

## Appendix C

### Distribution List for Draft 2008-2012 Open Space and Recreation Plan:

Sudbury Planning Board

Sudbury Town Manager

Sudbury Board of Selectmen

Sudbury Conservation Commission

Sudbury Park & Recreation Commission

Sudbury Community Preservation Committee

Sudbury Board of Health

Sudbury Historical Commission

Sudbury Board of Assessors

Sudbury Agricultural Commission

Sudbury Commission on Disability

Sudbury Finance Committee

Sudbury Capital Improvement Planning Committee

Sudbury Ponds and Waterways Committee

Sudbury Rail Trail Conversion Advisory Committee

Sudbury Valley Trustees

Sudbury Foundation

SuAsCo Watershed Council

Metropolitan Area Planning Council

Executive Office of Energy and Environmental Affairs

APPENDIX D

Public Comments Received on Draft Plan

## Appendix E

### 2008-2012 Town of Sudbury Open Space and Recreation Plan Section

#### 504 Self-Evaluation

##### *Designation of Section 504 Coordinator*

The designated Section 504 Coordinator is James Kelly, ADA Coordinator and Building Inspector.

##### *Grievance Procedures*

Persons wishing to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs and benefits by the Town of Sudbury should make the complaint in writing according to the grievance procedure adopted by the Town and detailed in the attached document.

##### *Public Notification Requirements*

Employment advertising contains non-discrimination statements.

##### *Participation of Individuals or Organizations Representing the Disabled Community*

The Sudbury Disability Commission includes David J. Mortimer, who represents the disabled community.

##### *Program Accessibility*

Many government, recreation, elder services and public service programs provided by the Town of Sudbury are readily accessible and useable by persons with disabilities. These programs are held in buildings and facilities that provide full accessibility, or other accommodations are made for specific disabilities. The Town's Commission on Disability is preparing to complete a full Self-Evaluation of all town services, policies and practices and a Transition Plan to bring the Town into compliance with the Americans with Disabilities Act of 1990. All improvements will be considered, subject to funding availability.

##### *Transition Plan*

Since the 1998 Open Space and Recreation Plan, the Town has been upgrading its conservation and recreation facilities to accommodate disabled persons. Since the last plan update, the following upgrades have been put in place:

- Accessible door handles and other hardware have been installed at the Fairbank Community Center
- Featherland Park restrooms have been made accessible
- Accessible walking trail constructed at Haskell Field

### *Facility Inventory*

All recreational facilities associated with the public schools have adequate access for disabled persons. As described above, the Town is actively addressing those facilities that have inadequate access as funding becomes available. The full inventory and transition plan is attached.

### *Employment Practices*

Sudbury is an equal opportunity employer, as documented in the attached Article VII(A) of the Town's General Bylaws, Equal Employment Opportunity, and in the Town of Sudbury Employee Handbook.

### *Inventory of Open Space Facilities Owned by the Conservation Commission or Recreation Department*

The Conservation Commission and the Recreation Department manage certain properties for the Town of Sudbury, but ownership rests with the Town. Some of these properties, especially those managed by the Conservation Commission contain extensive wetlands and are not intended for public access.

### *Accessibility of other facilities*

The day use area in Haskell Playground, managed by the Sudbury Recreation Department, has been upgraded with a handicapped accessible picnic table.

The accessibility of privately owned facilities, e.g. Nashawtuc Country Club, Bosse Sports Club, is unknown.

OFFICE OF THE  
TOWN MANAGER  
278 OLD SUDBURY ROAD  
SUDBURY, MA 01776  
(978)639-3381  
(978)443-0756

August 15, 2008

Ms Melissa Cryan  
Grants Manager  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street  
Suite 900  
Boston, MA 02114

Dear Ms. Cryan:

I am writing to confirm that Mr. Wayne R. Walker, Assistant Town Manager/Human Resources Director of Sudbury, has been appointed as the Town's ADA Coordinator for employment practices and that James Kelly, the Building Inspector for the Town of Sudbury, has been appointed as the Town's ADA Coordinator for town buildings and facilities. As such, Mr. Walker and Mr. Kelly are responsible for insuring compliance with the Americans with Disabilities Act.

Sincerely,

Maureen Valente  
Town Manager

# TOWN OF SUDBURY

BUILDING DEPARTMENT  
275 Old Lancaster Road • Sudbury, MA 01776

James Kelly  
*Inspector of Buildings*  
*Certified Building Official*

Phone: 978-443-2209, ext. 1363  
Fax: 978-443-6128

August 15, 2008

Ms. Melissa Cryan  
Grants Manager  
Executive Office of Energy and Environmental Affairs  
100 Cambridge Street  
Suite 900  
Boston, MA 02114

Dear Ms. Cryan:

I am writing to certify that the Town of Sudbury's employment practices are in compliance with the Americans With Disabilities Act in the following categories: recruitment, personnel actions, leave administration, training, tests, medical exams and questionnaires, social and recreation programs, fringe benefits, collective bargaining agreements and wage and salary administration.

Should you have any questions, please feel free to contact me.

Sincerely,

James Kelly  
Building Inspector Coordinator

TOWN OF SUDBURY

COMMISSION ON DISABILITY

Americans with Disabilities Act  
(ADA)

GRIEVANCE PROCEDURE

August 15, 2008

**THE TOWN OF SUDBURY  
PUBLIC NOTICE  
AMERICANS WITH DISABILITIES ACT**

The Town of Sudbury does not discriminate on the basis of disability. Program applicants, participants, members of the general public, employees, job applicants, and others are entitled to participate in and benefit from all agency programs, activities, and services without regard to disability.

Copies of this notice are available, upon request, in alternate print formats (large print, audiotape, braille, computer disk, etc.). Our grievance procedure, self-evaluation, as well as ADA policies, practices and procedures are available upon request.

