

Village of Phoenix Section 504 Policy/Grievance Procedures and Notice

Policy

It is the policy of the Village of Phoenix not to discriminate on the basis of disability. The Village of Phoenix 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). 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 the Village Administrator, at the Village of Phoenix, 455 Main Street, Phoenix, New York 13135, and the Village Administrator has been designated as Section 504 Grievance Coordinator to coordinate the efforts of the Village of Phoenix 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 Village of Phoenix to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

Procedure

- Grievances must be submitted to the Section 504 Coordinator within 90 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 Village relating to such grievances.
- The Section 504 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 Coordinator in writing to the Mayor of the Village within 30 days of receiving the Section 504 Coordinator's decision. The Mayor 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 New York State Division of Human Rights or any other New York State or Federal agency or court or similar body or person having original jurisdiction over any such claims and not requiring as a condition precedent the filing of a grievance and/or appeal hereunder.

- The Village of Phoenix 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 Section 504 Coordinator is the Village Administrator. The Section 504 Coordinator can be contacted, and grievances may be filed at: [Village Administrator at jlynch@villageofphoenix-ny.gov](mailto:jlynch@villageofphoenix-ny.gov), or by mail at the Village of Phoenix, 455 Main Street, Phoenix, New York 13135. The office can be reached by phone at (315) 695-1307 between 9:00am to 4:00 pm Monday – Friday).

Adopted July 5th 2016

Village of Phoenix Village Board