



# Town of Chapel Hill ADA Policy

Policy Number: PP 1-9

Issue Date: 04/06/2021

Approved By: Maurice Jones, Town Manager

## POLICY

Consistent with the Americans with Disabilities Act (ADA), the Town of Chapel Hill prohibits discrimination against qualified individuals based on disability with respect to any Town service, program, or activity, including employment. Any interference, coercion, restraint, retaliation, or reprisal of any person alleging discrimination based on a disability is prohibited.

The Town of Chapel Hill is committed to:

- Providing reasonable accommodation for an individual with a disability to participate in employment, activities, programs, and services;
- Having procedures to allow anyone with a disability to request reasonable accommodation; and
- Providing access to anyone using its facilities, buildings, and Town-maintained roads, sidewalks, and crosswalks.

## PURPOSE

This policy and corresponding procedures are consistent with the federal regulations contained in Title II of the Americans with Disabilities Act of 1990 (ADA) or Section 504 of the Rehabilitation Act of 1973 ("the Act") and guide prompt and equitable resolution of complaints alleging an action prohibited by the Act.

Issues that may be grieved include, but are not limited to the following: denying a requested accommodation, inadequate accommodation, an inaccessible Town program, activity or service due to disability, and discrimination based on disability.

## REFERENCES

[Anti-Harassment Policy PP5-1](#)

[Code of Ordinances, Section 14-09](#)

[ADA Grievance Procedures](#)

## APPROVAL

Maurice Jones, Town Manager

R.E.S.P.E.C.T.  
VALUES

 RESPECT

**Responsibility:** We acknowledge that our duties impact the jobs of many other employees. We take ownership over our roles within the organization as a way to demonstrate our consideration for the time and efforts of our fellow employees as well as pride in our own work.

 RESPECT

**Equity:** Although we may hold different roles in the organization, we all work toward the common goal of serving the Town and the Town's residents and customers. Therefore, we seek and support policies and actions that are administered consistently and fairly to everyone regardless of rank, tenure or personal background.

 RESPECT

**Safety:** We strive to maintain our own mental and physical well-being and the well-being of those around us. We are dedicated to a work environment that minimizes risk of injury or accident. We are also dedicated to an environment that provides for honest and courteous discussion of workplace issues without fear of repercussion.



# Town of Chapel Hill ADA Procedures

Policy Number: PP 1-9

Issue Date: 04/06/2021

Approved By: Cliff Turner, Human Resources Development Director

## PROCEDURES

These procedures establish guidelines for appropriate due process and ensure compliance with Section 504 of the Rehabilitation Act of 1973 and Title II of the ADA.

### Employment

The Town does not discriminate based on 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). For further information on non-discrimination refer to the Town's Anti-Harassment Policy PP5-1, and the Code of Ordinances, Section 14-09.

### Effective Communication

The Town strives to effectively communicate with applicants, participants, beneficiaries, members of the public, and companions with disabilities. When requested, the Town will generally provide appropriate aids and services for qualified persons with disabilities for equal participation in Town programs, services and activities. This may include qualified sign language interpreters, documents in Braille, and other ways of making information accessible to people who have speech, hearing or vision impairments. Anyone with a hearing or speech impairment may also use *Relay NC*, a telecommunications relay service managed by the North Carolina Division of Services for the Deaf and Hard of Hearing and available by calling **711 or 1-800-735-0341**. Additional information regarding *Relay NC* and related services can be located at, <http://www.relaync.com/> .

### ADA Compliance Coordinators

Public and Organizations:

Director of Communications and Public Affairs

Office: 919-968-2757, or through email at: [publicaffairs@townofchapelhill.org](mailto:publicaffairs@townofchapelhill.org)

Employees and Departments:

Risk Manager, Office of Risk Management

Office: 919-969-5035, or through email at: [risk@townofchapelhill.org](mailto:risk@townofchapelhill.org)

ADA Coordinators can assist with questions related to reasonable accommodation requests and they can share the Town's procedures for filing a complaint alleging discrimination based on a disability. If you require an auxiliary aid or service, or a modification of policies or procedures to participate in a Town activity, contact one of the Town's ADA Coordinators.

