration must be made to the Marion County Chief Administrative Officer in one of the following ways:
- 2.8.1.1. Email a request for reconsideration to [jfritz@co.marion.or.us](mailto:jfritz@co.marion.or.us)
- 2.8.1.2. Mail a written request for accommodation to  
Chief Administrative Officer – ADA Request  
Marion County Board of Commissioners Office  
PO Box 14500  
Salem, OR 97309
- 2.8.1.3. Deliver a written request for accommodations to the  
Chief Administrative Officer  
Marion County Board of Commissioners Office  
555 Court St NE, Suite 5232  
Salem, OR 97301

**SUBJECT: ADA Transition Plan for Public Rights-of-Way Accessibility Grievance Procedure**

- 2.8.2. A request for reconsideration must be filed no later than 30 calendar days after written determination of the risk manager has been mailed to the complainant pursuant to Section 2.9 below.
- 2.8.3. The chief administrative officer shall issue a written and final decision and send a copy to the complainant pursuant to Section 2.9 below no later than 30 calendar days after receipt of the request for reconsideration.
- 2.9. All decisions shall be sent by first class mail to the complainant. Phone notification shall also be made in cases involving visually impaired individuals.
- 2.10. In accordance with the Secretary of State’s record retention schedules, the risk manager shall maintain the files and records of the county relating to complaints filed.
- 2.11. Nothing in this grievance process is meant to be used for any personnel, EEO, or labor agreement grievance procedure for Marion County.

Adopted: 04/2022

**ROW Accommodation Request and Grievance Procedure**

