

# CITY OF CORRY

## RESOLUTION

24-11

### NON-DISCRIMINATION POLICY AND PROCEDURES

#### Policy.

Title 40 of the Code of Federal Regulations (CFR), Part 7, Nondiscrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency, prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in programs or activities receiving federal assistance from the United States Environmental Protection Agency (EPA). It requires recipients of federal assistance from the EPA to:

1. Collect, maintain, and provide information showing compliance with 40 CFR Part 7.
2. Designate a person to be the Nondiscrimination Coordinator to coordinate efforts to comply with 40 CFR Part 7.
3. Adopt grievance procedures that assure the prompt and fair resolution of discrimination complaints alleging violations of 40 CFR Part 7.
4. Provide continuing and prominent public notice of nondiscrimination on the basis of race, color, national origin, age, sex, or disability, and of the identity and contact information for the Nondiscrimination coordinator.

It is the City of Corry's policy not to discriminate on the basis of the factors of 40 CFR Part 7, as well as other applicable state and federal laws.

Notice Of Non-Discrimination - The City of Corry has adopted a Notice of Non-Discrimination which is attached as Exhibit A.

Grievance Procedure - The City of Corry adopted a Grievance Procedure to allow any person or group to submit a complaint alleging discrimination of any kind by the City of Corry that may constitute a violation of 40 CFR Part 7 or any state or federal statutes or regulations that the City of Corry enforces, and in order to assure the prompt and fair resolution of any such discrimination complaints. The Grievance Procedure is attached as Exhibit B.


You also have the right to file a federal complaint of alleged discrimination on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity (not all prohibited bases apply to all programs) by contacting the U.S. Environmental Protection Agency.

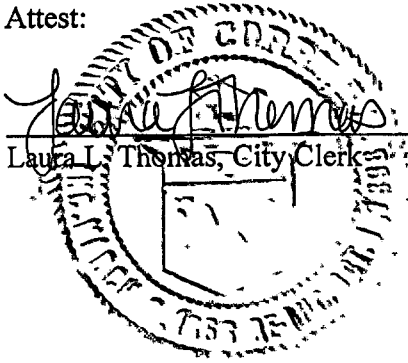
U.S. Environmental Protection Agency  
Director of the Office of Civil Rights  
Mail Code 1201A  
1200 Pennsylvania Ave., NW  
Washington, D.C. 20460  
202-564-7272 (voice)  
202-565-0196 (fax)  
Title VI Complaints@epa.gov

ADOPTED this 18<sup>th</sup> day of March, 2024.

CITY OF CORRY

Attest:

  
\_\_\_\_\_  
Laura L. Thomas, City Clerk



The seal of the City of Corry, PA, is circular with a double border. The outer border contains the text "CITY OF CORRY" at the top and "PA" at the bottom. The inner border contains the text "INCORPORATED 1853". In the center of the seal is a shield with a landscape scene, including a building and trees.

  
\_\_\_\_\_  
Mayor Michael Baker

**CITY OF CORRY**

**NOTICE OF NON-DISCRIMINATION**

The City of Corry does not discriminate on the basis of race, sex, religion, age, national origin, color, marital status, disability, political beliefs, height, weight, genetic information, or sexual orientation in the administration of any of its programs or activities, and does not intimate or retaliate against any individual or group because they have exercised their rights to participate in or oppose actions protected by applicable laws and regulations, or for the purpose of interfering with such rights, and claims of intimidation and retaliation will be handled promptly if they occur.

The City of Corry is responsible for coordination of compliance efforts and receipt of inquiries concerning nondiscrimination requirements implemented by 40 CFR Part 7 (Nondiscrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency) and Part 5, as applicable, 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 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972.

If you have any questions about this notice or any of the City of Corry's nondiscrimination programs, policies, or procedures, or if you believe that you have been discriminated against with respect to a City of Corry program or activity, you may contact:

Joanne M. Smith, Non-Discrimination Coordinator  
City of Corry  
100 S. Center Street  
Corry, PA 16407  
E-mail: [Jsmith@corrypa.gov](mailto:Jsmith@corrypa.gov)

Visit City of Corry's website at [www.corrypa.gov](http://www.corrypa.gov) to obtain a copy of the City of Corry's procedures to file a grievance/complaint of discrimination.

**CITY OF CORRY**

**DISCRIMINATION GRIEVANCE PROCEDURE**

The Complaint and Grievance Procedure may be used by anyone who wishes to file a complaint or grievance alleging discrimination that may constitute a violation of 40 CFR Part 7 or any state or federal statutes or regulations that City of Corry enforces, and in order to assure the prompt and fair resolution of any such discrimination complaints.

**PROCEDURE:**

1. **Submittal of Complaint**

In order to have a complaint submittal considered for investigation under this procedure, the complainant shall file the complaint in writing no later than 180 calendar days after the date(s) of the alleged act(s) of discrimination. The complaint shall be in writing and signed by the complainant or the complainant's representative and shall include the contact information for the complainant or their representative. The complaint shall specify with as much detail as possible:

- The actions or inactions by the City of Corry that support an alleged violation.
- The alleged discrimination that did or will result from such actions or inactions.
- The identity of the person(s) harmed or potentially harmed by the alleged discrimination.
- The state or federal statutes or regulations that the City of Corry allegedly violated (if known).