The Town's ADA Grievance Procedures are [here](#).

Or you may request information in writing:

Addition: ADA Coordinator  
Town of Chapel Hill  
405 Martin Luther King Jr. Blvd.  
Chapel Hill, NC 27514-5705

### **Filing of Complaints**

1. Applicability - These procedures apply to members of the public, employees, any beneficiaries of Town programs, activities, and services, and applicants for Town employment.
2. Eligibility - Any person or class of persons alleging an action prohibited by the Act may file a written complaint with the Town. The complaint may be filed by the affected individual or a representative and must be in writing.
3. Retaliation - The law prohibits intimidation or retaliation of any sort.
4. Time Limits and Filing Options - Complaints must be filed within sixty (60) days of the person becoming aware of the alleged prohibited action or denial of accommodation. Complaints received more than sixty (60) days after the alleged action or denial may be dismissed as untimely.

Submit complaints to a designated ADA Compliance Coordinator by calling, emailing, or in writing:

Public and Organizations: Director of Communications and Public Affairs  
Office: 919-968-2757 [publicaffairs@townofchapelhill.org](mailto:publicaffairs@townofchapelhill.org)

Employees and Departments: Risk Manager, Office of Risk Management  
Office: 919-969-5035 [risk@townofchapelhill.org](mailto:risk@townofchapelhill.org)

In writing: Attention: ADA Coordinator  
Town of Chapel Hill  
405 Martin Luther King Jr. Blvd.  
Chapel Hill, NC 27514-5705

PROCEDURES  
CONT.

PROCEDURAL  
FLOW CHART

## Complaint

A complaint is filed and sent to an ADA



## Grievance Notification

The ADA Coordinator will provide written acknowledgement to the complainant within ten (10) business days by email or U.S. mail.

- If incomplete, the Complainant will be contacted in writing or by telephone to obtain the additional information. The complainant will be given 15 calendar days to respond to the request for additional information.
- The Complainant will be notified that the Town will attempt to resolve complaints within 60 days after the Town has received the completed grievance.



## Investigation

After a complaint is received, the Town will:

- Conduct an investigation, if appropriate, by working with internal technical staff to identify where local, state and/or federal laws might be violated. The complainant, staff member, and other necessary people will be included in the investigation.



## Findings

A written report of findings as to the validity of the complaint and a proposed resolution, if any, shall be issued not later than sixty (60) days after receipt of the complaint. The findings report shall include:

- a description of the complaint
- a finding of facts
- a description of how the complaint will or will not be resolved
- when the complaint will be resolved if not denied
- responsible staff name and contact information if not denied
- reconsideration rights of the complainant

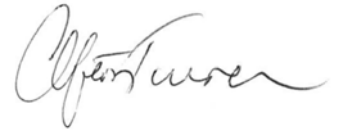


## Reconsideration of Request

The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made in writing within 30 days to the ADA Coordinator. The Town Manager will make final decision on reconsideration of the filed complainant.

PROCEDURES  
APPROVAL

Cliff Turner, Human Resources Development Director



PROCEDURES  
CONT.

**Records Maintenance**

The Town's ADA Coordinator shall maintain records of all such complaints in accordance with the NC Records of Retention Laws, but for no less than a period of five (5) years.

FORMS AND  
INSTRUCTIONS

None

ADDITIONAL  
CONTACTS

None

DEFINITIONS

None

APPENDICES

None

SCOPE

This policy replaces and supersedes any previous Town policies, departmental policies, handbooks, or unwritten policies or practices covering the same subject. Departmental policies in compliance with this policy are referenced in Section XI below, **Related Information**.

POLICY HISTORY

None