

TOWN OF HAMDEN GRIEVANCE PROCEDURE  
FOR PERSONS WITH DISABILITIES

The Town of Hamden has implemented this grievance procedure to provide for the fair and timely resolution of any complaints by persons who have disabilities and who grieve or protest any alleged violation of the Town's obligations under the Americans with Disabilities Act.

INFORMAL RESOLUTION

Persons with Disabilities who believe that the Town of Hamden or any of its officers, employees or agents have failed to meet their obligations to operate in a non-discriminatory manner, to provide effective communications, to ensure that programs and activities are readily accessible and usable, or to afford equal employment opportunity are encouraged to make their complaints known. It is recommended that complaints be brought to the attention of supervisory personnel in the program or the department directly involved.

FORMAL RESOLUTION – STAGE I

If a satisfactory resolution is not achieved, or if the aggrieved person chooses not to seek such an informal resolution, a formal complaint may be submitted in writing within (60) calendar days of the occurrence of the discriminatory action or condition to the ADA Coordinator or the Mayor's designee.

Chris Marchand  
Community Development Manager/ADA Coordinator  
Keefe Community Center  
11 Pine Street  
Hamden, CT 06514

Voice: 203-776-5978

TTY: 800-847-9710

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A written complaint should include:

1. The name(s) and address(es) of the person(s) submitting the complaint;
2. A short description of discriminatory action or condition;
3. The date, time and place of occurrence;
4. The names of any parties involved directly or as witnesses;
5. The nature of the complainant's disability.

Any assistance needed in filling out the complaint or explaining this grievance procedure may be provided on request by the ADA Coordinator, or the Mayor's designee. Alternatives to written and spoken English may also be requested if necessary to ensure effective communication during the grievance process.

Within (14) calendar days of receipt of the complaint, the ADA Coordinator or the Mayor's designee will meet with the complainant to discuss the complaint and possible resolutions. Within (14) calendar days following such meeting, the ADA Coordinator or Mayor's designee will submit a response in writing to the complainant by certified mail.

If the Town proposes a resolution which is accepted by the complainant, a letter accepting the terms of the agreement will be prepared by the Town and signed by the complainant, the ADA Coordinator or the Mayor's designee, and any Department Head Party to execution of the agreement. Any proposed resolution involving expenditure of funds which have not been appropriated shall be advisory only and shall not be binding upon the Town unless the Mayor has requested an appropriation of funds to implement such resolution from the Legislative Council and the Council approves such request.

The Town ADA Coordinator will report to the Chairperson of the Hamden Commission on Disabilities, the status of all informal resolutions and a copy of all formal resolutions-stage 1 grievances that are resolved satisfactorily.

#### FORMAL RESOLUTION – STAGE 2

If the complainant is not satisfied with the proposed resolution, an appeal may be initiated within (14) calendar days of receipt of the written proposed resolution. A simple statement that the complainant wishes to appeal an unsatisfactory ruling by the ADA Coordinator, or the Mayor's designee, must be sent to the Chairperson of the Hamden Commission on Disabilities, with a copy of the original complaint and the reply of the ADA Coordinator.

The Chairperson of the Hamden Commission on Disabilities shall be responsible for scheduling the hearing, notifying the Town official against whom the complaint is filed, the complainant and members of the Hamden Commission on Disabilities of the date, time and place of the hearing, and reporting the decision of the Commission, in writing, to the complainant.

A hearing shall be scheduled within (30) calendar days of receipt of the appeal, and a written decision shall be rendered within (30) calendar days of the conclusion of the hearing. The complainant, the Town official against whom the claim was filed, and the Hamden Commission on Disabilities shall have the right to present witnesses whose testimony is relevant to the issues on appeal.

Within (30) calendar days of the conclusion of the hearing, the Hamden Commission on Disabilities shall render a written decision. This decision may include a proposed resolution. If said proposed resolution is acceptable to the complainant and to the Department Head involved in the complaint, a written memorandum outlining such resolution shall be prepared and executed by the complainant, the Department Head and the Chairperson of the Hamden Commission on Disabilities. Nothing shall preclude the parties from reaching any other acceptable resolution other than the resolution proposed by the Hamden Commission on Disabilities. Any proposed resolution involving expenditure of funds which have not been appropriated, shall be advisory only, and shall not be binding upon the Town unless the Mayor has recommended the approval of appropriation of funds to implement such resolution to the Legislative Council and the Council has approved such appropriation.

In the event a complaint is not resolved through this grievance procedure, a complainant shall be advised, in writing, that he/she may have further rights and/or remedies under the provisions of the Americans with Disabilities Act.

How to file complaints:

**Title I.** Complaints about violations of **Title I** (employment) should be filed with:

Equal Employment Opportunity Commission

Program Development and Technical Assistance Division

Office of Program Operations

1801 "L" Street, N.W.

Washington, D.C. 20507

1-800-669-4000 (voice)

TDD: use relay service

**Title II.** Complaints about violations of **Title II** should be filed with:

U.S. Department of Justice

Civil Rights Division

Coordination and Review Section

Post Office Box 66118

Washington, D.C. 20035-6118

1-800-514-0301 (voice)

1-800-514-0383 (TDD)

The Mayor shall be notified, in writing, of all complaints not resolved by the ADA Coordinator.

It is the expressed intent of the Town to resolve all complaints within the time periods set forth in this grievance procedure. However, the time for action specified in this grievance procedure may be extended if, in the opinion of the ADA Coordinator, or the Mayor's designee, or the Chairperson of the Hamden Commission on Disabilities, there is good cause or extraordinary circumstances to extend the time for action set forth in this grievance procedure. The complaint and the Town official against whom the complaint was filed shall be notified in writing of such extension of time and the reason(s) therefore.

A copy of the grievance procedure shall be posted in a prominent place in all Town Departments, work places, and places of public assembly.

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