Local Public Agency

Section 504 – Rehabilitation Act of 1973
Americans with Disabilities Act of 1990
ADAMS COUNTY, NEBRASKA

POLICY STATEMENT

The Adams County will ensure that no qualified disabled individual shall, solely on the basis of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any of its programs, services, or activities as provided by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). Adams County further ensures that every effort will be made to provide nondiscrimination in all of its programs or activities regardless of the funding source.

For our purposes, a disabled person is defined as any person who

- Has a physical or mental impairment that substantially limits one or more major life activities,
- Has a record of such an impairment, or
- Is regarding as having such an impairment

AUTHORITIES

Section 504 of the Rehabilitation Act of 1973, as amended, provides that "No otherwise qualified disabled individual in the United States, as defined in section 7(6), shall, solely by reason of his disability, be excluded for the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

29 USC 794 (October 29, 1992 to the Rehabilitation Act of 1973) substitutes "a disability" for "handicaps" and "disability" for "handicap".

49 CFR Part 27.13 (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance) states, "This part applies to each recipient of Federal financial assistance from the Department of Transportation and to each program or activity that receives or benefits from such assistance".

49 CFR Part 28.102 (Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Department of Transportation) states, "This part applies to all programs or activities conducted by the Department of Transportation except for programs and activities conducted outside the United States that do not involve individuals with disabilities in the United States."

28 CFR Part 35 (Judicial Administration) states that: "The purpose of this part is to effectuate Subtitle A of Title II of the ADA which prohibits discrimination on the basis of disabilities by public entities.

49 CFR part 27 (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance) states, "The purpose of this part is to carry out the intent of Section 504 of the Rehabilitation Act of 1973 (29 USC 794) as amended, to the end that no otherwise qualified disabled individual in the United States shall, solely by reason of his or her disability, 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."

49 CFR Part 28-140 (Employment) states that, "(a) No qualified individual with disabilities shall, on the basis of disability, be subjected to discrimination in employment under any program or activity conducted by the Department," and "(b) The definitions, requirements, and procedures of Section 504 of the Rehabilitation Act of 1973 (29 USC 791), as established by the Equal Employment Opportunity Commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities.

29 CFR Part 1613 (Equal Employment Opportunity in the Federal Government) states that: "It is the policy of the Government of the United States . . . to provide equal opportunity in employment for all persona to prohibit discrimination in employment because of race, color, religion, sex, or national origin and to promote the full realization of equal employment opportunity through a continuing affirmative program in each agency."

42 USC Part 12101-12213 (The Americans with Disabilities Act of 1990) states that: "No covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment."

ORGANIZATION

Harold Johnson, ADA Coordinator and Maintenance Supervisor

SECTION 504/ADA COORDINATOR RESPONSIBILITIES

Monitor the LPAs current polices and practices for implementing ADA/504.

Identify shortcomings in compliance and develop remedies.

Evaluate remedial steps taken to eliminate the effects of discrimination.

Monitor complaint procedures and provide for prompt resolution of complaints alleging an action prohibited by ADA/504.

Process complaints filed under ADA/504.

Ensure agency compliance with ADA/504

Coordinate with department heads to enable ADA/504 compliance efforts.

Monitor Adams County ADA/504 Transition Plan to ensure facility compliance with accessebility standards.

Monitor established procedures to ensure that requested auxillary aids are provided.

Monitor the preparation of ADA/504 information for dissemination to the general public, including the "Notice to the Public" offer to provide reasonable accommodation, upon request.

Identify, Investigate and eliminate ADA/504 discrimination when found to exist.

SECTION 504/ADA NOTICE TO PUBLIC (sample below)

Adams County does not discriminate on the basis of disability in admission of its programs, services, or activities, in access to them, in treatment of individuals with disabilities, or in any aspect of their operations. The Adams County also does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Questions, complaints, or requests for additional information or accommodation regarding the ADA and Section 504 may be forwarded to the designated ADA and Section 504 compliance coordinator:

Name and Title: Harold Johnson
Phone Number (Voice/TDD): 402-461-7155/TDD 402-461-7166
Office Address: 300 N St Joesph Ave, Hastings, NE 68901
Days/Hours Available: Monday-Friday 7:00 am -3:00 pm
maintenance@adamscounty.org

SECTION 504/ADA SELF-EVALUATION

In 1993, the ADA Coordinator and ADA Committee completed a ADA Self-Evaluation form (please see attached). It is also on file in the Adams County Clerk's Office available to the public.

SECTION 504/ADA TRANSITION PLAN

ADA Self-Evaluatin and Transition Plan was completed in 1993(please see attached). Adams County has implemented another ADA Committee to review the Self-Evaluatin Plan and Transition Plan. Adams County is currently updating the public elevator in the Courthouse and updating doors in the Annex Building.

COMPLAINT PROCEDURES

Complaints of Discrimination forms are available on the Adams County Website (www.adamscounty.org). The form may be filed by individual or representative. Complaints should be in written form and contain, Complaints name, address and telephone number, A detailed description of issues, and Name and job titles of individuals perveived as parties in complaint. Complaints should be filed as soon as possible, but must be no later than 180 calendar days after the complaintant becomes aware of alleged discrimination. Adams County will notiy NDOR to coordinate all further activity regarding complaint. Adams County Titile VI Coordinator will contact Complainant to acknowledge receipt of the complaint, confirm that the complainant wishes to proceed, confirm that there are allegations that need to be investigated, and gather additional facts.

The Complaint will then be investigated and gather relevant documentation from complainant, interview complainant, maintain log of activities associated with complaint and complete report of information, findings, photos and recommendations for correction to NDOR.

A complaint may dismissed if filed untimely, does not allege a basis covered by the statutes for which NDOR responsible, does not allege any harm with regard to covered programs, request the withdrawl, fails to respond to repeated requests for information, and cannot be located.

REASONABLE ACCOMMODATION PROCEDURES

Title I of the ADA requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would cause undue hardship. In general an accommodation is any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities.

Adams County is committed to providing reasonable accommodation for persons with disabilities as each situation may require. Adams County will make reasonable accommodations for the impairments of qualified individuals with disabilities, consistent with the qualifications required for the essential functions of a particular job, unless the accommodation would cause undue hardship to the county. To request reasonable accomondation for employment or public meetings, events or activities a person may contact ADA Coordinator, 402-461-7155, Title VI Coordinator, 402-461-7174 or County Clerk, 402-461-7107.

ASSURANCES

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the Adams County (~~name of LPA~~), desiring to avail itself of federal financial assistance from the US Department of Transportation, hereby gives assurance that no qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this federal financial assistance.

The Adams County (~~name of LPA~~) further assures that its programs will be conducted, and its facilities operated, in compliance with all requirements imposed by or pursuant to 49 CFR Part 27, 28 CFR Part 35 and 42 USC 12101-12213.

Adopted this 7th day of May (Month), 2018 (Year) at Hastings, Nebraska.

The Board of Supervisors of Adams County

Michael V. Weeks

M D Curtis

Jack Hynes

Chas. F. Neumann

Jean Thomas

Lee Saathoff

Prepared by: Judy Mignery

Title: Title VI Coordinator

NDOR USE ONLY

Date Received: _____

Questionnaire Review:

NDOR Employee: _____

Title: _____

Date: _____

Next Step:

Letter of compliance: _____

Further review required: _____

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