The Town of Sudbury has designated the following persons to coordinate its efforts to comply with the ADA. Inquiries, requests, and complaints should be directed to:

**WAYNE WALKER  
ASSISTANT TOWN MANAGER  
ADA COORDINATOR –  
EMPLOYMENT PRACTICES  
TOWN OF SUDBURY  
278 OLD SUDBURY RD.  
SUDBURY, MA 01776  
978-639-3386 (telephone)  
978-443-0756 (fax)**

**JAMES KELLY  
BUILDING INSPECTOR  
ADA COORINDATOR – FACILITIES  
MANAGEMENT  
TOWN OF SUDBURY  
275 OLD LANCASTER RD.  
SUDBURY, MA 01776  
978-443-2209 EXT 1363 (telephone)  
978-443-6128 (fax)**

**A. TOWN OF SUDBURY ADA GRIEVANCE PROCEDURE**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by any disabled individual or their authorized representative who believes that they have been discriminated against on the basis of disability in employment practices or the provision of services, activities, programs, or benefits by the Town of Sudbury.

The complaint should be submitted in writing or on audiotape to the appropriate ADA Coordinator named on the next page and should include a description of the alleged discriminatory incident or action, the place and date on which it occurred, and the name of any employee or representative of the Town of Sudbury involved. The complaint should also include the name, address, phone number of the complainant or their authorized representative. Any assistance needed in filing or pursuing the complaint will be provided by the ADA Coordinator upon request. The complaint should be submitted by the complainant and/or his/her authorized representative as soon as possible but no later than 60 calendar days after the alleged discriminatory incident:



**WAYNE WALKER**  
**ASSISTANT TOWN MANAGER**  
**ADA COORDINATOR –**  
**EMPLOYMENT PRACTICES**  
**TOWN OF SUDBURY**  
**278 OLD SUDBURY RD.**  
**SUDBURY, MA 01776**  
**978-639-3386 (telephone)**  
**978-443-0756 (fax)**

**JAMES KELLY**  
**BUILDING INSPECTOR**  
**ADA COORINDATOR –**  
**FACILITIES MANAGEMENT**  
**TOWN OF SUDBURY**  
**275 OLD LANCASTER RD.**  
**SUDBURY, MA 01776**  
**978-443-2209 X1363 (telephone)**  
**978-443-6128 (fax)**

Within 30 calendar days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting, the ADA Coordinator, will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, braille, or audiotape. The response will explain the position of the Town of Sudbury and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his or her designee may appeal the decision of the ADA Coordinator within 30 calendar days after receipt of the response.

Within 30 calendar days after receipt of the appeal, the Town Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting the Town Manager or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the ADA Coordinator, appeals to the Town Manager or his/her designee, and responses from the ADA Coordinator and Town Manager or his/her designee will be kept by the Town of Sudbury for at least three years.

## **I. EMPLOYMENT**

### **A. Reasonable Accommodation Policy**

It is the policy of the Town of Sudbury that no otherwise qualified individual with a disability shall, solely by reason of his or her disability, be excluded from employment at the Town of Sudbury. Employment review and hiring will be based on the employee/prospective employee's ability to perform what the Town of Sudbury determines to be the essential functions of a job.

Further, it is the policy of the Town of Sudbury that reasonable accommodation will be made for an otherwise qualified applicant or employee with a disability, unless the Town of Sudbury can demonstrate that the accommodation imposes an undue financial or administrative hardship on the operation of its programs.

Notice of the availability of reasonable accommodations for job applicants will be made available upon request to applicants with disabilities during the pre-employment process if necessary to provide equal opportunity to secure employment with the Town of Sudbury.

All prospective employees will be informed that the Town of Sudbury does not discriminate on the basis of disability and that requests for reasonable accommodations needed for the performance of essential job functions or for the enjoyment of other benefits of employment should be made by prospective employees following receipt of a conditional offer of employment, preferably at the post-employment offer meeting.

Persons with disabilities employed by the Town of Sudbury may request reasonable accommodations from their immediate supervisor or from the ADA Coordinator.

A decision regarding reasonable accommodation requests will be made within five business days of the submission of the request and any supporting documentation required by the Town of Sudbury. The effectiveness of the accommodation and need for modifications or additional accommodation will be assessed during the first month of use of the accommodation.

Current employees seeking reasonable accommodations should make requests to their immediate supervisor who will inform the ADA Coordinator. Requests for accommodation can be made at any time when they become necessary to the performance of essential job functions or the enjoyment of benefits of employment. A decision regarding the requested accommodation will be made within ten working days of the submission of the request and any supporting documentation required.

Applicants or employees have the right to appeal the denial of any accommodation request using the ADA Grievance Procedure. The final decision concerning any requested accommodation that may represent an undue financial or administrative hardship will be made by the Town Manager.

#### B. Employment Training Assurance

It is the policy of the Town of Sudbury that staff training and development activities provided by agency personnel and volunteers include information about ADA employment requirements. Our Employee Handbook explains the Town's ADA policies, procedures, and practices including reasonable accommodation, grievance procedures, and essential versus non-essential job functions. All new employees are informed during an orientation session of these policies.

## II. NON-DISCRIMINATORY OPERATIONS

#### A. Equal Opportunity Policy

No qualified person with a disability shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any of the Town of Sudbury's programs or activities.

In providing its services, programs, and activities the Town of Sudbury will not:

1. Deny a qualified individual with a disability the opportunity to participate in, or benefit from, a benefit, service, or activity.

2. Afford a qualified individual with a disability the opportunity to participate in, or benefit from, any aid, benefit, or service that is not equal to that afforded to others.
3. Deny a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards, commissions or any other entity of the Town of Sudbury.
4. Otherwise limit a qualified individual with a disability the enjoyment of any right, privilege, advantage, or opportunity enjoyed by other qualified individuals receiving the aid, benefit, or service.
5. As earlier stated, it is the policy of the Town of Sudbury to ensure that persons with disabilities are provided maximum opportunity to participate in and benefit from programs, services, and activities. Moreover, it is our goal that such participation is in the same manner as those of non-disabled persons and in fully integrated settings.

