

# SUPREME COURT OF APPEALS OF WEST VIRGINIA

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## AMERICANS WITH DISABILITIES ACT (ADA) GRIEVANCE PROCEDURE

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### WHO MAY FILE

Any person with a disability who believes that he or she has been the subject of disability-related discrimination in the employment practices and policies or the provision of services, activities, programs, or benefits of the West Virginia Supreme Court of Appeals or the unified court system, may file a grievance (complaint) with the West Virginia Supreme Court of Appeals ADA Coordinator by completing form SCA-ADA-03.

### PROCEDURE

#### ***Step 1. The Written Grievance.***

The grievance should be in writing and signed by the complainant. It should contain the date(s) and location of the occurrence; a detailed description of the alleged disability-related discrimination; the names(s) of any court personnel involved; and the name, address and telephone number of the complainant.

The grievance should be filed with the ADA Coordinator within 60 days of the alleged disability-related discrimination:

ATTN: ADA Coordinator  
West Virginia Supreme Court of Appeals Administrative Office  
Bldg. 1, Room E-100  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0145  
Telephone: 304-558-0145 (Voice)  
304-558-4219 (TTY)

#### ***Step 2. Informal Meeting with the ADA Coordinator.***

Within 30 days of receipt of the grievance, the ADA Coordinator or other authorized representative will meet separately with the complainant and the court personnel who were involved to seek an informal resolution of the grievance. Within 15 days of this meeting, the ADA Coordinator will respond in writing, describing the results of the informal meeting and explaining how any agreed resolution of the grievance will be implemented. If the informal meeting is not successful in reaching a resolution, the ADA Coordinator will include in the response an explanation of the issues and provide suggested alternatives for the resolution of the grievance.

**Step 3. Appeal to the Administrative Director.**

Not later than 30 days after receipt of the written response of the ADA Coordinator, if the complainant and/or court personnel involved are not satisfied, they may file a written appeal with the Administrative Director:

Administrative Director  
West Virginia Supreme Court of Appeals Administrative Office  
Bldg. 1, Room E-100  
1900 Kanawha Blvd. East  
Charleston, WV 25305-0145  
Telephone: 304-558-0145 (Voice)  
304-558-4219 (TTY)

The appeal must include a copy of the ADA Coordinator's response and the complainant's and/or court personnel's proposed alternative resolution.

Within 15 days of receipt of the written appeal, the Administrative Director shall make the final administrative decision as to resolution, and shall notify the complainant and involved court personnel of the decision.

Alternative means for filing a grievance and for sending the written responses will be made available upon request.