

CITY OF AUBURN

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

Background: The City of Auburn receives Community Development Block Grant funds on an entitlement basis from the U.S. Department of Housing and Urban Development. Section 504 of the Rehabilitation Act of 1973 as amended, prohibits discrimination on the basis of disability in program and activities conducted by the U. S. Department of Housing and Urban Development (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 his or her 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 of 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 with 15 or more employees. It is the policy of the City of Auburn not to discriminate on the basis of disability. The City Council of Auburn has adopted a grievance procedure 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) of the U.S. Department of Health and Human Services regulations implementing the Act. The subject law, regulations, and resolutions may be examined in the City Clerk's Office located in City Hall, 24 South Street, Auburn, NY 13021. The City Clerk has been designated as the City's Section 504 Coordinator to ensure the City meets Section 504 compliance. The City's Section 504 Coordinator is also located at City Hall and can be reached at (315) 255-4100.

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 City of Auburn, 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 City of Auburn, 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 City of Auburn, 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 his/her designee as soon as possible, but no later than 60 days after the alleged violation. Complaints must be signed and sent to:

City Clerk, Section 504 Coordinator
City of Auburn
24 South Street
Auburn, NY 13021
(315) 255-4100

The Section 504 Coordinator (or his/her 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 City of Auburn relating to such grievances.

The Section 504 Coordinator will issue a written decision on the grievance no later than 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 his/her designee may appeal the decision of the Section 504 Coordinator. Appeals must be made in writing to the City of Auburn's City Council within 15 days of receiving the Section 504 Coordinator's decision. The City Council shall issue a written decision in response to the appeal no later than 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 City of Auburn to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.