



GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo
Governor

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Governor's Office of Storm Recovery Section 504 Grievance Procedure

The Governor's Office of Storm Recovery (GOSR) has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints of discrimination prohibited by Section 504 of the Rehabilitation Act of 1973. Sections 53 and 54 of Part 8, Title 24 of the Code of Federal Regulations (24 CFR) require federal funding recipients to adopt an internal Section 504 grievance procedure if they have 15 or more employees. The statute states, in part that "No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..." (24 CFR Subtitle A, Sec. 8.4 (a)). The Monitoring & Compliance Department has been designated to coordinate GOSR's efforts to comply with Section 504.

Grievances must be submitted within ten (10) days of the date the person filing the grievance becomes aware of the alleged discriminatory act and should be addressed to the Section 504 Coordinator: Dawn Mascoll, Monitoring & Compliance Officer, 25 Beaver Street, 5th Floor, New York, NY 10004, 212-480-3153. A complaint should be filed in writing, containing the name and address of the person filing it, and briefly describe the alleged discriminatory act or violation of the regulations and the remedy or relief sought.

An investigation, as may be appropriate, shall follow the filing of a complaint. The investigation will be conducted by the 504 Coordinator or her/his designee. The investigation may be informal pursuant to the applicable rules but, it must be thorough, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.

The section 504 Coordinator will issue a written determination of its findings no later than thirty (30) business days after the filing of the complaint. The Section 504 coordinator shall maintain the files and records of The Governor's Office of Storm Recovery relating to the complaints files.

The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Office of the General Counsel, 25 Beaver Street, 5th Floor, New York, NY 10004 within fifteen (15) days of receiving the Section 504 Coordinator's determination. The General Counsel's Office shall review the entire file and shall issue a written decision in response to the appeal no later than thirty (30) business days after its filing. The decision made by the Office of the General Counsel will be final.

The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.

These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that The Governor's Office of Storm Recovery complies with Section 504 and HUD regulations.