



CALTRANS DIVISION OF
LOCAL ASSISTANCE



LOCAL AGENCY GUIDE TO IMPLEMENT ADA COMPLAINT/GRIEVANCE PROCESS



CATHY LY

CIVIL RIGHTS COORDINATOR

CALTRANS DIVISION OF LOCAL ASSISTANCE

EMAIL: CATHY.LY@DOT.CA.GOV

PHONE: 279-234-8191

NOVEMBER 2022



Caltrans Division of Local Assistance Contacts

Cathy Ly
Civil Rights Coordinator
Cathy.Ly@dot.ca.gov
(279) 234-8191

Allyson Beem
Civil Rights Analyst
Allyson.Beem@dot.ca.gov
(279) 234-4520

Daniel Burke
Civil Rights Manager
Daniel.Burke@dot.ca.gov
(916) 695-3372



Mission: “Provide training and guidance to improve stakeholder processes.”

Vision: “Strengthen partnerships and Civil Rights through excellent customer service and user-friendly communications.”

Learning Objectives

- ❑ Section 504 and ADA Overview
- ❑ ADA/504 Coordinator
- ❑ Grievance Procedures



Communication Rules/What to Expect

1. This webinar is being recorded and will be posted and available on the [Caltrans Division of Local Assistance ADA website](#).
2. Type and submit questions in the Q&As icon box. You may submit questions or comments during the webinar platform questions panel during the webinar session.
3. All questions and comments will be addressed at the end of each presentations.
4. There will be a ten (10) minute break toward mid-presentation.
5. There will be Poll Questions throughout this webinar.

ADA

Americans with
Disabilities Act

- ❑ Prohibits discrimination on the basis of disability in employment, access to public services, public accommodations, commercial facilities, and transportation
- ❑ Applies to all entities, both public and private, regardless of funding source
- ❑ Prohibits discrimination against people with disabilities in federally funded programs and activities ([Section 504 of the Rehabilitation Act of 1973](#))
- ❑ Applies only to those public entities that receive Federal financial assistance (Section 504)

Note: Section 504 and ADA both help to provide disability protections!

ADA/504 Coordinator

Coordinator's duties include, but are not limited to:

- Respond to general inquiries from the public**
- Coordinate requests for auxiliary aids, services and reasonable modifications of policies, practices and procedures**
- Develop grievance procedure**
- Investigate complaints**

Note: If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate ADA compliance

[28 CFR §35.107\(a\)](#)

Grievance Procedures

Adopt and publish procedures for resolving grievances arising under Title II of the ADA

The grievance procedure should include:

- Description of how and where a complaint under Title II may be filed with the government entity;**
- Description of the time frames and processes to be followed by the complainant and the government entity;**

Note: If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate ADA compliance

Grievance Procedure continued

- ❑ Information on how to appeal an adverse decision; and
- ❑ Statement of how long complaint files will be retained.

[SAMPLE Grievance Procedures \(PDF\)](#) | [SAMPLE Grievance Procedures \(Word\)](#)

SAMPLE of Complaint Forms:

- [U.S. Department of Justice ADA Discrimination Complaint Form](#)
- [Caltrans ADA Complaint/Grievance Form](#)

ADA Complaint Log

- ❑ A public entity shall keep on file for one year all complaints of noncompliance received
- ❑ A record of all such complaints, which may be in summary form, shall be kept for five years
- ❑ Sample of Complaint Log: [Caltrans Subrecipients / Local Public Agency | Caltrans](#)



[49 CFR 27.121\(b\)](#)

POLL QUESTION





Resources to Implement ADA Compliance



Caltrans Division of Local Assistance, ADA Website

[ADA - Section 504 Program | Caltrans](#)

Caltrans Local Assistance Procedure Manual (LAPM)

Chapter 9, ACCESSIBILITY: REHABILITATION ACT OF 1973/AMERICANS WITH DISABILITIES ACT OF 1990

[HTTPS://DOT.CA.GOV/-/MEDIA/DOT-MEDIA/PROGRAMS/LOCAL-ASSISTANCE/DOCUMENTS/LAPM/CH09.PDF](https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/lapm/ch09.pdf)

Caltrans Division of Local Assistance Blog

Subscribe to the Caltrans Local Assistance Email list to receive updates to this blog and news related to the federal-aid process and our publications

<http://www.localassistanceblog.com/>

Caltrans Office of Civil Rights, ADA Infrastructure Program, ADA Website

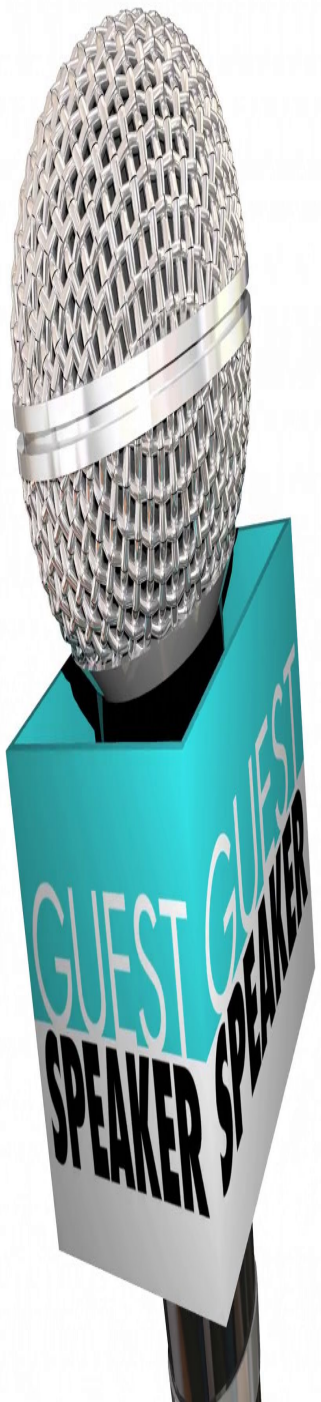
[ADA Infrastructure Program | Caltrans](#)

Useful Links

- [2010 U.S. DOJ ADA standards for accessible design](#)
- [FHWA position on ADA implementation and Section 504](#)
- [Discussion of major changes in ADA standards for accessible design](#)
- [Dept of Justice ADA standards for accessible design](#)
- [Current text of the ADA of 1990, including changes from ADA Amendments Act of 2008](#)
- [Information on ADA-Section 504 from FHWA's Office of Civil Rights](#)
- [ADA guidance on developing transition plans specifically for State and local government programs and services](#)
- [Federal regulations covering nondiscrimination in State and local government programs and services for new construction](#)
- [Federal regulations covering nondiscrimination in State and local government programs and services for existing facilities](#)
- [ADA guidance on developing transition plans specifically for State and local government programs and services](#)
- [Information from FHWA Office of Civil Rights on ADA and Section 504 topics](#)

TIME FOR A
BREAK





Briana Peluso

American with Disabilities (ADA) Infrastructure Program
Caltrans Statewide ADA Coordinator
Email: ADA.Compliance.Office@dot.ca.gov
(916) 708 – 7058

Larry Wooster

ADA Infrastructure Program
Chief, ADA Infrastructure Program and Engineer Support Programs
Email: larry.wooster@dot.ca.gov
(916) 639 – 5539

Megan Chan

ADA Infrastructure Program
Program Analyst
Email: megan.chan@dot.ca.gov
(916) 879 – 7235



**THANK YOU FOR PARTICIPATING IN
TODAY'S ADA COMPLAINT/GRIEVANCE
PROCESS.**