

**RESOLUTION NO \_\_\_\_\_**

**A RESOLUTION ESTABLISHING A JONESBOROUGH NON-DISCRIMINATION  
POLICY AND GRIEVANCE PROCEDURE AND CLARIFYING THE  
DISCRIMINATION GRIEVANCE PROCEDURE IN THE  
TOWN PERSONNEL POLICY**

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits the discrimination of any person by a community based on race, color or natural origin under any program or activity receiving federal funding assistance, and

WHEREAS, it is a priority of the Jonesborough Board of Mayor and Aldermen to be in compliance with Federal Title VI and ADA guidelines, then,

NOW THEREFORE BE IT RESOLVED by the Jonesborough Board of Mayor and Aldermen that the following Title VI Policy, and Grievance Procedure is hereby adopted that prohibits discrimination by Town employees of any resident or persons involved in programs and services of the Town based on race, color, sex, age and natural origin.

**TOWN OF JONESBOROUGH  
Title VI  
Policy and Grievance Procedure**

Title VI of the Civil Rights Act of 1964 requires that no person in the United States, on the grounds of race, color or national origin be excluded from, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance. The Town of Jonesborough and its employees adheres to the requirements in Title VI of the Civil Rights Act of 1964, and provides services, programs, and benefits from Town activities without regard to race, color, sex, age, national origin or disability. In addition, any contractor or sub-recipient undertaking work for or through the Town of Jonesborough involving Federal funds must also comply with the Civil Rights Act of 1964.

A grievance procedure is hereby established to address alleged violations of the Town of Jonesborough's non-discrimination policy. This grievance procedure may be used by anyone who wishes to file a complaint alleging that he or she or any other program beneficiaries have been subjected to discrimination in his or her receipt of benefits and/or services from the Town of Jonesborough, or by a contractor or sub-recipient on the grounds of race, color, sex, age, national origin or disability. These procedures do not deny the right of the complainant after completion of the complaint process to file a

complaint with state or federal agencies, or to seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

## **PROCESS**

1. The complaint should be in writing and contain information about the alleged discrimination. Specifically:
  - a) The complaint must include the name, address, phone and contact information of the complainant;
  - b) The name of the Town department and/or Town employee(s) against whom the complaint is filed;
  - c) A statement of the alleged act(s) of discrimination including the date the act(s) occurred, and a detailed description of the issues. The category of discrimination, as established through Title VI of the Civil Rights Act, is to be identified as well.
  - d) The signature of the complainant and date are required.
2. The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 180 days from the alleged violation to:

Title VI Coordinator  
Town of Jonesborough  
123 Boone Street  
Jonesborough, TN 37659

3. Upon receipt of the complaint, the Title VI Coordinator will determine if the complaint meets minimum submittal requirements. Within ten (10) working days after receipt of the complaint, the Town of Jonesborough's Title VI Coordinator or appropriate designee will determine whether the Town has jurisdiction over the complaint, whether the complaint contains the necessary information, what additional information may be necessary, and the Title VI Coordinator will provide to the complainant acknowledgement of the receipt of the complaint, and a request for any additional information needed. As may be necessary, the Town's VI Coordinator or appropriate designee will set up a meeting with the complainant to discuss the complaint and possible resolutions. The Town's Title VI Coordinator will direct any investigation into the allegations of discrimination necessary to make an accurate determination of the interactions and conduct associated with the allegation of the discriminatory act(s). The report developed as a result of the investigation shall be provided to the Town Administrator and Town Attorney.
4. Within 45 calendar days from the receipt of the complaint, the Town's Title VI Coordinator or Town Administrator will respond in writing to the complaint, and, where necessary, communicate said response in a format (i.e.: large print, audio tape, etc.) accessible to the complainant. The response will explain the position of

the Town, may include actions already taken to resolve the complaint, or may include future options for resolution.

5. If the response by the Title VI Coordinator is determined to not be satisfactory to the complainant, within 15 calendar days after receipt of the response from the Title VI Coordinator, the complainant may appeal the response in writing to the Jonesborough Town Administrator at 123 Boone Street, Jonesborough, TN 37659. The communication must state the reasons for the appeal.
6. If appealed, the Town Administrator will collect any additional information that may be necessary, may meet with the complainant, and within 15 calendar days will respond in writing, in a form accessible to the complainant, with the Town's final resolution of the complaint.

## REVIEW

A Title VI Advisory Committee is hereby established and shall serve as a review committee for any Title VI complaint filed with the Town of Jonesborough. The Committee's role is to provide community input through a review into the manner in which the Title VI complaint has been addressed including the timeliness of the process, the quality of the complaint review, fairness of any resolution, and effectiveness of the communication. The Committee is charged with making any recommendations to the Board of Mayor and Aldermen intended to improve the Title VI compliance and/or grievance procedures. Actions by the Committee are only advisory in nature and scope. The Committee members are appointed by the Mayor and Confirmed by the Board of Mayor and Aldermen, will serve at the pleasure of the Mayor, and will continue to serve until they resign or are replaced.

BE IT FURTHER RESOLVED that Section XVII of the Town of Jonesborough Personnel Policy is hereby amended by adding the following provision to the end of the Section:

Any employee who feels they have been discriminated against by another employee based on race, color, national origin, age, sex or handicap may file a complaint based on the Grievance Procedures outlined in Section IX of the Jonesborough Personnel Policy. The employee with a Title VI discrimination complaint may skip anyone in the "chain-of-command" if a supervisor is the person against whom the complaint is filed. If the complaint is filed with someone other than the complaining employee's direct supervisor, the Formal Grievance Procedure must be used.

DULY PASSED BY THE BOARD OF MAYOR AND ALDERMEN on this the 14<sup>th</sup> day of November, 2016.

Motion was made by Alderman Vest and duly seconded by Alderman Sell that this Resolution be adopted. Those voting for adoption of the Resolution were:

Alderman Vest, Alderman Sell, Alderman Countermine, Alderman Dickson  
Those voting against: \_\_\_\_\_

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KELLY WOLFE, MAYOR

ATTEST:

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ABBEY MILLER, RECORDER

APPROVED AS TO FORM:

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JIM WHEELER, TOWN ATTORNEY