B. Reasonable Modification Policy

The Town of Sudbury will make reasonable modifications to policies and procedures necessary to accommodate the needs of a person with a disability whenever an otherwise qualified person with a disability requests such modification, unless it can be demonstrated that such an accommodation would impose an undue burden or fundamental alteration to the program.

The Town of Sudbury will comply with all applicable Federal and State laws and regulations relative to the use of assistive equipment and trained assistance animals. In addition, no arbitrary restrictions or limitations will be placed on the type of assistive equipment or trained assistance animals that consumers may bring with them to the Town of Sudbury facilities.

Final decisions regarding requests for reasonable modifications will be made by the Town Manager in a timely fashion (no longer than 10 working days). Individuals seeking to contest a denial of a request for reasonable modification will be given the grievance procedure in the format appropriate to their needs.

C. Eligibility Requirements Assurance

Any prohibitions or limits on the eligibility of qualified individuals with disabilities to receive services or practice any occupation or profession, are not allowed under this policy. Eligibility requirements have been reviewed by the ADA Coordinator and updated as necessary to comply with the requirements of the ADA. Whenever programs formulate new eligibility policies or new programs are developed, policies will be reviewed with the ADA Coordinator to ensure compliance. Staff will be informed of and trained on any changes in eligibility requirements that may arise.

D. Assurance Regarding Surcharges

It is the policy of the Town of Sudbury that surcharges will not be charged to persons with disabilities, their family members or organizations representing them for the provision of reasonable accommodations, reasonable modifications to policies and procedures, auxiliary aids and services, or any other costs related to the participation of a person with a disability.

E. Integrated Services Assurance

It is the policy of the Town of Sudbury that all of our services, programs, and activities are provided in the most integrated setting possible. People with disabilities will not be required to participate in separate programs even if separate programs specifically designed to meet the need of persons with disabilities are offered.

Services will not be provided to any person with a disability in a manner or at a location different from that available to other service recipients unless the potential for removal of architectural barriers or the use of assistive devices and equipment have been found to be inadequate or inappropriate to the needs of the individual. In all cases, the affected individuals, (family members and other representative when appropriate) will be fully involved in the consideration and decision-making process.

F. Significant Assistance Assurance

It is the policy of the Town of Sudbury that programs to whom we provide significant support may not discriminate against people with disabilities. All contracts and all program sites are regularly assessed to ensure nondiscrimination against people with disabilities. All new contracts and programs are assessed prior to approval to ensure they do not discriminate against people with disabilities.

G. Accessible Transportation Policy

The Town of Sudbury does not provide transportation for Department of Public Health sponsored programs.

H. Community Referral Assistance

Our program does not require referrals as a condition of participation. We do make occasional referrals to the following two programs:

1. Massachusetts Prevention Center  
158 Union Ave.  
Framingham, MA 01702  
This facility is completely handicapped accessible
2. Smokers Quit Line  
American Cancer Society, Boston  
617-338-6018  
This hot line is equipped with TDD/TTY

I. Training Assurance Regarding Non-Discriminatory Program Operation

The Town of Sudbury provides orientation training to all new employees. All Town of Sudbury employees receive a copy of the Employee Handbook which includes ADA policies. On-going information of the ADA will be included in all future new staff orientations and as needed at regular Department Head Meetings.

**III. EFFECTIVE COMMUNICATION**

A. Effective Communications Policy

It is the policy of the Town of Sudbury that auxiliary aids and services will be provided when necessary to ensure effective communication with persons whose disabilities effect communication. Persons with communications disabilities will be given the opportunity to request the aid or service that they prefer and the requested aid or service will be given primary consideration by the Town of Sudbury and will be provided unless doing so would impose an undue burden or a fully effective alternative is available.

B. TTY/TDD Assurance

At present, the TTY/TDD machine for the Town of Sudbury is located at the Police Station. The Town is planning to purchase one or more TTY/TDD machines for Town offices in the near future.

Final decisions regarding requests for reasonable modifications will be made by the Town Manager in a timely fashion (no longer than 10 working days). Individuals seeking to contest a denial of a request for reasonable modification will be given the grievance procedure in the format appropriate to their needs.

C. Alternative Format Policy and Procedures

It is the policy of the Town of Sudbury to make all documents, publications, and materials used in agency programs available to persons with disabilities who need them in alternative formats including large print, audiotape, braille, and computer diskettes.

Large print, short audiotapes, and computer diskettes in ASCII formats will be prepared by members of the Town of Sudbury who have been identified by the ADA Coordinator and trained in the necessary skills and procedures.

The procedure for requesting alternate formats is:

1. The person making the request should identify the materials desired and specify his or her preferred alternate format to the ADA Coordinator either in person, by phone, or in writing at least ten (10) days in advance of the event or activity for which the material is needed.
2. The materials will be provided in the requested format at no charge. *(Every attempt will be made to meet requests made less than 10 days before an event or activity).*

3. If, after primary consideration has been given to the preferred format, the request cannot be met, an alternative effective format will be offered. If a request cannot be met the person making the request will be informed as soon as possible but at least 2 days in advance of the event or activity.
4. Final decisions regarding requests for reasonable modifications will be made by the Town Manager in a timely fashion (no longer than 10 working days). Individuals seeking to contest a denial of a request for reasonable modification will be given the grievance procedure in the format appropriate to their needs.

D. Interpreter Services Policy

It is the policy of the Town of Sudbury that sign language interpreters, will be provided upon request to any person needing interpreter services in order to participate in any meeting, program, or activity of the agency. Requests should be made 10 days in advance of the scheduled event or meeting. *(Every reasonable effort will be made to meet requests made with less than 10 days)*. Requests should be made either in person, over the phone, or in writing to the Program Director:

Mary McCormack  
Executive Assistant to the Town Manager  
Town of Sudbury  
278 Old Sudbury Rd.  
Sudbury, MA 01776  
Tel. (978) 639-3382  
FAX (978) 443-0756

The Program Director will contact the Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH), to schedule the interpreter service. In addition to MCDHH, the Town of Sudbury maintains a list of names and phone numbers of at least three (3) qualified freelance sign language interpreters working in the region. If informed that MCDHH has not been successful in scheduling interpreters as requested, staff of the Town of Sudbury will immediately attempt to contact and schedule a freelance interpreter.