The City of Corry may request additional information from the complainant if needed to assist with meeting the complaint requirements listed above. Appropriate assistance shall be provided to individuals with disabilities and individuals with limited English proficiency. Also, complaints in alternate formats shall be accepted from individuals with disabilities, for example, complaints filed on computer disks, on audio tape, or in Braille.

All complaint submittals should be mailed (or e-mailed) to the City of Corry's Non-Discrimination Coordinator (NC) at the following address:

Joanne M. Smith, Non-Discrimination Coordinator  
City of Corry  
100 S. Center Street  
Corry, PA 16407  
E-mail: [jsmith@corrypa.gov](mailto:jsmith@corrypa.gov)

## 2. Logging of Complaint Submittals

All complaint submittals meeting the requirements in Step 1 are to be logged. The City of Corry shall retain a copy of all documents on file in accordance with the records retention schedule. All logged complaints will receive an appropriate, prompt, and unbiased investigation. The following are examples of what will not be logged as a complaint submittal:

- Anonymous submittals.
- Submittals too vague to reasonably determine the allegations of discriminatory conduct.
- Submittals not sufficiently identifying the person(s) harmed or potentially harmed by the alleged discrimination.
- Inquiries seeking advice or information.
- Courtesy copies of court pleadings.
- Newspaper articles.
- Web-based media sources including YouTube videos, e-mail strings, blogposts, comment strings, and webpages.
- Courtesy copies of internal grievances.
- Voice mail messages, telephone calls, or in-person conversations.

## 3. Initial Review of a Complaint Submittal; Informational Resolution Process

Upon receipt of a complaint and any additional information supporting or otherwise associated with the complaint, a case file shall be established containing all documents and information pertaining to the complaint, and an initial review of the case shall be conducted. At this stage, the City of Corry shall determine if an informal resolution process should be engaged and, if so, shall inform the complainant how to engage the available options for the informal resolution process.

## 4. Determination if Complaint Warrants Further Investigation

The City of Corry, based on information in the complaint submitted and other information available, shall determine if:

- The City of Corry has jurisdiction to pursue the matter.
- The complaint submitted contains sufficient merit to warrant further investigation. A complaint shall warrant further investigation unless:

- It lacks an identifiable path to resolution or does not provide enough clarity to warrant the next steps.
- Within the time allotted for making the determination of jurisdiction and investigative merit, the City of Corry reaches an agreed resolution with the complainant.
- Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint.
- The complaint was not submitted within the time limits established in Step 1.

Within 30 calendar days of receipt of the complaint submitted, the NC shall inform the complainant if the complaint has or has not been accepted for further investigation. If it is determined that further investigation is not warranted, the reason for such determination shall be recorded in the case file.

5. Further Investigation of the Complaint

If the City of Corry determines the complaint submitted warrants further investigation, the City of Corry shall review the alleged facts to determine the course of the investigation. The investigation may include interviews with City of Corry employees, other relevant witnesses, or others named in the complaint. Relevant City of Corry employees shall make themselves available as necessary. The preponderance of the evidence standard will be applied during the analysis of the complaint.

6. Report and Determination

During the investigation, the City of Corry will keep the complainant advised of the progress of the investigation. The City of Corry shall issue a report and determination on whether the City of Corry violated 40 CFR Part 7. The NC shall prepare a written report of the investigation that shall include a narrative of the incident, identification of individuals interviewed, and evidence reviewed, and shall contain findings and a determination. The report and determination shall be placed in the complaint file. Within 180 calendar days of receiving the complaint that warranted investigation, the City of Corry shall notify the complainant in writing of the findings of the investigation and the recommendations for resolution.

7. Complainant Appeal

The person submitted the complaint may appeal the decision of the City of Corry by writing to the City of Corry City Council within 30 calendar days of receiving the decision. The City Council shall issue a written decision in response to the appeal no later than 30 calendar days after its receipt.

8. Intimidation and Retaliation

Intimidation and retaliation are prohibited under this policy and claims of intimidation and retaliation will be handled promptly and fairly pursuant to this grievance procedure in the same manner as other complaints of discrimination.

9. Annual Review

This grievance procedure shall be reviewed on an annual basis and revised as necessary to ensure prompt and fair resolution of discrimination complaints.

10. Complaint Tracking

All complaints filed with the City of Corry under federal non-discrimination laws will be tracked to determine any patterns or systemic problems. The City of Corry will conduct semi-annual reviews of all formal and informal discrimination complaints filed with the City of Corry under federal non-discrimination laws and/or other complaints independently investigated by the City of Corry to identify and address any patterns or systemic problems.

11. Training

The City of Corry staff will be trained in the formal and informal processes available to resolve complaints filed with the City of Corry under federal non-discrimination laws.

12. Periodic Evaluations

The City of Corry will undertake periodic evaluations of the efficacy of its efforts to provide services, aids, benefits, and participation in any of its programs and activities without regard to race, color, national origin, disability, age, sex, or prior exercise of rights or opposition to actions protected under federal non-discrimination laws.

13. Conflict of Interest

The City of Corry will ensure that the NC does not have other responsibilities that create a conflict of interest.

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