

| | | |
|-----------------------------------------------|--------------------------------|---------------------------------------|
| CLARK REGIONAL WASTEWATER DISTRICT | PROCEDURE #001-2023 | Civil Rights Grievance Process |
| | CRWWD Code: | OTHER: |

GRIEVANCES AND COMPLAINTS

If a request for access to District programs, services or facilities, or a complaint regarding the equitable delivery of its programs and services is not resolved to the individual’s satisfaction, that individual may file a grievance with the District. The District has adopted this procedure to provide for the prompt and fair resolution of civil rights complaints alleging any action that is prohibited by the Civil Rights Act, the Americans with Disabilities Act, and or other federal and state laws regarding the delivery of equitable and accessible services.

The resolution of any specific grievance will require consideration of varying circumstances, such as the nature of the equitability of or access to services, programs or facilities of issue, and the essential eligibility requirements for participation; the health and safety of others; the specific nature of the disability; and the degree to which an accommodation would constitute a fundamental alteration to the program, service or facility, or cause an undue hardship to the District. Accordingly, the resolution by the District of any one grievance does not constitute a precedent upon which the District is bound or upon which other complaining parties may rely.

Grievance Process

Step 1 – Grievance Submission. An individual wishing to submit a grievance should use the District’s Discrimination Complaint Form on-line, www.CRWWD.com/documents/Discrimination-Complaint-Form.pdf and which is also available by contacting the Nondiscrimination Compliance Coordinator (NCC) (Coordinator). If the grievance is not filed on the Discrimination Complaint Form, it should nonetheless contain the following information:

1. The name, address and telephone number of the person filing the grievance.
2. The name, address and telephone number of the person alleging the violation, if other than the person filing the grievance.
3. A description of the alleged violation.
4. A description of the remedy sought.
5. Information regarding whether a complaint has been filed with the Department of Justice or other federal or state civil rights agency or court, including the following information:
 - a. The name of the agency or court where the complaint was filed,
 - b. The date the complaint was filed, and
 - c. The name, address, and telephone number of a contact person with the agency or court.
6. An oral grievance can be filed by contacting the NCC. The oral grievance will be reduced to writing by the NCC utilizing the Discrimination Complaint Form and will be provided to the grievant for signature.

Step 2 - Acknowledgement.

The grievance will be acknowledged in writing within seven (7) business days of its receipt.

Step 3 - Complaint Logging.

| | | |
|-----------------------------------------------|--------------------------------|---------------------------------------|
| CLARK REGIONAL WASTEWATER DISTRICT | PROCEDURE #001-2023 | Civil Rights Grievance Process |
| | CRWWD Code: | OTHER: |

All complaint submittals meeting the requirements in Step 1 are to be logged. The NCC shall also notify the relevant program manager(s) of the grievance.

Step 4 – Initial Review and Determination if complaint warrants investigation.

All logged complaints will receive an appropriate, prompt, and unbiased investigation. Within 45 calendar days of receipt, the Coordinator will conduct an initial investigation necessary to determine the validity of the alleged violation.

Step 5 – Informal Resolution.

If appropriate, the Coordinator will arrange to meet with the grievant to discuss the matter and attempt to reach an informal resolution of the grievance. Any informal resolution of the grievance will be documented in the District’s Grievance File.

Step 6 – Further Investigation.

If a resolution has not been reached, the Coordinator will conduct further investigation in order to support a determination regarding the grievance.

Step 7 – Determination.

Within 60 calendar days of receipt, a written determination shall be issued by the Coordinator, a copy of which shall be forwarded to the grievant. The determination shall address the validity of the complaint and description of the findings of the investigation.

Step 8 – Reconsideration.

Within 30 calendar days of the determination, the grievant may request reconsideration if they are dissatisfied with the written determination and or resolution. The request for reconsideration shall be submitted in writing to the Coordinator.

Step 9 – Final Determination.

Within 60 days from the grievant filing of the request for reconsideration, the General Manager shall review the request and make a final determination. The determination shall be made in writing, a certified copy of which shall be provided to the grievant.

Step 10 – Appeal.

Within 21 days of the date of the General Manager's final determination, the grievant may appeal the final determination to the District Board of Commissioners (Board). The appeal shall be submitted in writing to the Coordinator.

Step 11 – Board Review.

| | | |
|-----------------------------------------------|--------------------------------|---------------------------------------|
| CLARK REGIONAL WASTEWATER DISTRICT | PROCEDURE #001-2023 | Civil Rights Grievance Process |
| | CRWWD Code: | OTHER: |

Within 30 calendar days of the filing of the appeal, District shall schedule a date for the appeal to be considered by the Board. The grievant shall be notified in advance of the meeting date, in writing.

Step 12 – Issuance. Within 30 calendar days of the Board meeting, the Board shall issue a written decision, a copy of which shall be provided to the grievant.


Legal Complaint

If the grievant is dissatisfied with the District’s handling of the grievance at any stage of the process or does not wish to file a grievance through the Civil Rights Grievance Procedure, the grievant may file a complaint directly with the United States Department of Justice, or other appropriate state or federal agency or court. Use of the District’s grievance procedure is not a prerequisite to the pursuit of other remedies.

Records Retention

The District’s Nondiscrimination Compliance Coordinator shall maintain all documents on file for civil rights grievances for:

- a period of three (3) years Or
- until the complaint is resolved when any complaint or other action for alleged failure by the District to comply with 40 CFR Part 7 is brought before the three (3) year period ends.

| | | |
|----------------------------------------------|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| PREPARED BY: Business Services | REVIEWED BY: All Departments | GENERAL MANAGER APPROVAL:  |
| EFFECTIVE: | | 05/15/23 |
| REVIEW DATE: | | |