

# Section 504/ADA Grievance Procedure

## Procedures Number: DOR-1010-041C

### Service Access Policy and Procedures for Customers and/or Companions with Disabilities

Effective Date: 07/26/2016

#### **Purpose**

It is the policy of the Department of Revenue (Revenue) not to discriminate on the basis of disability. Revenue has adopted a grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA). Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. Title II of the ADA prohibits discrimination on the basis of disability in the provision of services, activities, programs or benefits by state and local governments. The law and regulations may be examined in the office of Revenue's Section 504/ADA External Relations Coordinator (850-717-6749), who has been designated to coordinate the efforts of Revenue to comply with Section 504 and Title II of the ADA.

Any customer and/or companion who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for Revenue to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

#### **Procedures**

##### **A. General Requirements**

- Grievances must be submitted to the Section 504/ADA External Relations Coordinator no later than sixty (60) calendar days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.
- The Section 504/ADA External Relations Coordinator (or designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504/ADA External Relations Coordinator will maintain the files and records relating to such grievances.
- The Section 504/ADA External Relations Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- The person filing the grievance may appeal the decision of the Section 504/ADA External Relations Coordinator by writing to Revenue's Executive Director within

15 days of receiving the Section 504/ADA External Relations Coordinator decision. The grievance may be forwarded to:

Section 504/ADA External Relations Coordinator  
Office of the Executive Director  
5050 W. Tennessee Street, Mail Stop 1-1614A  
Tallahassee, FL 32399-0102  
Fax: (850) 488-0024  
[504ADAExternalRelationsCoordinator@dor.state.fl.us](mailto:504ADAExternalRelationsCoordinator@dor.state.fl.us)

- The Executive Director shall issue a written decision in response to the appeal no later than 30 days after its filing.
- All written complaints received by the Section 504/ADA External Relations Coordinator will be retained for one anniversary year after the grievance is resolved.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights or other applicable federal agency.

### ***B. Arrangements***

Revenue will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504/ADA External Relations Coordinator (or designee) will be responsible for such arrangements.

### **Definitions**

Customer – An individual or the representative of an individual seeking Revenue services or visiting a Revenue facility where customers are seen.

Companion – An individual (family member, friend, or associate) with whom a Revenue employee will communicate, designated to accompany or assist in a helpful capacity, a customer with disabilities at a Revenue facility.

## Authority/References

Sections [20.05](#) and [20.21](#), Florida Statutes

Chapter [760.08](#), Florida Statutes

Rule [12-3.007](#), Florida Administrative Code

Section 504 of the Rehabilitation Act of 1973

Americans with Disabilities Act

[Service Access Policy and Procedures for Customers and/or Companions with Disabilities](#)

[Customer or Companion Communication Assessment and Auxiliary Aid and Service Record Form](#)

[Customer or Companion Request Feedback Form](#)

[Request by Customer or Companion for Waiver of Free Communication Assistance Form](#)

## Communication and Training

<b>Audience</b>	<b>Actions To Be Taken</b>	<b>Expected Implementation Date</b>
Employees	LMS acknowledgment	Annually
New employees	New hire paperwork	On-boarding
Supervisors	New supervisory training; Supervisor 411	On-boarding and ongoing
Section 504/ADA External Employee Point of Contact	Training	Targeted and ongoing

## Key Agency Contact

Section 504/ADA External Relations Coordinator

Office of the Executive Director

5050 W. Tennessee Street, Mail Stop 1-1614A

Tallahassee, FL 32399-0102

Fax: (850) 488-0024

[504ADAExternalRelationsCoordinator@dor.state.fl.us](mailto:504ADAExternalRelationsCoordinator@dor.state.fl.us)

## Revision History

“If you think this policy should be revised please complete the *“Request for Waiver of Requirements, Clarification of Exemption, or Policy Revision form”*:

<http://dorweb01/library/EXEC/strategy/RequestForWaiverOfRequirements.doc>

<b>Origination Date</b>	<b>Explanation</b>
July 2016	New procedures
<b>Last Reviewed Date</b>	<b>Explanation</b>