LUMPKIN COUNTY RESOLUTION NO. 2010 – 56

A RESOLUTION TO ESTABLISH ADA POLICIES FOR LUMPKIN COUNTY

Whereas, the governing authority of Lumpkin County, in compliance with Title II of the Americans with Disabilities Act (ADA) desires to adopt a general policy on non-discrimination on the basis of disability by local government to and to provide specific policies for the reporting and redress of any allegations of grievance from failure to follow said general policy; and,

Whereas, the governing authority of Lumpkin County now desires to adopt the "ADA Policy Statement" attached hereto as Exhibit "A," and the "ADA Grievance Policy" attached hereto as Exhibit "B," each of said exhibits being by reference fully included in this resolution as if specifically set out hereon;

Now therefore, it is hereby resolved that the ADA Policy Statement and the ADA Grievance Policy are hereby adopted,

Resolved, adopted and effective this 18th day of November, 2010.

John Raber, Chairman
Lumpkin County Board of Commissioners

Attest:

Ruth A. Bohac
Clerk, Lumpkin County

ADA Policy Statement

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA") the Lumpkin County Board of Commissioners, as governing authority for Lumpkin County, will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: Lumpkin 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 ADA.

Effective Communications: Lumpkin 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 Lumpkin County's programs, services, and activities, including qualified sign language interpreters, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Lumpkin County 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 Lumpkin County offices where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or modification of policies or procedures to participate in a program, service, or activity of Lumpkin County, should contact the Human Resources Director, who serves as the ADA Coordinator, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require Lumpkin 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 program, service, or activity of Lumpkin County is not accessible to persons with disabilities should be directed to ADA Coordinator.

Lumpkin County will not place a surcharge on a particular individual with a disability or any group of individuals to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

ADA Grievance Procedures

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 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of service, activities, programs, or benefits by the Lumpkin County Board of Commissioners. The Lumpkin County Civil Service Personnel Policies 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 60 calendar days after the alleged violation to:

Fran P. Sullens, Human Resources Director
ADA Coordinator
99 Courthouse Hill, Ste A
Dahlonega, GA 30533

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, or audio tape. The response will explain the position of the Lumpkin County Board of Commissioners 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/her designee may appeal the decision within 15 calendar days after receipt of the response to the County Manager or his/her designee.

Within 15 calendar days after receipt of the appeal, the County Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 days after the meeting, the County 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 or his/her designee, appeals to the County Manager or his/her designee, and responses from these two offices will be retained by Lumpkin County for at least three years. The written complaint and responses will be retained in the Human Resources Office.