

RESOLUTION 2010 - 2010-11

**RESOLUTION TO ADOPT NOTICE AND GRIEVANCE PROCEDURE
UNDER THE AMERICANS WITH DISABILITIES ACT**


WHEREAS, the federal government has established certain notice and grievance procedure requirements under the Americans with Disabilities Act of 1990, as amended (“ADA”); and

WHEREAS, LaPorte County desires to ensure that it is in compliance with requirements of the ADA,

NOW, THEREFORE, be it resolved by the Board of Commissioners of the County of LaPorte that,

1. LaPorte County adopts and will implement the Notice and Grievance Procedure under the Americans with Disabilities Act of 1990, as amended, attached to this Resolution as Exhibits “A” and “B”, respectfully.

All of which is adopted by the Board of Commissioners of LaPorte County this 3rd day of November, 2010.




BARBARA HUSTON, President



MIKE BOHACEK, Vice President



KEN LAYTON, Member

ATTEST: 

CRAIG HINCHMAN, Auditor
Chief Deputy

“EXHIBIT A”



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990, LaPorte County will not discriminate against qualified individuals with disabilities on the basis of disability in the County's services, programs, or activities.

Employment: The County 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 Americans with Disabilities Act (ADA).

Effective Communication: The County 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 County'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 County will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all County programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communications or a modification of policies or procedures to participate in a program, service, or activity, should contact the office of Joyce Leon, Human Resources, at 555 Michigan Avenue, Suite 101, LaPorte, Indiana 46350, as soon as possible but no later than 48 hours before the scheduled event.

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

Complaints that a County program, service, or activity is not accessible to persons with disabilities should be directed to Joyce Leon, Human Resources, at 555 Michigan Avenue, Suite 101, LaPorte, Indiana 46350.

The County 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.

“EXHIBIT B”

LAPORTE COUNTY, INDIANA

Grievance Procedure under The Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County. The County's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing 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.

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

Joyce Leon, Human Resources, at
555 Michigan Avenue, Suite 101,
LaPorte, Indiana 46350.

Within fifteen (15) calendar days after receipt of the complaint, Joyce Leon or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within fifteen (15) calendar days of the meeting, Joyce Leon or her designee will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County and offer options for substantive resolution of the complaint.

If the response by Joyce Leon or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within fifteen (15) calendar days after receipt of the response to the Board of Commissioners of LaPorte County (“Board”) or a designee.

Within 15 calendar days after receipt of the appeal, the Board or a designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the Board or a 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 Joyce Leon or her designee, appeals to the Board or a designee, and responses from any of them will be retained by the County for at least three (3) years.