

## **GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1991 (ADA). This procedure may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Town of Upton.

The complaint should be in writing and contain information about the alleged discrimination including name, address, phone number of complainant and location, date and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to: Town of Upton ADA Coordinator, Janice Read Nowicki, 508-529-4558, [jnowicki@uptonma.gov](mailto:jnowicki@uptonma.gov). Within 15 calendar days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant such as large print, Braille, or audio tape. The response will explain the position of the Town of Upton and offer options for substantive resolution of the complaint.

If the response by the Town of Upton does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Town of Upton's Town Manager. Within 15 calendar days after receipt of the appeal, the Town of Upton's Town Manager will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days after the meeting, the Town of Upton's Town Manager will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Town of Upton's ADA coordinator, appeals to the Town Manager and responses from these two offices will be retained by the Town for at least three years.

The Town of Upton's Personnel By-Law governs employment may be found at [here](#) .

Residents are encouraged to contact the Upton Disability Commission for support, resources, and information regarding their needs, complaints, or concerns. The Commission meets monthly to discuss issues of access and inclusion and can be contacted directly via email at [Disabilitycomm@uptonma.gov](mailto:Disabilitycomm@uptonma.gov).

Approved 7/14/20