If an interpreter service cannot be obtained, the Program Director or other member of the staff will offer the option of an alternative effective form of communication or the opportunity to postpone the meeting until such a time as an interpreter can be scheduled.

Final decisions regarding requests for reasonable modifications will be made by the Town Manager in a timely fashion (no longer than 10 working days). Individuals seeking to contest a denial of a request for reasonable modification will be given the grievance procedure in the format appropriate to their needs.

E. Assistance Listening Device Assurance

It is the policy of the Town of Sudbury that assistive listening devices will be provided upon request to persons needing such devices to participate in programs, services and activities of the agency.

The procedure for requesting an assistive listening device is for the person needing the device (or his/her representative) to identify his or her need for a device in person, by telephone, or in writing to the Program Director at least ten (10) business days before the scheduled event or activity will take place. The ADA Coordinator or Program Director, or other responsible member of the staff will arrange for rental and timely delivery of the device by express mail. *(Every reasonable effort will be made to meet requests made with less than 10 days notice).*

Final decisions regarding requests for reasonable modifications will be made by the Town Manager in a timely fashion (no longer than 10 working days). Individuals seeking to contest a denial of a request for reasonable modification will be given the grievance procedure in the format appropriate to their needs.

F. TV Captioning Assurance

N/A. Our program does not use a TV as part of its program.

G. Video Assurance

N/A. our program does not use videos.

#### IV. PROGRAM AND FACILITY ACCESSIBILITY

Section V, Facility Accessibility has not been included because the material to be submitted is a summary of the findings from your facilities inventory and should include a listings of:

- a) barriers that limit accessibility identifying those whose removal is *readily achievable*.
- b) barriers limiting access whose removal is not readily achievable (with cost estimates).
- c) the source of all funds received by your agency.

**See the checklist for complete description  
of requirements of Section V requirements**

Town of Sudbury  
278 Old Sudbury Road  
Sudbury, MA 01776

Telephone: (978) 639-3386 or (978) 443-8891, ext. 1363

**COMPLAINT FORM FOR VIOLATIONS OF THE AMERICANS WITH DISABILITIES ACT**

1. Name: \_\_\_\_\_  
                                (Last)                          (First)                          (Middle Initial)  
Street Address: \_\_\_\_\_  
City and State: \_\_\_\_\_  
Zip Code: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_
  
2. In the event the Town is unable to locate you to discuss this complaint, please provide the following information concerning a person who can contact you:  
  
Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City and State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_
  
3. Who or what do you allege has violated requirements of the Americans with Disabilities Act:  
  
Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City and State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Department/Organization/Unit: \_\_\_\_\_  
Program: \_\_\_\_\_  
Individual: \_\_\_\_\_



4. Have you filed a complaint with respect to this matter with any other Federal, State or local government agency:

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, name of agency: \_\_\_\_\_

Street Address: \_\_\_\_\_

City and State: \_\_\_\_\_ Zip: \_\_\_\_\_

5. Have you pursued resolution of your complaint through the internal grievance procedure at your institution?

Yes \_\_\_\_\_ No \_\_\_\_\_

(Note: It is not required that you pursue your complaint through your institution's internal grievance procedure.)

If yes, what is the statue of your complaint in this grievance procedure?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Have you or do you intend to file this complaint with a lawyer?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, Lawyer's Name: \_\_\_\_\_

Address: \_\_\_\_\_

7. In order to determine if you have filed a complaint in a timely manner, the following is requested:

(a) On what dates and times was a violation/discriminatory act noted?:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Describe in detail the alleged discriminatory conduct or actions. If more space is required to answer this or any other question on this form, attach additional sheets. (NOTE: In describing discriminatory conduct, it will be helpful if you could provide information as to other persons allegedly treated in the same manner, non-handicapped persons treated differently; has the institution given an explanation for actions or conduct.)

---

---

---

---

---

---

---

9. Submit any written materials, dates, documents, etc. which you think are relevant to this complaint.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

## PUBLIC NOTICE

The Americans with Disabilities Act Title II regulations require that municipalities notify applicants, employees, participants and interested persons of their rights under the law.

### AMERICANS WITH DISABILITIES ACT

THE TOWN OF SUDBURY DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY IN ADMISSION OR ACCESS TO, TREATMENT OR EMPLOYMENT IN ITS PROGRAMS, SERVICES AND ACTIVITIES.

THE TOWN OF SUDBURY HAS DESIGNATED THE FOLLOWING PERSON TO COORDINATE EFFORTS TO COMPLY WITH THESE REQUIREMENTS. QUESTIONS, REQUESTS FOR AUXILIARY AIDS AND SERVICES OR MODIFICATIONS OF POLICIES AND PRACTICES AND COMPLAINTS SHOULD BE DIRECTED TO:

Wayne Walker, ADA Coordinator  
278 Old Sudbury Road, Sudbury, MA 01776  
(978) 639-3386

The information in the notice must be communicated on an ongoing basis in formats that ensure access to persons with visual, cognitive, physical or hearing impairments.

This may include the use of public service radio and television announcements, printing information in brochures, program notifications and other municipal publications, sending notices to disability **organizations** including organizations that have telephone tapes for people who are blind, posting notices in municipal facilities and printing notices in local newspapers.

Massachusetts Office on Disability  
One Ashburton Place  
Boston, MA 02108

1-800-322-2020 voice/TDD One  
(617) 727-7440 voice/TDD Boston

# AMERICANS WITH DISABILITIES ACT

THE TOWN OF SUDBURY DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY IN ADMISSION OR ACCESS TO/ TREATMENT OR EMPLOYMENT IN ITS PROGRAMS/ SERVICES AND ACTIVITIES.

