

ADMINISTRATIVE POLICY STATEMENT

General Subject: Administration

Date Issued 12/30/97
Revised Date 10/16/2018
Effective Date 12/30/97

Specific Subject: Americans With Disabilities
Act Implementation

Cancellation Date

Supersedes No.

PURPOSE

To provide guidance on compliance with the Americans with Disabilities Act as it relates to the provision of auxiliary aids and meeting locations, and to establish a procedure for responding to complaints related to the City’s non-compliance with the Americans with Disabilities Act in the provision of services to the general public and employees.

STATEMENT OF POLICY

It is the policy of the City of Janesville to ensure that all citizens have an equal opportunity to participate in and receive the benefits of the services, programs, or activities of the City. This will be done in the most integrated setting appropriate to the needs of the qualified individual with a disability. Only where it is absolutely necessary will the City provide services, programs, or activities separately to persons with disabilities. No qualified individual with a disability shall, on the basis of said disability, be screened out of a service, program or activity. Nor, shall any individual be excluded from participation in or denied the benefits of said services, programs or activities, because of their disability.

I. COMMUNICATIONS

The City must not only provide its programs and services in a non-discriminatory manner, it must also inform the public and employees that it does so. Information should be provided at the time of any improvement in serving individuals with disabilities, as well as on an ongoing basis.

The following steps should be taken to improve general communications with the public and employees.

A. Auxiliary Aids

Auxiliary aids for the hearing and visually impaired should be made available upon request. Such aids could include written, brailled, or taped materials; readers; or sign language interpreters. Requests for such aids should be made to the City Clerk-Treasurer’s Office two (2) business days before they are needed to allow time for the necessary arrangements to be made.

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B. Public Notices and Written Materials

- 1) Include a statement in written materials and publicity releases that the City does not discriminate on the basis of handicapped status. This should appear on brochures, fact sheets, plan documents, and other materials prepared for public dissemination. The following statement is appropriate.

"The City of Janesville advises the public, employees, and job applicants that it does not discriminate on the basis of handicapped status in admission or access to, or treatment or employment in, its programs and activities."

- 2) Written materials that include a phone number should also include the telecommunications devise for the deaf (TDD) phone number (608) 755-3190.

- 3) In order to reach both hearing-impaired and visually impaired, all public notices should be sent to all media - radio, newspaper, and television (when available).

- 4) Public notices should include notification to the public that auxiliary aids will be made available to allow the hearing-impaired or visually-impaired to participate in the public meeting. The following statement would be appropriate:

"If you need an interpreter, materials in alternate formats or other accommodations, please contact the office of the City Clerk-Treasurer's Office at (608) 755-3070, TDD (608) 755-3190 at least two (2) business days prior to the meeting so that proper arrangements can be made."

II. ACCESSIBLE MEETING LOCATIONS

All public meetings, including public information meetings, should be held in physically accessible locations. City Hall is considered a physically accessible location. When a

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meeting outside of City Hall is being scheduled, staff should make sure that the location chosen is physically accessible.

III. COMPLAINT RESOLUTION PROCEDURE

This Complaint Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (“ADA”). It may be used by anyone who wishes to file a complaint alleging employment discrimination on the basis of disability.

The complaint should be submitted in writing by the complainant or his/her designee and contain information about the alleged discrimination such as, name, address, phone number of complainant, and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

Step 1 The complaint should be submitted in writing by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

<p>HIRING & EMPLOYMENT PRACTICES (Title I)* Complaints on the basis of disability in the City of Janesville hiring or employment practices should be directed to:</p>	<p>ACCESSIBILITY, PROGRAMS, SERVICES (Title II)** Complaints that a program, service, or activity of the City of Janesville is not accessible to persons with disabilities should be directed to:</p>
<p>Tara Semenchuk, ADA Coordinator, Title I Assistant Human Resources Director City of Janesville 18 North Jackson Street P. O. Box 5005 Janesville, WI 53547-5005</p>	<p>Thomas Clippert, ADA Coordinator, Title II Building Director City of Janesville 18 North Jackson Street P. O. Box 5005 Janesville, WI 53547-5005</p>
<p><i>*The City of Janesville’s Personnel Policy 4 governs employment-related complaints of disability discrimination.</i></p>	<p><i>**This policy governs accessibility-related complaints of disability discrimination.</i></p>

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Within 15 calendar days after receipt of the complaint, the ADA Coordinator or his/her designee, will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or his/her designee, 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 City of Janesville and offer options for substantive resolution of the complaint.

Step 2 If the response by the ADA Coordinator or his/her designee, does not satisfactorily resolve the issue, the complainant and/or his/her designee, may appeal the decision within 15 calendar days after receipt of the response to the City Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, the City Manager, or his/her designee, will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City 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. The City Manager's decision is final.

All written complaints received by the ADA Coordinator or his/her designee, appeals to the City Manager, or his/her designee, and responses from these two offices will be retained by the City of Janesville indefinitely.

The right of an individual to a prompt and equitable resolution of the complaint filed with the City shall not be impaired by the individual's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency.

IV. SELF EVALUATION

The City is required to conduct a **self evaluation**, which includes a comprehensive review of current policies and practices (formal written policies and procedures and actual operating practices). Any policy or practice that does not comply with the requirements of Title II must be identified and modified to bring the policy or practice into compliance. The Moving forward, the City will address substitutive changes or modifications to policies and practices or the addition of new policies and practices. Individuals must be provided the

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opportunity to submit comments pertaining to the City's effort.

V. TRANSITION PLAN

When structural modifications to facilities are necessary to make a program, service, or activity accessible to people with disabilities, the City of Janesville is required to develop a facility transition plan which include:

- The physical barriers which limit access to and use of the programs, services, and activities for people with disabilities, including communications features which are structural in nature;
- A detailed description of how the City plans to make the facilities accessible;
- The schedule for barrier removal;
- A yearly schedule, if the transition plan is more than one year long; and
- The name of the individual who is responsible for implementing the transition plan;

The City is required to maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities. This includes locked accessible doors, elevators, accessible routes which are obstructed by parked cars or furniture, and complaint signage which is obstructed from vision and touch.

The City will develop a transition plan for any future modifications to current City facilities that were originally grandfathered by the ADA in regard to facility and program accessibility compliance. Moving forward, transition plans will also be developed for newly purchased facilities that do not meet ADA Title II requirements.

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**CITY OF JANESVILLE
AMERICANS WITH DISABILITIES ACT NOTICE
TITLE I AND TITLE II**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Janesville will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of Janesville does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

Effective Communication: The City of Janesville will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Janesville’s programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The City of Janesville will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the City of Janesville offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Janesville, should contact the City Clerk-Treasurer’s Office at (608) 755-3070, TDD (608) 755-3190 as soon as possible but no later than two (2) business days before the scheduled event.

The ADA does not require the City of Janesville to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

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HIRING & EMPLOYMENT PRACTICES (Title I)	ACCESSIBILITY, PROGRAMS, SERVICES (Title II)
Complaints on the basis of disability in the City of Janesville hiring or employment practices should be directed to:	Complaints that a program, service, or activity of the City of Janesville is not accessible to persons with disabilities should be directed to:
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The City of Janesville will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.