

ORDINANCE NO. 09-1439*
UNIFORM COMPLAINT PROCEDURE,

Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.

AN ORDINANCE AMENDING CHAPTER 2,
TO ADD ARTICLE VIII, UNIFORM COMPLAINT PROCEDURE,
TO THE NORTHFIELD VILLAGE CODE

WHEREAS, the Illinois General Assembly has enacted Public Act 96-650, effective January 1, 2010, which Act requires each municipality that maintains a website to publish the identity of and contact information for the Complaint Coordinator for the Village for complaints of alleged violations of the Americans with Disabilities Act (ADA) and the Village's procedures for the filing and processing of such a complaint; and

WHEREAS, this Board of Trustees finds that it is in the Village's best interests to adopt and publish a Uniform Complaint Procedure for the investigation of complaints from Village employees and members of the public of possible violations of civil rights including, but not limited to, violations of the ADA and to provide for a Complaint Coordinator for the investigation of all such matters;

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Northfield, Cook County, Illinois, as follows:

SECTION ONE : the Village of Northfield Uniform Complaint Procedure set forth in its entirety below is hereby adopted as a new Chapter 2, Article VIII of the Village of Northfield Village Code to read as follows:

ARTICLE VIII

UNIFORM COMPLAINT PROCEDURE

Sec. 2-47. ESTABLISHMENT OF PROCEDURE

An employee or community member should notify any Complaint Coordinator (or such alternate person as is specifically designated by the Village) if s/he believes that the Village, its employees, officials, or agents have engaged in unlawful discrimination or have violated his or her rights guaranteed by the State or Federal Constitution, State or Federal statute, or other legal right, including:

1. Title II of the Americans with Disabilities Act;
2. Title VI of the Civil Rights Act or Illinois Human Rights Act;
3. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), Equal Pay Act of 1963 or Illinois Equal Pay Act of 2003;
4. Age Discrimination in Employment Act;

5. Illinois Whistleblower Act;

6. Sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972).

Such complaints should be discussed with the Complaint Coordinator, who will make efforts to address and resolve the complaint without any further procedures hereunder. If the problem is not resolved, a written complaint can be filed hereunder and the Complaint Coordinator will act in good faith to address the complaint promptly and fairly. This procedure shall not affect, nor be affected by, other remedies such person may have under the law.

Any timelines hereunder may be extended by the Complaint Coordinator as s/he finds appropriate. As used in this policy, "business days" means those days when the Village Hall is open.

Sec. 2-48. FILING A COMPLAINT

A written complaint can be filed with the Complaint Coordinator. The Complaint Coordinator will assist the person with such filing, as may be needed. If the person attempting to file a complaint wishes to file with a person of the same gender, the Village will designate an appropriate alternate Complaint Coordinator of such gender. The Complaint Coordinator can request at any time that a complaint be put in writing, or arrange a meeting with an employee as determined necessary by the Complaint Coordinator.

Sec. 2-49. PROCESSING A COMPLAINT

The Complaint Coordinator will gather such information, or conduct an investigation, as may be appropriate to the complaint. The complaint, and information gathered pursuant to the complaint, will be kept confidential except as needed to complete the investigation, resolve the complaint, comply with applicable law or otherwise properly inform and receive feedback from the officials or persons necessary to a resolution of the complaint. The timelines related to the complaint process are as follows:

- a. Within 30 business days of filing a complaint, the Complaint Coordinator will complete a written response setting forth his or her findings and provide such report to the Board of Trustees. The time will be extended, if necessary, to conduct an accurate and thorough investigation. The Complaint Coordinator will keep the Board informed of all written complaints.
- b. At its next regular meeting after receiving the Complaint Coordinator's response, the Board shall review the response and make a decision regarding such response. The Board shall affirm, reverse, or amend the response or require the Complaint Coordinator to take certain further actions or request additional information.
- c. Within 10 business days of the Board's decision on the Complaint Coordinator's response, the Board will provide a written copy of its final decision to the person filing the complaint, by appropriate means, and provide a copy of the decision to the Complaint Coordinator.

This complaint procedure shall not be construed to create any independent right to any specific

remedy or to a Board hearing. The Complaint Coordinator will make good faith attempts to follow this procedure, in a timely fashion. The nature and extent of each investigation will be dependent upon the specific facts of each case.

Complaint(s) are to be brought to the attention of the Complaint Coordinator for the Village of Northfield. Contact the Complaint Coordinator by going to the Village Website, www.northfieldil.org and clicking under Administration or as follows:

Name: Village of Northfield Complaint Coordinator
Address: 361 Happ Road, Northfield, IL 60093

Telephone: 847-446-9200

If for some reason that is not feasible, the alternate person with whom the complaint can be raised will be:

Name: Village Manager, Village of Northfield

Address: 361 Happ Road, Northfield, IL 60093

Telephone: 847-446-9200

Leg. Ref.: Americans with Disabilities Act, 42 U.S.C. 12101 et seq.

Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. 2000e et seq.; Equal Pay Act, 29 U.S.C. 206(d); Equal Pay Act of 2003, 820 ILCS 112.

Illinois Human Rights Act, 775 ILCS 5/1-101; Title VI of the Civil Rights Act, 42 U.S.C. 2000d et seq.

Age Discrimination in Employment Act, 29 U.S.C. 621 et seq.

Illinois Whistleblower Act, 740 ILCS 174/1 et seq.

Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 et seq.

SECTION TWO: That Chapter 2, Art. VIII, include Sec. 2-50, Publication of Complaint Procedures, to read as follows:

Sec. 2-50 PUBLICATION OF COMPLAINT PROCEDURES.

Article VIII, Uniform Complaint Procedure, will be included in the Village of Northfield Municipal Code, which shall be published on the Village of Northfield website, and Village staff is directed to establish a link to the text of Article VIII at a prominent location on the website.

**SECTION
THREE:**

The Village Manager shall,
in the exercise of
discretion, appoint

appropriate individuals to the positions of Village Complaint Coordinator and an Alternate Village Complaint Coordinator. The Village Manager is authorized to remove and replace the individual holding either of those positions for administrative convenience.

SECTION
FOUR : This Ordinance shall be in full force and effect, upon passage, approval and publication as required by law.

AYES: Chapin,
Kozminski,
Teichert,
Frazier, Gottlieb
= 5

NAYS: 0

ABSENT: Warga = 1

PASSED 7th day of December, 2009.
and
APPROVED
by me this

By: (FG
signature)

Fred
Gougler,
Village
President

ATTEST AND FILED in the
office of the

Village Clerk day of December, 2009
this 7th

By: (SAS signature)

Stacy Alberts Sigman, Village Clerk

PUBLISHED by me in pamphlet form this

7th day of Dec., 2009.

By: (SAS signature)

Stacy Alberts Sigman, Village Clerk