

RESOLUTION NO. FCR-2013-VII

A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT IN THE COUNTY OF FLOYD, INDIANA

WHEREAS, the County of Floyd receives Federal funds for many uses and projects; and

WHEREAS, the receipt of such funds requires compliance with Federal laws and policies; and

WHEREAS, it is the wish of the U.S. Equal Employment Opportunity Commission that Municipal entities such as Floyd County formally enact and adopt policies and procedures demonstrating compliance with the Americans With Disabilities Act (ADA); and

WHEREAS, The County of Floyd, by its County Commissioners wishes to formally adopt and implement the following policy and procedure for the benefit of all Floyd County Citizens; and

NOW, THEREFORE, BE IT RESOLVED, by the County Commissioners of the County of Floyd that the following declaration become a written policy of the County of Floyd and be posted in all Municipal Buildings upon passage.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

The County of Floyd adopts the 2010 Americans with Disabilities Act Standards for Accessible Design and the 2005 Guidelines for the Accessible Public Rights. In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the County of Floyd, Indiana 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.

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Effective Communication: The County of Floyd, Indiana 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 of Floyd'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 of Floyd 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 County of Floyd 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 County of Floyd should contact the ADA Coordinator of Floyd County (hereafter referred to as the ADA-C), as soon as possible but no later than 48 hours before the scheduled event.

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

Complaints that a program, service, or activity of the County of Floyd is not accessible to persons with disabilities should be directed to the ADA-C.

The County of Floyd 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.

COUNTY OF FLOYD
Grievance Procedure under

The Americans with Disabilities Act

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

The complaint should be in writing and combine information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative methods of filing complaints, such as personal interviews, or a tape recording of a 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 60 calendar days after the alleged violation to:

ADA Coordinator, Floyd County
c/o Floyd County Commissioners
Pineview Government Center
2524 Corydon Pike Suite 204
New Albany, IN 47150

Within 15 calendar days after the receipt of the complaint, the ADA-C 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-C or [his/her] designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large prints, Braille, or audio tape. The response will explain the position of the County of Floyd and offer options for substantive resolution of the complaint.

The Petitioner may respond as to whether or not the accommodation is appropriate. If not, the grievant shall respond in detail the specifics as to the need concerning an accommodation. The County will then respond within fifteen (15) days if the specific accommodation can be obtained.


If the response by the ADA-C 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 of the Complainant or [his/her] designee.

Within 15 calendar days after the receipt of the appeal, the ADA-C or [his/her] designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the ADA-C 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-C or [his/her] designee, and appeals to the ADA-C or [his/her] designee, and responses will be retained by the County of Floyd for at least three years.

Duly adopted this 30th day of Aug, 2013.


BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD



President



Member



Member

Attest: