



ADA GRIEVANCE PROCEDURE

The Town of Dalton has adopted an informal grievance procedure providing for prompt and equitable resolution of complaints alleging any violation of state or federal laws and regulations protecting individuals from discrimination based on disability in the provision of government programs, activities and services. The process established here does not substitute the more formal Massachusetts Commission Against Discrimination (MCAD) or appropriate federal Office of Civil Rights (OCR) complaint processes, and complainants may pursue complaints at those venues at any time.

Complaints related to employment are governed by the ODEO's *Guidelines for Implementing Executive Order 592*, and are not subject to the following grievance procedures.

- Complaints may be submitted to Town of Dalton, Alyssa Maschino, at 462 Main Street, Dalton, MA 01226, 413-684-6111 ext. 202, amaschino@dalton-ma.gov. This person has been designated to coordinate resolution of complaints alleging discrimination based on disability in the provision of the agency's programs, activities and services.
- A complaint must state the name, address, telephone number, and email address of the person filing the complaint and a brief description of the alleged discriminatory action and the date the action allegedly occurred.
- A complaint should be submitted within a reasonable amount of time, but no more than 20 business days, after the action alleged to be legally prohibited.
- The ADA Coordinator shall investigate the complaint to determine its validity. These rules contemplate informal but thorough investigations. Complainants should be given a meaningful opportunity to submit evidence relevant to the complaint.
- The ADA Coordinator shall issue a written decision determining the validity of the complaint no later than 20 business days after its receipt. Where circumstances warrant, the ADA Coordinator will issue a corrective action plan with the decision. A copy of the decision, and any attached corrective action plan, will be provided to the complainant, the agency head and the agency's general counsel.
- The ADA Coordinator shall maintain the files and records relating to complaints filed hereunder in accordance with the Massachusetts Statewide Records Retention Schedule.
- If the complainant is dissatisfied with the decision or corrective action plan, they may appeal the decision to the Dalton ADA Committee at 462 Main Street, Dalton, MA 01226 within 10 business days after the date the decision was issued.
- The ADA Committee shall review the decision and corrective action plan, conduct such additional investigation as s/he deems appropriate to the circumstances, and issue a written decision affirming, reversing or modifying the original decision and/or



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corrective action plan within twenty [20] business days after receipt of the matter. The ADA Committee shall send a copy of the decision, and any attached corrective action plan, to the complainant, the agency ADA Coordinator, the agency head and the agency's general counsel.

- If the complainant is dissatisfied with the ADA Committee's decision, he or she may request review by the Massachusetts Office on Disability (MOD). Requests for review by MOD may be sent to Julia O'Leary, MOD General Counsel, at Julia.e.Oleary@mass.gov, or by mail to:
Massachusetts Office on Disability
Attn: General Counsel
1 Ashburton Place, Room 1305
Boston, MA 02108
- The Massachusetts Office on Disability has twenty 20 business days to review the matter and issue a written decision affirming, reversing, or modifying the original decision and/or corrective action plan. If more time is needed, the Massachusetts Office on Disability will notify the complainant of the reasons for the delay and when a decision should be expected. The Grievance will be considered closed upon the issuance of MOD's written decision.
- If a complainant files a complaint with the MCAD, the appropriate federal OCR and/or any other federal and/or state entity or any state or federal court regarding the same facts and circumstances, the complaint filed under these Grievance Procedures will be deemed administratively closed, and the resolution process under these Grievance Procedures will be terminated.
- These rules shall be liberally construed to protect the rights of interested persons, to meet appropriate due process standards and assure compliance with the law and regulations.

Thomas W. Hutcheson – Chief Administrative
Officer

Town of Dalton
462 Main Street
Dalton, MA 01226
413-684-6111