NEW YORK STATE | Division of Criminal Justice Services

NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
GRIEVANCE PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act ("ADA") of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the Division of Criminal Justice Services (DCJS). Employment-related complaints of disability discrimination are covered elsewhere, in policies available from the Governor's Office of Employee Relations Anti-Discrimination Investigations Division.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. No particular format of the complaint is required. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or the grievant's designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Kamayo A. Smith-Treece, ADA Coordinator
Alfred E. Smith State Office Building
80 South Swan St., Albany, New York 12210

Within 15 calendar days after receipt of the complaint, the ADA Coordinator or ADA Coordinator's designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or ADA Coordinator's designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of DCJS and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or complainant's designee may appeal the decision within 15 calendar days after receipt of the response to the agency head or agency head's designee.

Within 15 calendar days after receipt of the appeal, the agency head or agency head designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with the agency's final resolution of the complaint, or indicating that the matter has been returned to the ADA Coordinator for further action. If further action is indicated, the complainant will be contacted within 15 days from the written response.

All written complaints received by the ADA Coordinator or ADA Coordinator designee, appeals to the agency head or agency head designee, and responses from these two offices will be retained by DCJS for at least three years.