THE TOWN OF SUDBURY HAS DESIGNATED THE FOLLOWING PERSON TO COORDINATE EFFORTS TO COMPLY WITH THESE REQUIREMENTS. QUESTIONS, REQUESTS FOR AUXILIARY AIDS AND SERVICES OR MODIFICATIONS OF POLICIES AND PRACTICES AND COMPLAINTS SHOULD BE DIRECTED TO:

Wayne R. Walker, ADA Coordinator

278 Old Sudbury Road

Sudbury, MA 01776

(978) 639-3386

# Town Committees

Sudbury, Massachusetts



Town of Sudbury → Committees → Commission on Disability → Members

## Members of the Commission on Disability

Name	Position	Address
David J. Mortimer	Chairman	55 Hudson Road
VACANCY ()	Member	
Lotte Diomede	Member	66 Dudley Rd
Benjamin A. Halsband	Member	38 Willow Rd
Kristin B. Kiesel	Member	40 Fairbank Road
Ronald B. McClanahan	Member	655 Boston Post Rd
Anita G. Simon	Member	33 Fox Run Rd
Susan J. Stocker	Member	45 Maplewood Ave
Carol M. Stoner	Member	857 Concord Rd

- [View member appointment lengths and service dates.](#)

© Copyright 2008 Town of Sudbury; some rights reserved.  
Send questions and comments to [webmaster@town.sudbury.ma.us](mailto:webmaster@town.sudbury.ma.us).

**SUDBURY DISABILITY COMMISSION INFORMATION  
SHEET THE AMERICANS WITH DISABILITY ACT OF 1990**

**FACT SHEET**

**OBJECTIVE:**

Furthers the goal of full participation for persons with disabilities by giving civil rights protection to these individuals. It guarantees equal opportunity for these individuals in (1) employment, (2) public accommodations; (3) transportation, (4) state and local government services and (5) telecommunications.

(1) Employment:

- Employers with 25 or more employees must comply, effective 26 July 1992.
- Employers with 15-24 employees must comply, effective 26 July 1994.
- Complaints may be filed with the U.S. Equal Employment Opportunity Commission.

(2) Public Accommodations: (Title III)

Effective 26 January 1992: Public accommodations such as restaurants, hotels, theaters, doctors offices, pharmacies, retail stores, museums, libraries, parks, private schools and daycare centers may not discriminate. Private clubs and religious organizations are **exempt**.

Reasonable changes must be made in policies, practices and procedures to avoid discrimination.

Elevators are generally not required in buildings under three stories or with fewer than 3,000 square feet per floor, unless the building is a shopping center, mall or professional office of a health care provider.

Individuals May:

- (a) Bring lawsuits to obtain court orders to stop discrimination, but money damages cannot be awarded; or
- (b) Can file complaints with the U.S. Attorney General who may file lawsuits to stop discrimination and obtain money damages and penalties.

(3) Transportation:

Public Bus/Rail: New buses and/or rail vehicles, ordered after 26 August 1990, must be accessible.

Private Bus/Vans: New over-the-road buses ordered on or after 26 July 1996 (July 26, 1997 for small companies). Note: After completion of a study, the president may extend this deadline by one year, if appropriate. Individuals may file complaints with the U.S. Attorney General or bring private lawsuits under the public accommodations procedures.

(4) State and Local Government Operations: (Title II)

State and local governments may not discriminate against qualified individuals. All government facilities, services and communications must be accessible consistent with the requirements of section 504 of the Rehabilitation Act of 1973.

Individuals may file complaints with federal agencies designated by the U.S. Attorney General or bring private lawsuits.

(5) Telecommunications:

Companies offering telephone services to the general public must offer telephone relay services to individuals who use telecommunication devices for the deaf (TDD's) or similar devices.

Individuals may file complaints with the Federal Communications Commission.

For additional information and answers to questions, contact the U.S. Department of Justice:

(202) 514-0301 (Voice) 11:00 AM to 4:00 PM Eastern Time  
(202) 514-0331 (TOD) 11:00 AM to 4:00 PM Eastern Time  
(202) 514-0333 (TOD) 11:00 AM to 4:00 PM Eastern Time

For copies of the full 90 page Americans with Disability Act of 1990, at no cost, please contact:

U.S. Senate Subcommittee on Disability Policy  
113 Senate Hart Office Building  
Washington, DC 20010

**FACILITIES INVENTORY AND TRANSITION PLAN**

The following facilities inventory includes those facilities that are under the jurisdiction of the Conservation Commission and/or Park and Recreation Commission and Department. Those parcels that are not intended for public use or access, including many lands under the jurisdiction of the Conservation Commission and classified as "open space", are not listed. In addition, recreation programs and facilities associated with the Sudbury Public Schools and the Lincoln Sudbury Regional High School have adequate access for disabled persons.

FACILITY: FEELEY FIELD  
 LOCATION: RAYMOND RD  
 MANAGER: Park & Recreation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Paved and unpaved lot	Accessible, but no designated handicap spaces	Designate paved spaces for handicap use
Baseball/Softball Fields	NA	Accessible	
Tennis Courts	NA	Accessible	
Restrooms	full restrooms	Women's room accessible	Door to men's room needs replacement for accessibility

FACILITY: FEATHERLAND FIELD  
 LOCATION: CONCORD RD  
 MANAGER: Park & Recreation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Paved lot	Accessible, handicap spaces designated	
Baseball/Softball Fields	NA	Accessible	
Tennis Courts	NA	Accessible	
Restrooms	full restrooms	Accessible	



FACILITY: HASKELL FIELD  
 LOCATION: FAIRBANK RD  
 MANAGER: Park & Recreation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Paved lot with handicapped spaces	Accessible, handicap spaces designated	
Baseball/Softball Fields	NA	Accessible	
Toddler Playground	Accessible swings	Soft surface not accessible	New playground under development which will be fully accessible
Walking Trail	Paved trail around field	Accessible	
Restrooms	full restroom	Not accessible	May be replaced if funding available - grant request recently submitted
Exercise Area	Par course - parallel bars, sit up bench, etc.	Accessible	

FACILITY: DAVIS FIELD  
 LOCATION: NORTH RD  
 MANAGER: Park & Recreation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved lot	Partially accessible	Analysis underway to improve this area with CPA funds
Soccer Fields	NA	Accessible	
Restrooms	Port-o-san	Not accessible	Improvement will likely include accessible restrooms

