

Town of Thurston



7578 County Route 333
Campbell, NY 14821

Grievance Policy in Compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990

Background

The Town of Thurston has received Community Development Block Grant (CDBG) funds and plans to apply for CDBG funds in the future from the U.S. Department of Housing and Urban Development (HUD). Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination on the basis of disability in programs and activities conducted by HUD or that receive financial assistance from HUD. This includes the Community Development Block Grant. The Act mandates that no qualified individual shall, solely by reason of their handicap, be excluded from program participation, including employed, be denied program benefits, or be subjected to discrimination. The Americans with Disabilities Act of 1990 (ADA) enacts provisions for assuring equality or opportunity, full participation, independent living, and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities, and multi-family housing.

Section 504 Policy/Compliance

Part 8 of Title 24 of the Code of Federal Regulations (24CFR) requires the adoption and notice/publication of ADA grievance procedures for recipients with 15 or more employees. It is the policy of the Town of Thurston not to discriminate on the basis of disability. The Town Board of Thurston has adopted a grievance procedure (outlined below) providing for prompt and equitable resolutions of complaints regarding allegations of actions outlawed by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). The subject law, regulations, and resolutions may be examined in the Town Clerk's Office located in Town Hall 7578 County Route 333 Campbell, NY 14821. The Town Clerk has been designated as the Town's Section 504 Coordinator to ensure the Town meets Section 504 compliance. The Town's Section 504 Coordinator can be reached at (607) 527-4494 or thurston.clerk@gmail.com.

The following grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act as amended and the Americans with Disabilities Act of 1990 (ADA).

According to these laws, the Town of Thurston, New York, certifies that all citizens shall have the right to submit a grievance on the basis of disability policies or practices regarding employment, services, activities, facilities, or benefits provided by the Town of Thurston, New York.

When filing a grievance, citizens must provide detailed information to allow an investigation to occur. The grievance must be in writing and must include the date, location, and description of the problem along with the name, address, and telephone number of the complainant. The complaint must state the problem or action alleged to be discriminatory and the solution sought. The Town of Thurston, upon request will make appropriate arrangements to ensure that disabled persons are provided alternative means of filing complaints, such as but not limited to personal interviews, taped recordings, interpreters for the deaf, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements. The complaint should be submitted by the complainant or their designee as soon as possible, but no later than sixty (60) days after the alleged violation. Complaints must be signed and sent to:

Town Clerk, Section 504 Coordinator
Town of Thurston
7578 County Route 333
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(607) 527-4494

The Section 504 Coordinator (or their 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 Thurston relating to such grievances.

The Section 504 Coordinator will issue a written decision on the grievance no later than thirty (30) days after its filing. Where appropriate, the response shall be in a format accessible to the complainant.

If the response by the Section 504 Coordinator does not satisfactorily resolve the issue, the complainant or their designee may appeal the decision of the Section 504 Coordinator. Appeals must be made in writing to the Town of Thurston Town Board within fifteen (15) days of receiving the Section 504 Coordinator's decision. The Town Board shall issue a written decision in response to the appeal no later than thirty (30) days after its filing. Where appropriate, the response shall be in a format accessible to the complainant.

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.

It is against the law for the Town of Thurston to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.