

OHIO RIVER VALLEY WATER SANITATION COMMISSION

Non-Discrimination Grievance Policy

Adopted by Commission Action on February 8, 2024

ORSANCO does not discriminate on the basis of sex, race, color, gender, sexual orientation, religion, national origin, age, gender identity or expression, veteran status, political affiliation, disability or any other trait or characteristic protected by law.

ORSANCO does not intimidate or retaliate against any individual or group because they have exercised rights protected by 40 C.F.R. Parts 5 and 7 or for the purpose of interfering with such rights. ORSANCO values the confidentiality of those who report complains of discrimination. The contact of a filed complaint will remain confidential to the greatest extent practical, although certain information from the complaint may need to be shared to allow a thorough investigation of the complaint. All information related to a complaint must be treated as private information by ORSANCO staff. ORSANCO staff are prohibited from sharing information about complaints with unauthorized parties. It is the responsibility of ORSANCO staff to maintain the integrity of complaint proceedings.

Complaint Procedure

ORSANCO adopts the following grievance procedures in order to assure the prompt and fair resolution of complaints that allege a violation by ORSANCO of 40 C.F.R., Parts 5 and 7:

A complaint should be submitted to the ORSANCO Non-Discrimination Coordinator within 180 days of the date the person filing the grievance becomes aware of the alleged discriminatory action. The complaint, in the preferred language of the complainant, can be e-mailed to info@orsanco.org, called in through the office number at 513-231-7719, or mailed to ORSANCO Non-Discrimination Coordinator:

Non-Discrimination Coordinator
Executive Director
ORSANCO
5735 Kellogg Avenue
Cincinnati, OH 45230
Email: rharrison@orsanco.org

A complaint must be in writing, contain the name and address of the person filing it and/or the identified representative. The complaint must state the date of the occurrence and the problem or action alleged to be discriminatory and the remedy or relief sought. The complaint shall specify with as much detail as possible:

1. The actions or inactions by ORSANCO that support an alleged violation of 40 C.F.R., Parts 5 and 7;
2. The alleged discrimination that did or will result from such actions or inactions;

3. The identity of the person(s) harmed or potentially harmed by the alleged discrimination;
and
4. The basis for why the action is believed to be discriminatory, and if possible, identify the sections of 40 C.F.R., Parts 5 and 7, that were allegedly violated.

The ORSANCO Non-Discrimination Coordinator (or their designee) will acknowledge receipt of the grievance within 5 days and shall conduct an investigation of the complaint. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The ORSANCO Non-Discrimination Coordinator will maintain the files and records of ORSANCO relating to such grievances. To the extent possible, and in accordance with applicable law, the ORSANCO Non-Discrimination Coordinator will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.

1. ORSANCO's Non-Discrimination Coordinator is responsible for making information available to non-employees regarding rights to services, aids, benefits, and participation without regard to sex, race, color, national origin, age, gender, disability, sexual orientation, or marital status. ORSANCO's Non-Discrimination Coordinator will periodically evaluate the effectiveness of ORSANCO's efforts to offer such services, aids, benefits and participation opportunities when feasible.
2. ORSANCO's Non-Discrimination Coordinator is responsible for ensuring that intimidation and retaliation against any person or group because they have exercised rights protected by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with any such rights, is prohibited and that claims of intimidation and retaliation will be handled promptly if they occur.
3. ORSANCO's Non-Discrimination Coordinator will coordinate or facilitate training efforts for ORSANCO staff regarding the ORSANCO's obligations to comply with nondiscrimination statutes, and policies and procedures.
4. ORSANCO's Non-Discrimination Coordinator will track all complaints filed against ORSANCO under this policy or with the EPA and shall review all complaints on a semiannual basis to identify and address any patterns or systemic problems. ORSANCO's Non-Discrimination Coordinator will also ensure that complainants are updated on the progress of their discrimination complaints filed with ORSANCO, if requested. ORSANCO's Non-Discrimination Coordinator will promptly inform the complainant as to any determinations made.
5. ORSANCO's Non-Discrimination Coordinator is responsible for providing notice of this policy and carrying out the process, as prescribed by this policy, of the investigation of non-employee complaints. ORSANCO's Non-Discrimination Coordinator may delegate an investigation to another investigator or designee, if necessary, on a case-by-case basis.

The ORSANCO Non-Discrimination Coordinator will issue a written decision on the complaint, based on a preponderance of the evidence, no later than 30 days after its filing, including a notice

to the complainant of their right to pursue further administrative or legal remedies. The written decision will include whether discrimination is found and the description of the investigation process.

ORSANCO Discrimination Complaint and Compliance/Review Grievance Procedure

ORSANCO assures that intimidation and retaliation are prohibited and that claims of intimidation and retaliation will be handled promptly and fairly pursuant to the ORSANCO Non-Discrimination Grievance Policy and Procedures in the same manner as other claims of discrimination.

The person filing the complaint may appeal the decision of the ORSANCO Non-Discrimination Coordinator by writing to the ORSANCO Board of Commissioners within 15 days of receiving the ORSANCO Non-Discrimination Coordinator's decision. The ORSANCO Board of Commissioners shall issue a written decision in response to the appeal no later than 60 days after its filing.

The availability and use of this complaint procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination on the basis of sex, race, color, national origin, disability, age, gender or retaliation, in court or with the U.S. Environmental Protection Agency, External Civil Rights Compliance Office. A person can file a complaint of discrimination electronically by writing to TitleVI_Complaints@epa.gov or by mail or phone at:

U.S. EPA Office of External Civil Rights Compliance
Office of General Counsel
Mail Code 2310A
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460
PHONE: (202) 564-3316

The availability and use of this complaint procedure does not prevent a person from filing a complaint of discrimination on the basis of sex, race, color, national origin, disability, age, gender, sexual orientation, gender identity or expression, or marital status with the Ohio Civil Rights Commission at 1-888-278-7101 or <https://civ.ohio.gov/how-to-file-a-charge> .

ORSANCO will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided free auxiliary aids and services or language assistance services, respectively, if needed, to participate in this complaint process. Such arrangements may include, but are not limited to:

ORSANCO:

Providing persons with disabilities equal opportunity to participate in or benefit from our programs, services, and activities, including:

1. Reasonable modifications to have equal opportunities to participate in or benefit from our programs, services, and activities;

2. Free auxiliary aids and services to people with disabilities to communicate effectively with us, such as:
 - a. Qualified sign language interpreters
 - b. Written information in other formats (large print, audio, accessible electronic formats)

Providing free language assistance services to people with limited English proficiency, such as:

1. Qualified interpreters
2. Translated vital documents and other information

The ORSANCO Non-Discrimination Coordinator will be responsible for such arrangements when they are requested.