FACILITY: FAIRBANK COMMUNITY CENTER  
 LOCATION: FAIRBANK RD  
 MANAGER: Park & Recreation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Paved lot with handicapped spaces	Accessible	
Pool	Indoor pool, diving pool	Accessible	
Locker Room	lockers, showers, bathrooms	Accessible	
Volleyball Area	NA	Accessible	
Basketball Courts	NA	Accessible	
Restrooms	Handicapped facility	Accessible	

FACILITY: HORSE POND FIELD  
 LOCATION: HORSE POND RD  
 MANAGER: Park & Recreation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Paved parking area	Accessible, but no designated handicap spaces	
Playing Field	NA	Accessible	

FACILITY: HOP BROOK CONSERVATION AREA  
 LOCATION: DUTTON RD  
 MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	not fully accessible	
Walking Trails	dirt trails	not fully accessible	Grading of main trail planned for accessibility

FACILITY: TIPLING ROCK CONSERVATION AREA  
 LOCATION: BOSTON POST RD  
 MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	not fully accessible	Develop accessible parking and trail section on level area off driveway
Walking Trails	dirt trails	not fully accessible	

FACILITY: BARTON FARM CONSERVATION AREA  
 LOCATION: HAYNES RD  
 MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	not fully accessible	
Walking Trails	dirt trails	not fully accessible	

FACILITY: NOBSCOT CONSERVATION AREA  
 LOCATION: HAYNES RD  
 MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	not fully accessible	
Walking Trails	dirt trails	not fully accessible	Steep grades do not permit accessibility

FACILITY: DAVIS FARM  
 LOCATION: NORTH RD

MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	Accessible	
Walking Trails	dirt trails	not fully accessible	Regrade main trail loop for accessibility

FACILITY: LINCOLN MEADOWS  
LOCATION: LINCOLN RD  
MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	Accessible	
Walking Trails	dirt trails	Accessible	
Community Gardens	garden plots	Accessible	

FACILITY: HAYNES MEADOW  
LOCATION: PEAKHAM RD  
MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	Accessible	
Walking Trails	dirt trails	Accessible	Redesign bridges for accessibility

FACILITY: KING PHILIP WOODS  
LOCATION: OLD SUDBURY RD  
MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	Accessible	

Walking Trails	dirt trails	not fully accessible	Steep grades in areas - no current plans for improvement
----------------	-------------	----------------------	--

FACILITY: PIPER FARM  
 LOCATION: RICE RD  
 MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	Accessible	
Walking Trails	dirt trails	not fully accessible	Identify potential trail segments for redesign for accessibility

FACILITY: LIBBY/DICKSON  
 LOCATION: WATER ROW  
 MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	not fully accessible	
Walking Trails	dirt trails	not fully accessible	Steep grades do not permit accessibility

FACILITY: MAHONEY FARM  
 LOCATION: NOBSCOT RD  
 MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
NONE			Public trails open to the public under development, with potential for accessibility

FACILITY: RAYMOND RD EAST &  
 WEST

LOCATION: RAYMOND RD  
 MANAGER: Conservation Commission

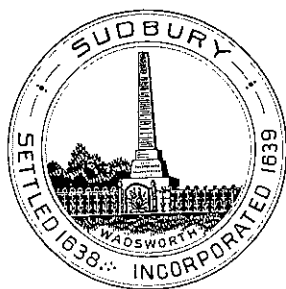
ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	not fully accessible	
Walking Trail	dirt trails	not fully accessible	Develop accessible connection from railroad right of way

FACILITY: FROST FARM  
 LOCATION: NORTH RD  
 MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	not fully accessible	
Walking Trails	dirt trails	not fully accessible	Reassess trail locations for accessibility

FACILITY: POOR FARM MEADOW  
 LOCATION: MARLBORO RD  
 MANAGER: Conservation Commission

ACTIVITY	EQUIPMENT	ASSESSMENT	TRANSITION PLAN
Parking	Unpaved	not fully accessible	
Walking Trails	paved and dirt trails	not fully accessible	Identify potential accessible trail and parking solutions



## Town of Sudbury Employment Application

The Town of Sudbury is an Equal Opportunity Employer

Personnel Office, 288 Old Sudbury Road, Sudbury, MA 01776

Tel. (978) 443-8891

Fax (978) 443-0756

The Town of Sudbury accepts applications for advertised positions only. The Town does not maintain a file of general applications. A resume may be attached but not substituted for this form. All questions must be answered completely.

(Please Print or Type)

Position(s) applied for \_\_\_\_\_ Date \_\_\_\_\_

How did you learn about the position? \_\_\_\_\_

Date you are available to start \_\_\_\_\_

Salary desired \_\_\_\_\_

### PERSONAL INFORMATION:

Name: \_\_\_\_\_  
(Last) (Middle Initial) (First)

Address: \_\_\_\_\_

Home Phone: ( ) \_\_\_\_\_ Work Phone: ( ) \_\_\_\_\_

Are you 18 years or older? \_\_\_\_ Yes \_\_\_\_ No

Can you provide required proof of your legal right to work? \_\_\_\_ Yes \_\_\_\_ No

Federal Law requires submittal of satisfactory proof of identity and employment eligibility (Passport, Valid Driver's License, Birth Certificate, etc.). Failure to submit such proof will result in ineligibility for employment with the Town of Sudbury.

Have you ever been employed by the Town of Sudbury? \_\_\_\_ Yes \_\_\_\_ No

If Yes, when and in what capacity? \_\_\_\_\_

If Yes, reason for leaving? \_\_\_\_\_

Do you have a dependable means of transportation to and from work? \_\_\_\_ Yes \_\_\_\_ No

Have you ever been convicted of a felony? \_\_\_\_ Yes \_\_\_\_ No

If Yes, please specify: \_\_\_\_\_

Have you been convicted of a misdemeanor in the last five years? \_\_\_\_ Yes \_\_\_\_ No

If Yes, please specify: \_\_\_\_\_

You are not required to divulge information concerning any offense committed prior to the age of seventeen or if there is a sealed record on file. Conviction may not necessarily disqualify an applicant from employment.

