

## DEPARTMENT OF MARINE RESOURCES

### Chapter 100 GRIEVANCE PROCEDURES FOR THE HANDICAPPED

The Maine Department of Marine Resources has adopted the following internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by federal regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Sec. 794).

Section 504 states, in part, that "No otherwise qualified handicapped individual ... shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance ... "

This 504 grievance procedure is not meant to preclude other avenues of relief for the grievant.

The law and regulations may be examined in the office of:

504 Coordinator  
Department of Marine Resources  
21 State House Station  
Augusta, Maine 04333-0021  
Telephone: (207) 624-6550

who has been designated to coordinate the efforts of the Maine Department of Marine Resources to comply with the regulations.

1. A complaint must be filed in writing or verbally within 180 days of the alleged violation with the Agency 504 Coordinator, contain the name and address of the person filing it, and describe the action alleged to be prohibited by the regulations.
2. The Agency 504 Coordinator or his designee shall conduct an investigation to determine the validity of the complaint. The investigation shall include an opportunity for the grievant, by requesting an informal conference within 30 days of filing the complaint, to confront the people responsible for the action complained against. The 504 Coordinator shall, immediately upon receipt of the complaint, inform the grievant in writing of his right to request a conference. If the grievant requests and participates in a conference, he shall have an opportunity to present evidence and arguments on all issues, to cross-examine any person present and testifying, and to be represented at the conference. The 504 Coordinator shall be responsible for creating and maintaining a record or report of the conference. If the grievant does not request a conference, he shall still have the right to present evidence such as documents and written statements to the 504 Coordinator for consideration during the investigation. The Agency 504 Coordinator shall provide the Agency head with a written report of the findings of the investigation, including the record or report of the informal conference, if such a conference occurred.
3. The agency head shall issue a written decision within 60 days of the date the complaint was filed describing what action, if any, she/he will take regarding the complaint.
4. The 504 Coordinator will maintain the 504 complaint files of the agency for two years.

EFFECTIVE DATE:

December 11, 1984

EFFECTIVE DATE (ELECTRONIC CONVERSION):

February 24, 1997

NON-SUBSTANTIVE CORRECTIONS:

February 28, 2000 - converted to MS Word

AMENDED:

October 24, 2005 – filing 2005-425

CORRECTED:

August 23, 2012