



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

*Thomas F. Cooke - Director of Administrative Services*

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Update of Non-Discrimination Policies and Procedures
2. **Date of submission:** February 7, 2014
3. **Date of Board Meeting:** February 12, 2014

4. **Individual or Entity making the submission:**

Thomas F. Cooke – Director of Administrative Services

5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**

*The Individual or Entity making the submission requests that the Board of Selectmen:*

In connection with the Town of Simsbury's anticipated application for a 2014 Small Cities grant and in recognition of April as Fair Housing Month: (1) adopt, and (2) authorize the First Selectmen to execute and re-issue the following policies prohibiting discriminatory practices which also provide procedures for enforcement:

- Fair Housing Resolution
- Fair Housing Policy Statement
- Title VI Equal Opportunity Statement
- Affirmative Action Policy Statement
- ADA Notice and Grievance Procedure

6. **Individual(s) responsible for submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting.):**

Thomas F. Cooke – Director of Administrative Services – (860) 658-3230

7. **Summary of Submission** (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):

The Town of Simsbury and the Simsbury Housing Authority are working Wagner & Associates to prepare and submit an application for a Small Cities Grant to fund the repair of the roof and roads at the Virginia Connolly and Owen L. Murphy apartments. In connection with the submission of the application, and in recognition of April as Fair Housing Month, the Town of Simsbury is reviewing and reissuing its policies designed to protect against discrimination. All of these policies are currently in effect in Simsbury – reissuance at this time ensures that the policies are up-to-date and meets the requirements of the Small Cities grant application.

8. **Description of documents included with submission** (All documents must be in final form and signed by the appropriate party.):

*The following documents are included with this submission and attached hereto:*

- Fair Housing Resolution
- Fair Housing Policy Statement
- Title VI Equal Opportunity Statement
- Affirmative Action Policy Statement
- ADA Notice and Grievance Procedure



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*Mary A. Glassman - First Selectman*

## FAIR HOUSING RESOLUTION TOWN OF SIMSBURY

**Whereas**, all persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

**Whereas**, federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

**Whereas**, Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

**Whereas**, the Town of Simsbury is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

**NOW THEREFORE, BE IT RESOVED**, That the Town of Simsbury hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

**BE IT FURTHER RESOLVED**, That the chief executive officer of the Town of Simsbury or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of Simsbury and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

**ADOPTED** by the Town of Simsbury Board of Selectmen on February 12, 2014.

\_\_\_\_\_  
First Selectman

Town Seal

Telephone (860) 658-3230  
Facsimile (860) 658-9467

*M*Glassman@simsbury-ct.gov  
www.simsbury-ct.gov

*An Equal Opportunity Employer*  
8:30 - 7:00 Monday  
8:30 - 4:30 Tuesday through Friday



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*Mary A. Glassman - First Selectman*

## **TOWN OF SIMSBURY Fair Housing Policy Statement**

It is the policy of the Town of Simsbury to promote fair housing opportunities and to encourage racial and economic integration in all its programs and housing development activities.

Programs funded and administered by the Town of Simsbury must comply with the provisions of Section 46a-64c of the C.G.S., and with related state and federal laws and regulations that prohibit discriminatory housing practices.

The Town of Simsbury, or any sub-recipient of the Town, will carry out an affirmative marketing program to attract prospective buyers or tenants of all majority or minority groups, without consideration of race, color, religion, sex, national origin, ancestry, creed, sexual orientation, marital status, lawful source of income, disability, age or because the individual has children in all programs and housing development activities funded or administered by the Town of Simsbury.

Thomas F. Cooke, the municipality's Director of Administrative Services, is responsible for the enforcement and implementation of this policy. The Director of Administrative Services may be reached at 860-658-3264.

Complaints pertaining to discrimination in any program funded or administered by the Town of Simsbury may be filed with the Director of Administrative Services. The municipality's Grievance Procedure will be utilized in these cases.

Complaints also may be filed with the Commission on Human Rights and Opportunity, Special Enforcement Unit, 21 Grand Street, Hartford, CT 06106, Telephone (860) 541-3403 within 180 days of the alleged violation by submitting a notarized complaint and/or the Boston Regional Office of FHEO, U.S. Department of Housing and Urban Development, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 321, Boston, MA 02222-1092, Telephone (617) 994-8300 or 1-800-827-5005, TTY (617) 565-5453. A complaint may be filed with HUD within one year after an alleged violation. Additionally, an individual may file suit, at his/her expense, in Federal District Court or State Court within two years of an alleged violation. If the individual cannot afford an attorney, the Court may appoint one. A suit can be brought even after filing a complaint, if the complaining party has not signed a conciliation agreement and an Administrative Law Judge has not started a hearing. A court may award actual and punitive damages and attorney's fees and costs.

A copy of this policy statement will be given annually to all Town employees and they are expected to fully comply with it. In addition, a copy will be posted throughout the Town.

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As adopted by the Board of Selectmen at a special meeting held on February 12, 2014.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary A. Glassman, First Selectman

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE by contacting  
Thomas F. Cooke, Director of Administrative Services, 933 Hopmeadow Street, 658-3230.



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## **Town of Simsbury Compliance with Title VI of the Civil Rights Act of 1964**

The Town of Simsbury does not discriminate in the provision of services, the administration of its programs, or contractual agreements. The Town of Simsbury seeks to fully carry out its responsibilities under the Title VI Regulations.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color or national origin in programs and activities receiving Federal financial assistance. Title VI provides that no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs covered by the Regulations.