**EDUCATION:**

Degree/Date	Course of Study	School Name/Location	Years Completed
High School:	_____	_____	_____
College:	_____	_____	_____
Graduate School:	_____	_____	_____
Business/Technical/ Other:	_____	_____	_____

**SPECIAL SKILLS:**

Please describe any specialized training or job related skills that will help us evaluate your application for employment.

Specialized Training: \_\_\_\_\_

Special Equipment: \_\_\_\_\_

Professional Licenses: \_\_\_\_\_

Professional Memberships: \_\_\_\_\_

Computer Software: \_\_\_\_\_

Other: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**EMPLOYMENT HISTORY:**

List current or most recent employer first

1) Employer's Name: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Job Title: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_

Work Performed: \_\_\_\_\_

Reason for Leaving: \_\_\_\_\_

2) Employer's Name: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Job Title: \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_

Work Performed: \_\_\_\_\_

Reason for Leaving: \_\_\_\_\_



3) Employer's Name: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Job Title: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_

Work Performed: \_\_\_\_\_

Reason for Leaving: \_\_\_\_\_

**REFERENCES:**

Please provide professional and/or business references only.

1) Name: \_\_\_\_\_ Occupation: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Relationship: \_\_\_\_\_ Years Acquainted: \_\_\_\_\_

2) Name: \_\_\_\_\_ Occupation: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Relationship: \_\_\_\_\_ Years Acquainted: \_\_\_\_\_

3) Name: \_\_\_\_\_ Occupation: \_\_\_\_\_

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Relationship: \_\_\_\_\_ Years Acquainted: \_\_\_\_\_

**APPLICANT'S STATEMENT:**

"I certify that the information provided in this application is true and complete to the best of my knowledge. I understand that if employed, any misrepresentation or false or misleading statements given in this application or in personal interview(s) may be sufficient grounds for discharge.

I authorize investigation of all statements contained herein and authorize the employer to contact and obtain all information that may be necessary to arrive at an employment decision from all listed references, employers and educational institutions. I understand that the information so obtained is for the use of the Town of Sudbury only. I hereby release all parties from any and all liability for any damages which may arise as a result of furnishing or releasing such information.

If required for the position I am seeking I agree to have a physical examination by a physician selected by the employer, which may include testing for drugs or a psychological examination and recognize that any offer of employment may be contingent upon the results of such examination(s).

I understand that neither this application nor any offer letter I may receive for employment constitutes an agreement or contract for employment for any specified period or definite duration. I understand that all appointments are probationary and that I must demonstrate my fitness for continued employment. I also understand and acknowledge that, unless otherwise defined by applicable law, employment is of an "at will" nature; i.e. that I may resign at any time for any reason and that the employer reserves the right to terminate my employment at any time with or without cause."

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**ARTICLE VII(A)**

**EQUAL EMPLOYMENT OPPORTUNITY**

**SECTION 1.** The Town of Sudbury shall take affirmative action to provide equal employment opportunity, without discrimination.

**SECTION 2.** All Town agencies shall enter into contracts for the purchase of goods or services and for the construction, maintenance, renovation or repair of any building, structure, street, way, utility or other public work only with contractors taking affirmative action to provide equal employment opportunity without discrimination.

**SECTION 3.** As used in this bylaw, affirmative action means positive steps to ensure all persons equal employment opportunity without discrimination at all stages of the employment process. At the discretion of the appropriate Town agency, it may include, but is not limited to the following:

- A. Inclusion in all solicitations and advertisements for employees of a statement that the contractor is an "Equal Opportunity Employer";
- B. Placement of solicitations and advertisements for employees in media that reach minority groups;
- C. Notification in writing to all recruitment sources that the contractor solicits the referral of applicants without discrimination;
- D. Direct solicitation of the support of responsible and appropriate agencies to assist in recruitment efforts;
- E. Participation in, or establishment of, apprenticeship or training programs where outside programs are inadequate or unavailable to minority groups;
- F. Modification of collective bargaining agreements to eliminate restrictive barriers established by dual lines of seniority, dual rates of pay or dual lines of promotion or progression which are based on discrimination;
- G. Review of the employment process to eliminate all discrimination;
- H. Communication of all job orders simultaneously to the sources of minority manpower, such as those sources listed by the Massachusetts Commission Against Discrimination and the Equal Employment Opportunity commission.

In determining whether the steps taken or proposed by any bidder or contractor constitute affirmative action under this bylaw, the Town agency shall take into account the relevant characteristics of the bidder or contractor, the number of persons he employs and the location of his principal and branch offices.

**SECTION 4.** As used in this bylaw, the following terms shall have the following meanings:

- A. "Town agency" includes all boards, employees, commissions, committees, departments and other agencies, including the School Committee.

- B. "Contract" includes any contract, subcontract or other agreement.
- C. "Contractor" includes and is defined as any contractor, and his subcontractors, any other subcontractor or other contracting party, who employs more than six (6) persons.
- D. "Bidder" includes any bidder, sub-bidder or prospective contractor and his subcontractors, any other subcontractor or other contracting party.
- E. "Employment process" includes recruitment, selection, placement, promotion, training, layoff and termination of employment.
- F. "Discriminatory", "Discriminate", or "Discrimination" includes all action which denies or tends to deny equal employment opportunity because of race, color, religion, sex, national origin or age, (as defined by State Statutes).

**SECTION 5.** Each bidder, contractor, and subcontractor shall include in all bids, progress and compliance reports (1) a statement setting forth the affirmative action he is currently undertaking and will undertake during the contract period, and (2) a written statement with supporting information, signed by an authorized agent of any labor union or other agency which refers workers or provides or supervises apprenticeship or other training programs with which the bidder or contractor deals, to the effect that the union or other agency's practices and policies are not discriminatory. In the event that the union or other agency refuses to execute such a statement, the bidder or contractor shall certify such facts.

