



## **Americans with Disabilities Act Plan**

### **Overview**

The Americans with Disabilities Act (ADA) was approved by the federal government in 1990 (and updated periodically) to ensure that people with disabilities are not discriminated against. The definition of disabled is “*a physical or mental impairment that substantially limits one or more major life activities*” including someone who is disabled through a record of an impairment, is regarded as having an impairment, or is associated with someone who has a disability.

The ADA includes:

- Title I: Employees with disabilities are treated fairly in all areas including hiring, testing, discipline, benefits, use of leave.
- Title II: All services, programs and activities are accessible to all when viewed in entirety.

Washington County, Tennessee (referred to as “the County”) is required to develop a plan to implement all components of the ADA. The County has over 50 full and part time employees and, therefore, is required to have the plan in writing, the records maintained for at least three (3) years, and the plan and records available for the public to view.

### **Title I**

See the Personnel Handbook for issues or items related to employees.

### **Title II**

The County will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, and activities.

The remainder of this plan addresses Title II with the following components:

1. Public Outreach
2. Facilities and Programs Inventory
3. Facilities and Programs Evaluation

4. Improvement Plan
5. Records and Public Inspection

### **Accommodation Requests and Concerns**

To the extent possible, the County will provide an appropriate alternate format or auxiliary aids and services, including qualified sign language interpreters and assistive listening devices, whenever requested to ensure effective communication with members of the public who have hearing, sign or speech impairments, unless to do so would result in a fundamental alteration of the County's programs or an undue administrative or financial burden.

A person who requires an accommodation or an auxiliary aid or service to participate in a County program, service or activity should submit a Citizens Accommodation Request and Concerns Form or contact the Mayor's Office at the County Courthouse, 423-913-8521 as far as possible, and no less than five (5) days, in advance of the scheduled event or program.

The County will place no charge on an individual with a disability or any group of individuals with disabilities for providing reasonable accommodations approved by the County.

If a citizen has a concern regarding accessibility or any other issue related to the ADA, they should submit a Citizens Accommodation Request and Concerns Form or contact the ADA Coordinator.

The ADA Citizen Accommodation Request and Concerns Form can be obtained at [www.washingtoncountyttn.org](http://www.washingtoncountyttn.org), calling 423-913-8521, or at 100 E. Main Street in Jonesborough, TN, 37659.

### **ADA Coordinator**

ADA Coordinator Contact Information:

Name: Mr. Lewis Haynie  
Address: 100 E. Main St., Jonesborough, TN 37659  
Phone: 423-753-1652  
Email: [lhaynie@washingtoncountyttn.org](mailto:lhaynie@washingtoncountyttn.org)

### **ADA Compliance and Advisory Committee / Grievance Committee**

Members of the County's Safety Committee will constitute the makeup/members of the ADA Compliance and Advisory Committee (CAC). The CAC shall include the ADA

Coordinator, who serves as the Chairperson. Ex officio members on the CAC may be permitted to provide technical and other assistance as necessary.

Voting and ex officio members on the CAC may include:

- ADA Coordinator
- Building Official
- County Engineer/Consulting Engineer
- Benefits Director/Human Resources
- Highway Superintendent
- Other Staff as deemed necessary
- Citizens from the disability community

The CAC should meet as necessary, maintaining minutes of the meetings, to perform the following duties:

1. Assist in the development and periodic review of the County's ADA Plan (ADAP) and provide suggested improvements, as appropriate.
2. Review of site development and/or architectural plans for new or redeveloped County-owned or maintained facilities for compliance with the ADA. These plans do not need to be formally approved by the CAC but the CAC should provide review and feedback to the design professionals and County staff to ensure compliance with the ADA.
3. The CAC shall serve as the Grievance Committee to hear complaints or grievances submitted to the County by citizens concerning compliance with the ADA. The CAC does not address or hear complaints or grievances related to employees under the Personnel Handbook.
  - a. The complaints should be submitted in writing, whenever possible, to the ADA Coordinator using the County's Complaint Form. The Complaint Form can be obtained at [www.washingtoncountyttn.org](http://www.washingtoncountyttn.org) or by contacting the ADA Coordinator.
  - b. If the person filing the complaint is not able to physically write or type, the County should, to the extent possible, provide reasonable accommodations to assist the person or allow the person to submit an alternate format.
  - c. The County complaint should include:
    - i. A detailed description of the complaint or grievance, and
    - ii. Date, time, and location of the complaint or grievance, and
    - iii. Name, phone number, address, and email (if applicable) of the complainant.

