

**GRIEVANCE PROCEDURE FOR COMPLAINTS RELATING TO SUSPECTED
ALLEGATIONS OF DISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL
ORIGIN, SEX, AGE, DISABILITY, MARITAL STATUS, SEXUAL ORIENTATION, AND
GENDER IDENTITY IN CITY OF HAZARD, PERRY COUNTY, KENTUCKY**

Any person Employee or Citizen who believes that he/she has been subjected to discrimination as prohibited by requirements of 40 C.F.R. Parts 5 and 7 (Non-discrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1973, Title II of the Americans with Disabilities Act of 1990, and other applicable federal non-discrimination laws, including, but not limited to, Section 13 of the Federal Water Pollution Control Act Amendments of 1972, may personally or by a representative, file a complaint with the Mayor, Donald “Happy” Mobelini, City of Hazard, Perry County, Kentucky. A person who has not personally been subjected to discrimination may also file a complaint.

When any person, Employee, Citizen or Applicant who believes he/she has been adversely affected by an act or decision by the City of Hazard, Kentucky, and that such act or decision was based on race, color, national origin, sex, age, disability, marital status, sexual orientation, or gender identity, he/she will have the right to process a complaint or grievance in accordance with the following procedure. Further, the City of Hazard provides assurance of a prompt and fair resolution of complaints which allege violation of federal non-discrimination laws.

Any individual who files a complaint or testifies, assists, or participates in a non-discrimination investigation, proceeding, or hearing may not be intimidated or retaliated against by the City of Hazard for the purpose of interfering with any right or privilege guaranteed by the Civil Rights Act of 1964, Section 504, or any other federal, state, or local laws and regulations.

Step One: An aggrieved person must submit a written statement to the Nondiscrimination Coordinator, City Manager setting forth the nature of the discrimination alleged and facts upon which the allegation is based.

Step Two: The Nondiscrimination Coordinator shall contact the complainant no later than fifteen (15) days after receiving the written statement to establish an informal meeting with the objective of resolving the matter informally. However, in no case shall the informal meeting be conducted sooner than five (5) days or more than forty-five (45) days after receiving the written statement. The preponderance of the evidence standard will be applied during the analysis of the complaint.

There shall be prepared a written documentary of the discussions at the informal meeting, which shall be preserved in the records of the City of Hazard, Kentucky.

Step Three: Within fifteen (15) days of the informal meeting, if no decision has been made by the Nondiscrimination Coordinator, or the decision of the Nondiscrimination Coordinator does not satisfy the complainant, he/she may request a hearing with the City of Hazard City Council by submitting a written request to the Mayor, Donald “Happy” Mobelini, City of Hazard, P.O. Box 420, Hazard, KY 41702.

Step Four: In thus discussing the grievance, the complainant may designate any person of his/her choice to appear with him/her and participate in the discussion. The City of Hazard shall require the Nondiscrimination Coordinator to participate in the discussion of the grievance, when it is brought before the City of Hazard City Council. The City of Hazard City Council shall issue a

written decision on the matter within fifteen (15) days, and the decision shall be the final procedure for the complainant at the local level.

There shall be prepared a written documentary of the discussion at the hearing, which shall be preserved in the records of City of Hazard, Perry County, Kentucky.

Adopted this _____ day of _____, 2023.

Attest

Mayor