

TOWN OF ORANGETOWN

NON-DISCRIMINATION POLICY AND GRIEVANCE PROCEDURE, RELATING TO COMPLAINTS OF DISCRIMINATION OF THE BASIS OF DISABILITY

(Adopted in accordance with Section 504 of the Rehabilitation Act of 1973, as amended [29 U.S.C. 794, et seq.]

Policy

It is the policy of the Town of Orangetown not to discriminate on the basis of disability. The Town of Orangetown has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. The Law and Regulations may be examined in the Office of Human Resources Coordinator, who has been designated to coordinate the efforts of the Town of Orangetown to comply with Section 504.

Any person 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 the Town of Orangetown to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

Procedure

Any person 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 the Town of Orangetown to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

Grievances must be submitted to the Town Human Resources Coordinator (who shall serve as the "Section 504 Coordinator") within 15-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.

The Section 504 Coordinator (or her/his 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 Coordinator will maintain the files and records of the Town of Orangetown relating to such grievances.

The Section 504 Coordinator will issue a written decision within 15-days of the completion of his/her investigation, and, in no event, later than 60-days after the filing of the grievance.

The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Town Supervisor, or his designated representative, within 15-days of receiving the Section 504 Coordinator's decision. The Town Supervisor, or his designee, shall issue a written decision in response to the appeal no later than 30-days after its filing.

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.

The Town of Orangetown 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 Coordinator will be responsible for such arrangements.

The procedure set forth above is not intended to supersede the Grievance Procedure set forth in the Collective Bargaining Agreements in force and effect between the Town and the Town's unions. In the event of an employee discrimination claim, cognizable under § 504, the aggrieved party may follow either grievance procedure, at his or her option.