A copy of any such report shall be filed in the office of the Town Clerk and shall upon filing become a public record.

**SECTION 6.** The Selectmen shall enforce this bylaw.

**SECTION 7.** This bylaw shall apply to:

- A. All contracts involving expenditures in excess of \$10,000.00; and
- B. The municipal employment process.

Where a contract is for less than ten thousand dollars, a Town agency may apply the provisions of this bylaw to any contract, bidder or contractor.

**SECTION 8.** If any provision of this bylaw shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality of any of the remaining provisions.

## **4. EMPLOYMENT POLICIES AND PRACTICES**

### **4.1. General Introduction**

To provide a productive, safe, healthful work environment for each and every employee, and in compliance with state and federal laws, the Town has issued the policies below. The Town is wholly committed to these policies. Any violation of the policies will be taken very seriously, and may result in disciplinary action, up to and including termination.

### **4.2. Equal Employment Opportunity/Affirmative Action Policy**

Equal employment practices have been and will continue to be a fundamental principle for the Town. As stated in the Town's EEO policy, contained in the Town By-Laws, employment decisions and personnel actions for the Town are based upon personal capabilities, merit and qualifications, and are made without regard to age, race, creed, color, religion, national origin, ancestry, sex, sexual orientation, citizenship status, disability, political beliefs or affiliation, National Guard and reserve unit obligations, and veteran status. This policy and principle extends to all employment decisions and personnel actions, including, but not limited to, recruiting, hiring, compensation, benefits, training, transfers, promotions, layoffs, and education and social programs.

In addition to upholding state and federal laws prohibiting discrimination, the Town has made a commitment to recruiting from as wide and diverse a labor market as practicable. Responsibility for overseeing the Affirmative Action Program (AAP) rests with the Affirmative Action Officer and the Town Manager.

We encourage you to bring any perceived violation of this policy to our attention immediately. To view the Town's AAP, or to speak with the Town about a perceived violation of this policy, please contact the Town's EEOC/Affirmative Action Officer.

### **4.3. Disability Discrimination Prohibited**

Consistent with state and federal disability laws, the Town does not discriminate against qualified applicants or employees with a sensory, physical or mental disability. The Town is committed to compliance with reasonable accommodation requirements in the performance of essential functions of the job.

If you are in need of a reasonable accommodation, you should contact your department head or the Town's Disabilities Coordinator.

#### **4.4. Policy Against Harassment**

It is the Town's policy to provide you with a work environment free of discrimination and harassment. Any form of harassment of employees by supervisory or non-supervisory personnel will not be permitted. Harassment in the workplace is unlawful under state and federal law; furthermore, it is unlawful to retaliate against an employee for filing a complaint of harassment or for cooperating in an investigation of a complaint for sexual harassment. Forms of harassment might be based on but not limited to race, color, religious creed, national origin or ancestry, sex, age, sexual preference, disabilities, or political beliefs or affiliation. All members of management and supervisors have the explicit responsibility and duty to take immediate corrective action to prevent any sexual, racial, ethnic or other harassment of the Town's employees.

The term "sexual harassment" includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- 1) Submission to such conduct is made, either explicitly or implicitly, as a term or condition of employment,
- 2) Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the employee,
- 3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

While it is not possible to list all the circumstances that constitute sexual harassment, the following are examples of unwelcome conduct that may constitute harassment: sexual jokes, displaying sexually suggestive objects, pictures, or cartoons, leering, brushing against the body, sexual gestures, inquiries or discussions regarding one's sexual activities or experiences, and messages that are sent via electronic mail, voice mail, or the Internet that are obscene, profane or sexual in nature.

If you are found to have committed sexual harassment, you will be subject to disciplinary action, up to and including termination.

Please refer to the Town's Sexual Harassment Policy, which has been provided to you, for further information.

#### **IF YOU ARE THE SUBJECT OF OR A WITNESS TO HARASSMENT IN ANY FORM**

If you believe that you have been a victim of harassment or have seen anyone engaging in any of the prohibited activities listed above, you should report the harassment immediately to a department head, the Town Manager, the Personnel Officer, or Town Counsel. You can be assured that your complaint will be carefully and promptly investigated. You can also be assured that the investigation will be conducted in such a way as to maintain confidentiality to the extent consistent with a fair and full investigation and practicable under the circumstances. Further, if you report harassment, you will not be subjected to retaliation. In some instances, you may wish to utilize the grievance procedure found in section 5.4. of this handbook.

Also, employees who believe they may have been subjected to unlawful harassment may seek legal counsel from state and federal agencies responsible for enforcing the law.

State Agency  
Massachusetts Commission Against Discrimination(MCAD)  
One Ashburton Place  
Boston, MA 02108  
617-727-3990

Federal Agency  
Equal Employment Opportunity Commission (EEOC)  
One Congress Street  
Boston, MA 02114  
617-565-3200.

Both of these agencies have a relatively short time period of 300 days for filing a complaint.

#### ***4.5. Medical Records Privacy Policy; HIPAA***

In compliance with the federal Health Insurance Portability and Accountability Act (HIPAA), and in support of your desire for medical privacy both in and out of the workplace, the Town has formally adopted its own medical records privacy policy. This policy is intended to limit, as much as possible, the Town's disclosure of your Protected Health Information (PHI) to outside entities. Protected Health Information is information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health or condition and related health care services.

The policy defines specifically how confidential medical information about you may be used and disclosed to carry out treatment, authorize payment for health care services and for other purposes that are required by law. The policy also describes your rights to access and control your medical information. If you have questions, or wish to review the Town's HIPAA Privacy policy in detail, please contact the Personnel Office.

#### ***4.6. Personnel File***

A personnel file for each employee is kept in the Personnel Office. Your personnel file contains your name, title and/or position held, job description, department to which you are assigned, salary, changes in employment status, training received, performance evaluations, personnel actions affecting you, including discipline, and other pertinent information. Personnel files are kept confidential to the maximum extent permitted by law.

As an employee of the Town, you have the right to examine your own file, upon request.