

Bronx District Attorney's Office
Non-Discrimination Policy and Notice of Rights
Grievance Procedure for Disability Discrimination

Policy and Notice of Rights

The Bronx District Attorney's Office (BXDA) does not discriminate on the basis of disability in the operation of its programs, services or activities and is committed to ensuring equal access for people with disabilities. Pursuant to the American with Disabilities Act and the New York State and New York City Human Rights Laws, individuals with disabilities are entitled to reasonable accommodations to enable them to participate in programs, services, and activities, unless a specific accommodation would impose an undue hardship.

Effective Communication

BXDA, upon request, will provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in BXDA programs, services, and activities, to ensure information and communications are accessible to people who have speech, hearing, or vision disabilities.

Modifications to Policies and Procedures

BXDA will make reasonable modifications to policies and procedures to ensure that people with disabilities have equal access to all programs, services, and activities of BXDA. For example, individuals with service animals are welcome in all BXDA offices open to the public, even where pets are generally prohibited. Requests should be made as soon as possible, but no later than **three (3) business days** before the scheduled program, service, or activity. Questions, concerns, or requests for additional information may be directed to BXDA's Disability Service Facilitator.

The ADA does not require BXDA to take any action that would fundamentally alter the nature of its programs or services or that would impose on it an undue financial or administrative burden. The BXDA will not impose a surcharge to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, for example retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Questions, concerns, or requests for additional information may be directed to the Disability Service Facilitator listed in the 5-Year Plan and below.

If you believe that you have been denied an auxiliary aid or service or a reasonable modification of policies or procedures in order to participate in programs, services, or activities provided by BXDA, please see BXDA's Grievance Procedure below.

Grievance Procedure

This grievance procedure may be used by any member of the public who wishes to file a grievance alleging discrimination on the basis of disability by BXDA (not related to employment). Employment-related complaints for employees and applicants for employment seeking a reasonable accommodation are covered under the **City of New York's Equal Employment Opportunity (EEO) Policy**.

The grievance should be in writing and contain information about the alleged discrimination such as:

- the name, address, email, and telephone number of the grievant,
- the location, date, and description of the complaint or alleged violation of the ADA or other anti-discrimination law.

Alternative means of filing grievances, such as in-person interviews or an audio recording of the grievance, may be made available, as needed, to persons with disabilities upon request.

The grievance should be submitted as soon as possible but no later than **sixty (60) calendar days** after the date of the alleged violation to:

Kim Hernandez, MPA (She/Her/Hers)
Equal Employment Opportunity Officer
Disability Service Facilitator

The Bronx District Attorney's Office
198 East 161st Street, 9th Floor
Bronx, New York 10451
Phone: (718) 838-6505
Email: HernandezKi@bronxda.nyc.gov

Within **thirty (30) calendar days** after receipt of the grievance, the Disability Service Facilitator or designee will contact the grievant to discuss the grievance and any possible resolutions.

Within **fifteen (15) calendar days** of this contact with the grievant, the Disability Service Facilitator or designee will respond to the grievance in writing or, where appropriate, in a format accessible to the grievant. This response will explain BXDA's position and offer options for substantive resolution of the grievance, where applicable.

Grievance Appeal Procedure

The grievant or the grievant's designee may appeal the decision by the Disability Service Facilitator within **thirty (30) calendar days** of receipt of the response by mail to:

Bronx District Attorney's Office
198 East 161st Street
Bronx, New York 10451

The appeal should be submitted in writing. Alternative means of filing an appeal, such as an in-person interview or an audio recording of the grievance, may be made available for persons with disabilities upon request.

The BXDA's response to the appeal will be provided to the grievant within **sixty (60) calendar days** following receipt of the request for the appeal. All responses by BXDA will be in writing or, where appropriate, in a format accessible to the grievant. All written grievances, appeals, and responses received in connection with a grievance made to BXDA will be retained for at least three (3) years. This document is available in alternative formats from the Disability Service Facilitator upon request.