

Town of Westford Non-Employee Discrimination Complaint Procedure

If you believe you have been excluded from participation in, been denied the benefits of, or been subjected to discrimination, on the basis of race, creed, color, national origin, age, sex, disability, religion, marital status, gender, gender identity or expression, sexual orientation, veteran's status or retaliation under any Town of Westford service, program or activity, you may file a discrimination complaint with the Town's Human Resources Director/Non Discrimination Officer (hereinafter Officer).

This document outlines the complaint procedures relating the Town's provisions of programs and services. The Officer shall be responsible for the coordination and oversight of these procedures. The Officer will receive and review complaints, communicate with complainants and respondents, investigate complaints or arrange for the investigation of complaints, issue letters and notices, and perform other actions necessary to fulfill the Town's obligations under nondiscrimination statutes.

If a discrimination complaint about a Town program or service cannot be resolved informally, the complainant may file a complaint with the Officer using the procedures outlined below.

1. The complaint must be submitted to the Officer no later than 180 days after the date of the alleged discrimination.
2. A Non-Employee Discrimination Complaint Form can be obtained by downloading the form from the Town website at www.westfordma.gov. The following information is required on the complaint form, or you may submit a signed written statement that contains all of the following written information:
 - a. Your name, address and how to contact you (phone number, email address etc.)
 - b. The basis of the alleged discrimination (race, color, sex, national origin, age, disability, etc.).
 - c. The date or dates on which the alleged discriminatory event or events occurred.
 - d. A statement that describes how, why, when and where you believe you were excluded from participation in, were denied the benefits of, or were subjected to discrimination.
 - e. Include the location, names and contact information of any witnesses.
 - f. If a complaint has been filed with another agency or court, include the agency or court where it was filed with a contact name.
 - g. You or your designee must sign your letter of complaint.
3. If the complainant is unable to write a complaint, the Officer should be contacted for assistance. The Town of Westford is committed to providing open access to its services to persons with limited ability to speak or understand English or have disabilities; if requested by the complainant, the Officer will arrange language translation services.

4. The signed and dated complaint should be sent to the following address:

Town of Westford
Human Resources Director/Non-Discrimination Officer
55 Main Street
Westford, MA
Telephone: (978) 339-2915
phicks@westfordma.gov

5. A letter acknowledging receipt of the complaint will be issued to the complainant within five (5) business days of its receipt by the Officer.

6. If the complaint is outside of the jurisdiction of the Town, within ten (10) business days after receipt

of the complaint, the Officer will notify the complainant of the Town's lack of jurisdiction to address the complaint. The complainant will be notified of the name and contact information for the appropriate agency with jurisdiction, if known.

7. Complaints within the Town's jurisdiction will be investigated promptly and impartially; a preponderance of the evidence standard will be applied to the complaint investigation. Reasonable measures will be taken to preserve any information that is confidential. At a minimum, the investigation will:

- a. Identify and review all relevant documents, practices, and procedures.
- b. Identify and interview persons with knowledge of the alleged discrimination - for example, the person making the complaint, witnesses, or anyone identified by the complainant, anyone who may have been subjected to similar activity, or anyone with relevant information.

8. The Officer will review the complaint and may solicit additional information from the complainant. If the additional information is requested and not received within thirty (30) days, the case may be closed. The case may be closed if the complainant no longer wishes to pursue the case.

9. The Officer will also provide the respondent(s), such as a subrecipient of federal funds, an opportunity to respond in writing to the allegations in the complaint, along with providing any relevant documents, and names of persons with relevant knowledge.

10. Upon completion of the investigation, the Officer will prepare a final report. The investigation process and final report should be completed within 90 days of receipt of the complaint. When a Title VI violation is found to exist, corrective action will be taken immediately. The complainant and respondent will receive a copy of the final report with all required corrective actions.

11. Any person who files a complaint or testifies, assists, or participates in a discrimination complaint investigation, proceeding or hearing may not be intimidated or retaliated against by the Town for the purpose of interfering with any right or privilege guaranteed by the Civil Rights Act of 1964, Section 504, or other civil rights statutes.

12. These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination.

Town of Westford
Public Notice of Non-Discrimination

The Town of Westford is committed to a policy of non-discrimination in the conduct of its business, including meeting its responsibilities under Title VI of the Civil Rights Act, the Americans with Disabilities Act, and other federal and state laws, and to the delivery of equitable and accessible services.

It is the policy of the Town of Westford to ensure full compliance with federal nondiscrimination laws in all programs and activities. The Town of Westford does not discriminate on the basis of race, creed, color, national origin, age, sex, religion, disability, marital status, gender, gender identity or expression, sexual orientation, veteran's status, or retaliation in the administration of its programs or activities, as is required by applicable laws, regulations and executive orders.

The Town's Non Discrimination Officer is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements of Title VI of the above named 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 1972; 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, 40 C.F.R. Part 7, 23 C.F.R. Part 200, 49 C.F.R. Part 21.

Contact Information

If you have questions about this notice or any of the Town's non-discrimination programs, policies or procedures; or if you believe that you have been discriminated against with respect to a Town program or activity, you may contact the Town's Human Resources Director/Non Discrimination Officer:

Pam Hicks
Human Resources Director/Non-Discrimination Officer
Town of Westford
55 Main Street
Westford, MA 01886
(978) 399-2915

**Town of Westford
Non-Employee Discrimination Complaint Form (Title VI)**

Complainant's Name _____

Address _____ **City** _____ **Zip** _____

Telephone Number(s): _____ **E-Mail Address** _____

Person who was allegedly discriminated against (*if other than Complainant*):

Name _____

Address _____ **City** _____ **Zip** _____

Telephone Number(s): _____ **E-Mail Address** _____

Identify the protected classification(s) upon which the alleged discrimination is based:

- | | |
|--|--|
| <input type="checkbox"/> Race | <input type="checkbox"/> Color |
| <input type="checkbox"/> Creed | <input type="checkbox"/> National Origin |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Gender/Gender Identity |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Sexual Orientation |
| <input type="checkbox"/> Age | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Veteran's Status |
| <input type="checkbox"/> Retaliation | |

On what date(s) did the alleged discrimination take place?

-

Where did the alleged discrimination take place?

Describe the alleged discrimination. What happened and who (name and title if known) you believe

was responsible? (*If more space is needed, attach additional documents*): _____

Have you filed your complaint with another federal, state, or local agency, or with a federal or state court?

- Yes**
- No**

If the answer is yes, check all that apply and include the filed complaint information:

Federal Agency _____ **Federal Court** _____

State Agency _____ **State Court** _____

Other _____

Complaint information: _____

If you have an Attorney in this matter, please provide the following contact information?

Name _____

Address _____ **City** _____ **Zip** _____

Telephone number _____ **E-Mail** _____

Sign this complaint in the space below. You may attach additional documents or material you believe support your complaint.

Signed _____

Date: _____

Complainant signature

Mail to: **Pam Hicks**
 Human Resources Director/Non Discrimination Officer
 Town of Westford
 55 Main Street
 Westford, MA 01886

Or email:
phicks@westfordma.gov

NOTE: If assistance completing this form is needed, contact the Town of Westford's Human Resources Department by phone at (978) 339-2915 or in person at Town Hall, 55 Main Street, Westford, MA 01886.