



Town of Lancaster
Office of the Board of Selectmen
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TOWN OF LANCASTER

AMERICANS WITH DISABILITIES ACT
GRIEVANCE PROCEDURE

The following procedure has been developed with the intent of providing a mechanism for the resolution of grievances alleging discrimination on the basis of a disability relevant to services, programs and activities (excluding personnel administration, which is covered using established EEO grievance procedure). The use of this grievance procedure does not preclude an individual from utilizing those other remedies to which he/she is entitled such as filing a complaint with the U. S. Department of Justice or any other appropriate federal agency, nor is the use of this grievance procedure a prerequisite to the pursuit of other remedies. However, to register a grievance with a federal agency, the complaint must be filed within one hundred and eighty (180) days of the alleged infraction.

Where a dispute exists as to whether a particular matter is subject to coverage by this complaint procedure, the Town of Lancaster reserves the right to make final judgement on the question through the ADA Coordinator. Application of these procedures will be denied in instances where the dispute is not covered by the procedure, where the appealing party is not involved, where there is no issue of alleged discrimination, or where there is good reason to believe that the grievance has been brought in bad faith.

1. All complaints regarding alleged discrimination in violation of the relevant section of the Americans with Disabilities Act must be submitted in writing to the ADA Coordinator within thirty (30) days of the alleged violation. The ADA Coordinator shall investigate the allegation and maintain a record of his/her actions as well as all other necessary data. The ADA Coordinator shall issue a decision and, when applicable, recommendations, within fifteen (15) work days from the receipt of the complaint. The ADA Coordinator shall forward his/her response to the complaint(s) and the Lancaster Commission on Disability (LCOD) and Building Commissioner.
2. Upon the receipt of the ADA Coordinator's decision, the LCOD, shall within thirty (30) working days review and issue additional guidance in an appropriate fashion, including, but not limited to, implementing recommendations, referring recommendations for further input/study, and/or convening an informal hearing. The LCOD shall make this response within thirty (30) days of the receipt of the ADA Coordinator's decision with written notification to both the ADA Coordinator and the complainant.

3. The complainant(s) may appeal the decision of the ADA Coordinator, after LCOD hearing, by written notice to the Board of Selectmen within thirty (30) days of the issuance of the decision. This appeal will initiate an informal hearing as stipulated above. The hearing must be held within a reasonable time, not exceeding thirty (30) days from the receipt of the appeal.
4. The Board of Selectmen will hold an open public hearing following the established rules of public notice and hearing procedure. The hearing will be convened within thirty (30) days of the receipt of the appeal. After hearing testimony and receiving relevant documentation, the Board of Selectmen shall render their decision through majority vote within thirty (30) days of the hearing. The decision of the Board of Selectmen is final.

The responsible official at each level of grievance resolution shall ensure the proper recording and maintenance of the records, minutes, and/or investigation materials.