- d. The complaint is reviewed by the ADA Coordinator with assistance from others, as appropriate, and a written report generated for review by the Grievance Committee and available to the public.
- e. A date and time for the hearing is set and publicized on the County's website and in a local newspaper. The hearing should occur within 45 days of the filing of the complaint unless more time is needed to review the complaint and generate the report. To extend the 45-day period to hear the complaint or grievance, the Grievance Committee must grant the extension and justify the reason for the extension unless all parties agree to the extension.
- f. If any party involved does not agree with the decision of the Grievance Committee, they may appeal the decision to the Washington County Board of County Commissioners.
- g. Approval or denial of the complaint or grievance should be by a simple majority and include justification for said decision.
- h. Files and information and minutes of the hearing related to the complaint or grievance and the decision by the Grievance Committee should be maintained by the County for at least 5 years.

### **Public Outreach**

The County is required to create a public outreach plan to inform and educate the public of their rights and the County's responsibilities under the ADA.

The information provided on the County's website should include the ADA Coordinator's contact information and a statement that the public may provide comment or feedback on the ADAP to the ADA Coordinator.

The County should provide the following other groups and entities with information regarding the County's ADAP and encourage them to provide feedback on the plan and to review their own facilities and programs for accessibility issues or concerns:

1. Local business owners and/or associations.
2. Town of Jonesborough and the City of Johnson City governments since they own, occupy, and/or maintain facilities within the County limits.
3. Disability groups or organizations.

### **Facilities and Programs Inventory**

The County should develop an inventory of all County-owned and/or maintained facilities and programs. These could include, but not limited to, the following:

1. Buildings
2. Parking lots
3. Sidewalks and trails
4. Curb ramps at intersections and other locations
5. Transit stops
6. Parks
7. Programs such as theatre, athletic leagues, art classes, and other activities

### **Facilities and Programs Evaluation**

Using the inventory developed, the County should evaluate all County-owned and/or maintained facilities and programs to assess the status of accessibility.

### **Improvement Plan**

Based on the evaluation of the County's facilities and programs, an Improvement Plan shall be created. This Improvement Plan should include:

1. A detailed list of the improvements needed.
2. A schedule for implementing the improvements.
3. The fiscal budget for the County should include the improvements based on the implementation schedule.
4. The progress of the improvements shall be monitored and documented until completion.

### **Records and Public Inspection**

The following records shall be maintained for at least three (3) years and made available to the public upon request:

1. ADA Compliance and Advisory Committee members list and meeting minutes.
2. The Grievance Committee's hearing minutes and decisions.
3. The facilities and programs evaluations. These shall be maintained for at least three (3) years from the date of completion.
4. The Improvement Plan including improvements completed. These shall be maintained for at least three (3) years from the date of completion.



**Washington County, TN**  
**The Americans With Disabilities Act (ADA)**  
**Title II Grievance Procedure**

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 services, activities, programs, or benefits by Washington County. The Washington County Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should contain written 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 sixty (60) calendar days after the alleged violation to:

**ADA Coordinator**  
**Washington County**  
**100 E. Main Street**  
**Jonesborough, TN 37659**

Within fifteen (15) calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with or otherwise contact the complainant to discuss the complaint and the possible resolutions. Within fifteen (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, braille, or audio tape. The response will explain the position of Washington County and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or his/her designee 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 Mayor or his/her designee.

Within fifteen (15) days after receipt of the appeal, the Mayor or his/her designee will meet with or otherwise contact the complainant to discuss the complaint and possible resolutions. Within fifteen (15) days after the meeting, the Mayor 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 complaints received by the ADA Coordinator or his/her designee, appeals to the Mayor or his/her designee, and responses from these two offices will be retained by Washington County for at least three (3) years.

  
\_\_\_\_\_  
Mayor

8/30/18  
\_\_\_\_\_  
Date