



(3)

# Port of San Diego

## Administrative Procedure #128-261

### Americans with Disabilities Act (ADA) Grievance Procedure for Settling Complaints

#### 1. Procedure Objective:

To provide a grievance procedure as required under Title II of the ADA, for prompt resolution of complaints alleging discrimination on the basis of disability in all services, programs, and facilities administered by the San Diego Unified Port District (District). The District's Human Resources department governs employment-related complaints of disability discrimination are required under Title I of the ADA.

#### 2. Additional Notes/Definitions:

- a. Reference: To provide a grievance procedure as required under Title II of the ADA, for prompt resolution of complaints alleging discrimination on the basis of disability in all services, programs, and facilities administered by the San Diego Unified Port District (District). The District's Human Resources department governs employment-related complaints of disability discrimination are required under Title I of the ADA.
- b. Timeliness: Any individual who believes he or she has been subjected to discrimination under the ADA, may file a complaint with the District's ADA Coordinator. A complaint should be filed as soon as possible, but no later than 180 days from the date of the alleged discrimination.
- c. Records Retention: All written complaints, appeals, and responses will be retained by the District for at least three years or in accordance with the District's Records Retention Policy.
- d. Filing: Complaints should be submitted to the District's ADA Coordinator as follows:

Shirley Hirai  
ADA Coordinator/Manager, Equal Opportunity  
Port of San Diego  
P.O. Box 120488  
San Diego, CA 92112-0488  
[shirai@portofsandiego.org](mailto:shirai@portofsandiego.org)  
(619) 686-7245

San Diego Unified Port District  
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Office of the District Clerk

**3. Department(s) Affected (Stakeholders):**

All Departments

**4. How to Achieve the Procedure Objective:**

Complaints should be in writing on the attached ADA Grievance Report (Report). The Report shall be signed by the complainant and shall include the complainant's full name, mailing address, contact information and a description of the inequity claimed and the relief sought. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint may be accommodated upon request.

The District's ADA Coordinator will track and ensure investigation and resolution of all grievances within the District's jurisdiction.

**5. Criteria: N/A**

**6. Exclusions/Limitations: N/A**

**7. Responsibility/Action:**

RESPONSIBILITY	ACTION
Complainant	Submit completed ADA Grievance Report to ADA Coordinator or request alternative means of filing complaint.
ADA Coordinator	<p>Within 15 calendar days after receipt of the complaint, the ADA Coordinator will contact the complainant to discuss the complaint and possible resolution.</p> <p>ADA Coordinator will thoroughly review the complaint and possible resolution to determine a course of action by coordinating with available resources including but not limited to the following:</p> <ul style="list-style-type: none"><li>• Real Estate department staff if the complaint is related to tenant matters</li><li>• Engineering department staff if the complaint is related to the design of District-operated facilities</li><li>• Other department staff as necessary</li><li>• Accessibility Advisory Committee</li><li>• On-call ADA Consultant as necessary</li></ul> <p>Within 15 calendar days of the initial contact, the ADA Coordinator will respond in writing explaining the position of the District and communicate the proposed resolution, if</p>

RESPONSIBILITY	ACTION
	any, of the complaint. Complainant may provide input and/or comments to the District's resolution. Within 45 calendar days of the initial contact, complainant will be provided with the District's resolution of the complaint.
Complainant	If complainant is not satisfied with the District resolution, complainant may complete a U.S. Department of Justice Title II Discrimination Complaint Form or take other action as provided by law.

8. Related Documents: N/A

9. Document Information:

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10. Document History:

Date of Update	Editor	Change(s) Made	Previous DOCS #
September 16, 2011	Shirley Grothen	Format and transferred Land Use Planning and District Clerk roles to ADA Coordinator.	N/A
April 18, 2016	Shirley Hirai	Format and contact name.	411015 36994

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4/21/16  
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4/26/2016  
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