



Fire Department Nondiscrimination Policy & Grievance Procedures

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I. PURPOSE:

This Policy establishes a framework for taking reasonable steps to ensure access to all services provided by the City of Pasco Fire Department (Fire Department) for all Pasco citizens and established procedures whereby the City will receive and investigate allegations of discrimination.

II. DEPARTMENTS AFFECTED:

Fire Department

III. STATUTORY AUTHORITY

- A. Title VI of the Civil Rights Act of 1964 [Prohibits discrimination based on race, color, or national origin, in any program, service, or activity that receives federal assistance]
- B. Title IX of the Education Amendments of 1972 (Title IX) [Prohibits discrimination on the basis of sex in any education or training program receiving federal financial assistance, with a limited number of defined exceptions]
- C. Section 504 of the Rehabilitation Act of 1973 (Section 504) [Prohibits discrimination on the basis of an individual's disability by all federal agencies and in all federally funded activities]
- D. The Age Discrimination Act of 1975, as amended [Prohibits discrimination in federally supported activities on the basis of age]

IV. DEFINITION

For the purposes of this Policy, the following definitions apply. If the document referenced for these definitions is revised, the most recently revised document for these definitions applies.

- A. Disability – A hearing, vision, cognitive, ambulatory, self-care, and/or independent living difficulty.
- B. Limited English Proficient (LEP) Person – An individual who does not speak English as their primary language and who has limited ability to read, write, speak, or understand English.
- C. Nondiscrimination Program & ADA Coordinator (Coordinator) – The Fire Department's representative who ensures compliance with federal nondiscrimination statutes.

V. DISCUSSION

The Fire Department is committed to ensuring that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program, activity, or service that it provides. The Fire Department will not tolerate intimidation, threats, coercion, or discrimination against any individual or group.

Title VI of the Civil Rights Act of 1964 is the overarching civil rights law that prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.” Nondiscrimination prohibitions have been further broadened and supplemented by related statutes, regulations, and executive orders. The Fire Department is actively engaged in Title VI activities as a recipient of federal assistance from the Department of Homeland Security (DHS).

The Fire Department will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under any of its programs, regardless of the funding source for the program. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color, or national origin.

The Fire Department will not tolerate intimidation, threats, coercion, or discrimination against any individual or group, either (1) for the purpose of interfering with any right or privilege guaranteed under law or regulations or (2) because the individual has filed a complaint or has testified, assisted, or participated in any way in an investigation, proceeding or hearing or has opposed any Fire Department action or decision.

The Fire Department will take reasonable measures to provide access to department services to individuals with limited ability to speak, write, or understand English and/or to those with disabilities.

VI. POLICY:

A. NOTIFICATION

1. Notice of Nondiscrimination: The Fire Department’s Notice of Nondiscrimination will be prominently posted:
 - a. Fire Department Stations
 - b. the City of Pasco Fire Department’s webpage

2. Public Notice / Meeting Planning related to the Fire Department: The development and distribution of public notices and planning related to the Fire Department for public meetings or hearings regarding the Fire Department's actions will consider the LEP and disabled population density in the area most impacted by the Fire Department's action or program.
 - a. Staff engaged in developing public notices and planning related to the Fire Department of public meetings will consult the following data sources regarding the geographic distribution of LEP and disabled populations within the City of Pasco:
 - Household Proportions with Limited English-Speaking Ability
 - Civilian Non-Institutionalized Population Proportions with a Disability

B. COMPLAINT PROCESS

1. Filing a Complaint:
 - a. Within 180 days of the alleged discrimination or latest occurrence, complainants may submit a signed, written complaint to the Nondiscrimination Program (Coordinator). Complaints must include the complainant's name, the nature of the complaint, the dates of the alleged discrimination, requested action and contact information.
 - b. Complaints may be filed by any person who believes he or she has been excluded from participation in, denied the benefits of or otherwise subjected to discrimination under any of the Fire Department's service, program, or activity and believes the discrimination is based upon race, color or national origin.
 - c. Complaint forms are available in English and Spanish and will be posted on the City of Pasco Fire Department's webpage. If an alternative format than what is provided is needed, please contact the Nondiscrimination Program Coordinator at:
 - Email: pashona@pasco-wa.gov
 - Phone: (509)544-3060
 - d. Complaints can be submitted by email, mail or fax.
 - E-mail: pashona@pasco-wa.gov
 - Fax: (509) 545-3403
 - U.S Mail:

City of Pasco
City Manager's Office
FD Nondiscrimination Program
525 N 3rd Ave
Pasco, WA 99301
 - e. Complainants may also file with Department of Homeland Security (DHS) Office for Civil Rights and civil Liberties (CRCL).

- E-mail: CRCLCompliance@hq.dhs.gov (fastest method to submit your complaint)
- Fax: 202-401-4708
- U.S. Mail:

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528

- Website for additional information: <https://www.dhs.gov/file-civil-rights-complaint>

2. Processing a Complaint:

- The Coordinator will promptly and impartially investigate all grievances of discrimination under a Fire Department program. The Fire Department's goal is to address complaints within 60 days of receipt, though the time to carefully investigate complaints may be longer depending on the nature of the complaint and complexity of the issue.

3. Preliminary Inquiry:

- The Coordinator will review the complaint and may solicit additional information from the complainant as needed. If additional information is requested and not received within 30 days of written notification, the case may be closed. The case may also be closed if the complainant no longer wishes to pursue their case.
- If the preliminary inquiry indicates that further investigation is warranted, the complainant will be notified in writing. If the preliminary inquiry indicates further investigation is not warranted, the complainant will be notified in writing of the reasons why and factors considered.
- If the complaint is outside the jurisdiction of the Pasco Fire Department, the complainant will be notified of the name and contact information for the appropriate agency with jurisdiction, if known.

4. Further Investigation:

- Complaints warranting further investigation will be promptly processed by the Coordinator.
- The Coordinator will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days upon receipt to furnish the Coordinator with his/her response to the allegations.
- The Coordinator will prepare a written investigative report to the City Manager. The report shall include narrative description of the incident, identification of person(s) interviewed and the findings/recommendations of disposition of complaint.

- d. The complainant will be notified in writing of the results of the investigation and what actions will be/have been taken in response and a timeline to request review.
- e. A complaint log will be kept by the City containing the name and address of the complainant, nature of the complaint, date of submission, and results of the investigation.
- f. Records and investigative files will be maintained in accordance with the Washington State Records Retention Schedule.

Approved:

Kevin Crowley
Kevin Crowley (Apr 18, 2024 09:10 PDT)
Kevin Crowley, Fire Chief

18/04/24
Date