ATTACHMENT C

RESOLUTION 2012-007

GRIEVANCE PROCEDURE (12/7/12)

For the City of Donnelly

2012- 2013

The following grievance procedure is established by the City of Donnelly and to update the Cities' 1996- and 2000 procedures to meet requirements as set forth by Title VI of the Civil Rights Act of 1964, the American Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987 as amended.

HOW IS A DISCRIMINATION COMPLAINT FILED?

Complaints may be filed by any person who believes that he or she has been excluded from participation in, been denied the benefits of, or otherwise subject to discrimination under any City of Donnelly's services, programs or activities and believes the discrimination is based upon race, color, national origin, gender, age disability, economic status or limited English proficiency. Complaints will be accepted in writing only, and may be filed with the City of Donnelly's Title VI coordinator, (currently the City Clerk.)

A signed written complaint must be submitted with 180 days of the alleged discriminatory act (or latest occurrence). Individuals may also file complaints with the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA) and/or the Federal Transit Administration (FTA) within the 180 day timeframe. The complaint should contain:

1. Name, address, telephone number, and signature of complainant.
2. Facts and circumstances surrounding the claimed discrimination, including date of allegations, and basis of complaint (i.e., race, color, national origin, gender, age, disability).
3. Any names of persons, if known, that the investigator could contact for additional information to support or clarify the allegations.
4. Corrective action being sought by the complainant

HOW WILL A COMPLAINT BE RESOLVED?

Within ten (10) days of receiving a written complaint, the City will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation. Within 60 days the City Clerk and the Mayor will conduct an investigation and render a recommendation for action. If it is determined that the City has jurisdiction of the complaint, it will investigate and make recommendations for resolving it. Otherwise the complaint will be forwarded to the ITD/FHWA/FHA for investigation.

Within 90 days of receipt of the complaint the City will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ITD, USDOT, if they are dissatisfied with the final decision rendered by the City. The City will provide ITD with a copy of this decision and summary of findings upon completion of the investigation.

WHAT IF A RECIPIENT RETALIATES AGAINST THE COMPLAINANT FOR FILING A COMPLAINT?

Federal laws prohibit a recipient of federal funds from retaliating against any person who has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing. Any complaints of retaliation should be directed to ITD's EEO Office immediately at:

Idaho Transportation Department

Equal Employment Opportunity Office – External Programs

EEO Manager, Diane Steiger

PO Box 7129

Boise, ID 83707-1129

208-334-8266; or (Russ Rivera at 208-334-8152)

Federal Highway Administration

Idaho Division Office

3050 Lakeharbor Lane Suite 126

Boise, ID 83703

208-334-9180

City Adoption date: Regular City Council Meeting on 12/17/12

Mayor Brad Backus: _____

ATTEST: Judy Linman, City Clerk: _____