

STATE PERSONNEL BOARD GRIEVANCE PROCEDURE AMERICANS WITH DISABILITIES ACT

This grievance procedure is established in accordance with the requirements of 28 CFR § 35.107(b). It may be used by anyone who wishes to file a complaint under Title II of the Americans with Disabilities Act of 1990 (ADA) alleging discrimination on the basis of disability in the provision of services, activities, or programs provided by the State Personnel Board (SPB). SPB's Discrimination, Harassment, and Retaliation Complaint Procedure Policy governs employment-related complaints of disability discrimination.

1. 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 through personal interviews, telephone interviews, or a tape recording, will be made available upon request for persons with disabilities.
2. The complaint should be submitted by the complainant and/or designee as soon as possible but no later than 60 calendar days after the alleged violation to:

State Personnel Board
ATTN: Frederick Radcliffe, ADA Coordinator
801 Capitol Mall, MS 53
Sacramento, CA 95814
Voice: (916) 651-2843
Fax: (916) 653-8147
TTY: Use 711 (California Relay Service)

3. Within 20 calendar days after receipt of the complaint, the ADA Coordinator or designee will contact the complainant to discuss the complaint and possible resolutions. Within 20 calendar days of the contact, the ADA Coordinator or designee will respond in writing. The response will explain the ADA Coordinator's findings and offer options to resolve the complaint. Responses, where appropriate, will be made in a format accessible to the complainant, such as large print, Braille, or audiotape.
4. If the complainant and/or designee is dissatisfied with the ADA Coordinator's response, the complainant and/or designee may file an appeal within 20 calendar days after receipt of the response. Appeals shall be filed with the SPB's Executive Officer and sent to:

State Personnel Board

ATTN: Executive Officer
801 Capitol Mall, MS 53
Sacramento, CA 95814
Voice: (916) 653-1028
Fax: (916) 653-8147
TTY: Use 711 (California Relay Service)

5. Within 20 calendar days after receipt of the appeal, the Executive Officer or designee will contact the complainant to discuss the complaint and possible resolutions. Within 20 calendar days after the contact, the Executive Officer or designee will respond in writing with a final resolution of the complaint. Final resolutions, where appropriate, will be made in a format accessible to the complainant, such as large print, Braille, or audiotape.

All written complaints, appeals, and responses will be retained by the California Department of Human Resources (CalHR) for at least three years.

Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, such as filing a disability complaint with the U.S. Department of Justice, U.S. Equal Employment Opportunity Commission, Department of Fair Employment and Housing, or other appropriate state or federal agencies.

Upon request for reasonable accommodation, this document may be made available in alternate formats.