

## **Nondiscrimination and Accessibility Requirements and Nondiscrimination Grievance Procedure**

It is the policy of Teamsters Local 170 Health & Welfare Fund not to discriminate on the basis of race, color, national origin, sex, age or disability. Teamsters Local 170 Health & Welfare Fund has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging discrimination on the basis of race, color, national origin, sex, age or disability in certain health programs and activities. Grievances may be filed and examined in the office of Raymond Reed, Fund Administrator, Coordinator, 330 SW Cutoff, Suite 202, Worcester, MA 01604, Tel: (508) 791-3416, Fax: (508) 792-0936, Email: [rreed@teamsters170hwhf.com](mailto:rreed@teamsters170hwhf.com), who has been designated to coordinate the efforts of the Teamsters Local 170 Health & Welfare Fund to comply with these discrimination rules.

Any person who believes someone has been subject to discrimination on the basis of race, color, national origin, sex, age or disability may file a grievance under this procedure. It is against the law for Teamsters Local 170 Health & Welfare Fund to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

### **Procedure:**

- Grievances must be submitted to the Coordinator within (60 days) of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Coordinator (or her/his designee) 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 Coordinator will maintain the files and records of Teamsters Local 170 Health & Welfare Fund relating to such grievances. To the extent possible, and in accordance with applicable law, the 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.
- The Coordinator will issue a written decision on the grievance, 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 person filing the grievance may appeal the decision of the Coordinator by writing to the Fund Board of Trustees within 15 days of receiving the Coordinator's decision. The Fund Board of Trustees shall issue a written decision in response to the appeal no later than 30 days after its filing.

The availability and use of this grievance procedure does not prevent a person from pursuing other legal or administrative remedies, including filing a complaint of discrimination on the basis of race, color, national origin, sex, age or disability in court or with the U.S. Department of Health and Human Services, Office for Civil Rights. A person can file a complaint of discrimination electronically through the Office for Civil Rights Complaint Portal, which is available at: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Humans Services

200 Independence Avenue, SW

Room 509F, HHH Building

Washington, D.C. 20201

Complaint forms are available at: <http://www.hhs.gov/ocr/office/file/index.html>. Such complaints must be filed within 180 days of the date of the alleged discrimination.

Teamsters Local 170 Health & Welfare Fund will make appropriate arrangements to ensure that individuals with disabilities and individuals with limited English proficiency are provided auxiliary aids and services or language assistance services, respectively, if needed to participate in this grievance process. Such arrangements may include, but are not limited to, providing qualified interpreters, providing taped cassettes of material for individuals with low vision, or assuring a barrier-free location for the proceedings. The Coordinator will be responsible for such arrangements.

Dated: October 13, 2016

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Shannon R. George

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Charles H. Aubuchon