

Title: Employee & Public Relations
Chapter: ADA Compliance Policy
Policy Number: 6.5
Creation Date: January 27, 1993 - Resolution No. 92-R-02
Issued By: Assistant Village Administrator
Approved By: Village Board
Last Revised: April 28, 2014 - Resolution 2014-R-17

I. Background:

- A.** Title II of the Americans with Disabilities Act (the “ADA”) of 1990 and its implementing regulations, 28 C.F.R. § 35.106, § 35.107 require the Village to designate at least one (1) employee as the ADA Coordinator to be responsible for coordinating compliance with the ADA; to investigate ADA complaints; to publish notice of the relevant provisions of the ADA to all persons who may be interested in the Village’s programs, activities and services; and to adopt a grievance procedure to resolve complaints alleging a violation of Title II of the ADA.
- B.** In addition, 65 ILCS 5/1-1-12 (Americans With Disabilities Act Coordinator; Posting and Publication) requires that the Village must post on its website the name, office address, and telephone number of the Village’s ADA Coordinator and the grievance procedures adopted by the Village to resolve complaints alleging a violation of Title II of the ADA.

II. Accessibility Assistance

- A.** The Village is committed to ensuring all community members and visitors have appropriate access to facilities within the Village, including private businesses, such as entertainment, lodging, medical, restaurant, and shopping establishments. This commitment also extends to ensuring that the Village does not discriminate on the basis of disability in its employment practices or in allowing participation in any Village services provided to the public.
- B. Access by Persons with Disabilities to Private Facilities and Buildings**
If you have any concerns with access to a non-Village facility or building, contact the Building and Zoning Division at 630-671-5660 for assistance.
- C. Employment of Persons with Disabilities by the Village**
It is the policy of the Village to comply with all Federal and State laws concerning the employment of persons with disabilities. It is the Village’s policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. The Village will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job. An individual who can be reasonably accommodated for a job without undue hardship will be given the same consideration for that

position as any other applicant. The Village does not discriminate on the basis of disability in its employment practices and complies with all applicable regulations promulgated by the US Equal Employment Opportunity Commission (the "EEOC") under Title I of the ADA. If you have any concerns with the hiring practices of the Village, please contact the Director of Human Resources at 630-671-5616 for assistance.

D. Access by Persons with Disabilities to Village Services

Any person with concerns regarding access to an activity, program, or service provided by the Village, should contact the ADA Coordinator.

1. The Village's ADA Coordinator is the Assistant Village Administrator. This position coordinates the efforts of the Village to comply with Title II of the ADA. In addition, the ADA Coordinator administers the Village's ADA grievance procedure.
2. The Village ADA Coordinator can be contacted at:

Barbara Weber
ADA Coordinator
Village of Bloomingdale
201 S. Bloomingdale Road
Bloomingdale, IL 60108
(630) 671-5613 (phone)
630-893-5136 (fax)
weberb@vil.bloomingdale.il.us

III. Notice Under the Americans with Disabilities Act

In accordance with the requirements of Title II of the ADA, the Village will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

A. Employment:

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

B. Effective Communication:

The Village will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Village 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.

C. Modifications to Policies and Procedures:

1. The Village 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

2. 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 Village should contact the ADA Coordinator, as soon as possible, but no later than 48 hours prior to the scheduled event.
3. The ADA does not require the Village to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.
4. Complaints that a program, service, or activity of the Village is not accessible to persons with disabilities should be directed to the Village's ADA Coordinator.
5. The Village 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.

I. Grievance Procedure under the Americans with Disabilities Act

- A. This Grievance Procedure is established to meet the requirements of Title II of the ADA. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of activities, benefits, programs, or services by the Village.
- B. The Grievance Procedure established for complaints of alleged discrimination in hiring and/or employment practices (under Title I of the ADA) are governed by the Village's Employee Personnel Manual, and should be directed to the Village Administrator or Human Resources Director.
- C. 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.
- D. 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 the Village ADA Coordinator, as provided in Section II-D of this policy.
- E. Within fifteen (15) calendar days after receipt of the complaint, the ADA Coordinator or her designee will meet with the complainant to discuss the complaint and the possible resolutions.
- F. Within fifteen (15) calendar days of the meeting, the ADA Coordinator or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille or audio tape. The response will explain the position of the Village and offer options for substantive resolution of the complaint.

- G. 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 fifteen (15) calendar days after receipt of the response to the Village Administrator.

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Bloomingdale, IL 60108
630-893-5136 (fax)

- H. Within fifteen (15) calendar days after receipt of the appeal, the Village Administrator or his designee will meet with the complainant to discuss the complaint and possible resolutions.
- I. Within fifteen (15) calendar days after the meeting, the Village Administrator or an authorized designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- J. If for any reason there is a need to extend any of the fifteen (15) calendar day limits, an extension may be considered after consultation between the complainant and the Village.
- K. All written complaints received by the ADA Coordinator or an authorized designee, appeals to the Village Administrator or an authorized designee, and responses from these two (2) offices will be retained by the Village for at least three (3) years.