This policy is effectuated through the methods of administration outlined in the Town of Simsbury's Fair Housing Plan and is fully implemented to ensure compliance by the Town of Simsbury, as the recipient, and by sub-recipients. The cooperation of all personnel is required.

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Mary A. Glassman, First Selectman

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Date

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## TOWN OF SIMSBURY

### AFFIRMATIVE ACTION POLICY STATEMENT

As First Selectman of the Town of Simsbury, I recognize the need for Affirmative Action and I pledge my commitment to undertake positive actions to overcome the present effects of past practices or barriers to equal employment opportunity and to achieve the full and fair participation of minorities, women, people with disabilities, older persons, and all other protected groups found to be underutilized in the Town of Simsbury's work force or affected by policies having an adverse impact. In the spirit of Executive Order 11, signed by Governor Ella Grasso November 21, 1975, and Executive Order 9, signed by Governor William A. O'Neill on January 3, 1984, I further state that this Town of Simsbury will comply with the anti-discrimination provisions of the state and federal laws and regulations listed at the end of this section.

I recognize the hiring difficulties experienced by minorities, people with disabilities and by many older persons and, where appropriate, I have set goals to overcome the present effects of past discrimination, if any, to achieve the full and fair utilization of such persons in the work force. I further pledge that the Town of Simsbury will affirmatively provide services and programs in a fair and impartial manner.

Where adverse impact is identified, the Town of Simsbury will: (1) review its personnel policies and procedures to ensure that barriers, which unnecessarily exclude protected classes and practices, which have an illegal discriminatory impact, are identified and eliminated; (2) explore alternative approaches to employ minorities and members of protected classes; (3) administer all terms, conditions, privileges and benefits of the employment process in an equitable manner; and (4) establish procedures for the extra effort that may be necessary to ensure that the recruitment and hiring of protected group members reflect their availability in the job market.

It is the policy of the Town of Simsbury to provide equal employment opportunities without consideration of race, color, religion, age, sex, marital status, national origin, genetic information, past/present history of mental disability, ancestry, mental retardation, learning or physical disabilities including but, not limited to blindness, sexual orientation, political belief or criminal record, unless the provisions of Section 46a-60(b), 46a-80(b) and 46a-81(b) of the Connecticut General Statutes are controlling or there is a bona fide occupational qualification excluding persons in one of the above protected groups. This policy applies to all aspects of the employer/employee relationship including, but not limited to, recruitment, hiring, referrals, classifying, advertising, training, upgrading, promotion, benefits, compensation, discipline, layoff and terminations.

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Affirmative Action Policy Statement

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The Town of Simsbury will implement, monitor and enforce this Affirmative Action Policy Statement in conjunction with the applicable federal and state laws, regulations and executive orders listed below: 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> Amendments of the United States Constitution, Civil Rights Act of 1866, 1870, 1871, Equal Pay Act of 1963, Title VI and VII of the 1964 United States Civil Rights Act, presidential Executive Orders 11246, amended by 11375, (Nondiscrimination under federal contracts), Act 1 Section 1 and 20 of the Connecticut Constitution, Governor Grasso's Executive Order Number 11, Governor O'Neill Executive Order Number 9, the Connecticut Fair Employment Practices Law (46a-63-64). Discrimination against Criminal Offenders (46a-80). Connecticut General Statutes, Connecticut Code of Fair Accommodations Law (46-63-64), definition of Blind (46a-51 (1), definition of Physically Disabled (46a-51 (15), definition of Mentally Retarded (46a-51 (13), cooperation with the Commission of Human Rights and Opportunities (46a-77), Sexual Harassment (46-60-(a) Connecticut Credit Discrimination Law (360436 through 439), Title I of the State and the Local Fiscal Assistance Act of 1972 and the Americans with Disabilities Act of 1992.

This policy statement will be given annually to all Town of Simsbury employees and will also be posted throughout the Town of Simsbury. I also expect each supplier, union, consultant and other entity (s) with which we do business to comply with all applicable State and Federal Equal Opportunity laws and regulations. The Town of Simsbury will not knowingly do business with any entity debarred from participation in any federal or state program or found to be in violation of any state or federal anti-discrimination law.

I have assigned the responsibility to achieve the successful implementation of our goals and objectives Thomas F. Cooke, Director of Administrative Services, [tcooke@simsbury-ct.gov](mailto:tcooke@simsbury-ct.gov), 860-658-3230.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary A. Glassman, First Selectman

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE FROM THE ADA-504 COORDINATOR BY CALLING 860-658-3230.



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## TOWN OF SIMSBURY

### MUNICIPAL GRIEVANCE PROCEDURE

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the Town of Simsbury.

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. 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 his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Thomas F. Cooke, Director of Administrative Services  
860-658-3230  
933 Hopmeadow Street, Simsbury, CT 06070

Within 15 calendar days after receipt of the complaint, Mr. Cooke will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, Mr. Cooke 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 Mr. Cooke and offer options for substantive resolution of the complaint.

If the response by Mr. Cooke does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the First Selectman or his or her designee.

Within 15 calendar days after receipt of the appeal, the First Selectman or his or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting the First Selectman or his or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

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All written complaints received by Mr. Cooke, appeals to the First Selectman or his or her designee, and responses from the ADA Coordinator and First Selectman or his or her designee will be kept by the Town of Simsbury for at least three years.

\_\_\_\_\_  
Mary A. Glassman, First Selectman

\_\_\_\_\_  
Date