

HOW TO FILE A COUNTY COMPLAINT

All complaints or grievances submitted to the County of Marin must contain specific information about the alleged violation or discrimination including: name, address, telephone number and/or email address of the complainant and the location, date, and a complete description of the problem. Anonymous complaints or grievances will not be accepted. Complaints or grievances will be kept confidential to the greatest extent possible, unless ordered released by a court of competent jurisdiction (see Evidence Code 1040). If you wish to file an informal complaint, you can provide grievance information via alternative means to the DAC, but you must include all required information listed above. These may be submitted by telephone, e-mail (confidentiality cannot be assured), letter, personal interview, or other methods, upon request.

All complaints must be submitted to the DAC by the complainant or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation or discriminatory act. Complaints may be submitted online, by mail or email, telephone/TTY or in person to:

Marin County Disability Access Program
3501 Civic Center Drive, Room 304
San Rafael, CA 94903
415/473-4381 (Voice) 415/473-3232 (TDD)
disabilityaccess@marincounty.org

Employment

If a complaint is about an ADA Title I or California Fair Employment and Housing Act employment violation, the DAC will forward the complaint within seven (7) calendar days to the County of Marin's Human Resources Department for investigation and will formally acknowledge receipt of the complaint to the complainant.

Electronic Information or Technology

If a complaint is about a Section 508 of the Rehabilitation Act or California Government Code Section 11135-11139.7 regarding the accessibility of electronic information or technology, the DAC will forward the complaint within seven (7) calendar days to the County of Marin's Information Services and Technology Department for investigation and will formally acknowledge receipt of the complaint to the complainant.

Privately Owned Buildings or Facilities

If a complaint is about inaccessibility to a privately owned building or facility, the DAC will forward the complaint within seven (7) calendar days to the Marin County Community Development Agency (CDA) Building and Safety Division for investigation and will formally acknowledge receipt of the complaint to the complainant. The CDA also has a formal code enforcement procedure regarding disabled access building code requirements. Copies of this complaint process are available at:
<http://www.marincounty.org/depts/cd/code-enforcement>

Complaints regarding accessibility code enforcement of buildings and facilities may be filed concurrently with the Disability Access Coordinator.

County-owned or County Leased Buildings or Facilities

If the complaint is about a County-owned or County leased building or facility, the DAC will investigate and will formally acknowledge receipt of the complaint to the complainant.

Unreasonable Hardship Exceptions

1. The Chief Building Official will deliver a notice to the Public Works Director immediately upon making a decision on an unreasonable hardship exception request which involves legal or physical constraints.
2. The Board of Supervisors will deliver a notice to the Public Works of a decision ratifying or rejecting the granting or denial of an unreasonable hardship request exception.
3. The Chief Building Official will send the Public Works Director notice confirming that corrective work has been done.

NOTE: Any unauthorized deviation from the building regulations shall be rectified by full compliance within 90 calendar days of a complaint of such deviation having been confirmed by the County, as required by Government Code 4452, unless doing so is impracticable, in which case the rectification should occur within a reasonable time of the complaint being filed.

Timeline

For all other complaints or grievances, the DAC will contact the complainant to discuss the complaint or grievance within 30 calendar days after receipt of the complaint or grievance. Within 30 calendar days of this contact, the DAC will respond in writing and, where appropriate, in an alternative format accessible to the complainant. The response will explain the position of the County of Marin and offer options for substantive and reasonable resolution of the complaint or grievance.

Appeal Process

If the response by the DAC does not satisfactorily resolve the issue, the decision may be appealed to the County Administrator or his/her designee within 30 calendar days following receipt of the response.

Within 30 calendar days after receipt of an appeal, the County Administrator or his/her designee will contact the complainant to discuss the complaint or grievance and if a complaint is about an ADA Title I or California Fair Employment and Housing Act employment violation, the DAC will forward the complaint within seven (7) calendar days to the County of Marin's Human Resources Department for investigation and will formally acknowledge receipt of the complaint to the complainant.