

BUILDING ISSUES

When staff members identify an issue with one of our offices that may effect the access for a person qualified under ADA, this information should be reported to Richard Magoch as soon as possible. Richard, the DSS ADA Coordinator will make every effort to have the issue resolved in a timely

manner. If the issues cannot be resolved in a timely manner, reasonable accommodations will be made to ensure access to our building and services.



TRAINING AND RESOURCES

The DSS Staff Development Division is available to offer training on the Americans with Disabilities Act. Training will be offered throughout the year to new staff hired by the agency, but if you or your unit require training please contact Richard Magoch to arrange the training session.

ADA forms, policies and procedures are available on the DSS Resource Site, under ADA Compliance. Specific policies, brochures for consumers, notification and grievance procedures are available for downloading and printing. If you are working with a consumer who requires or requests this information, we are required to provide a copy of the DSS ADA Notification and Grievance Procedures.

On an annual basis, our ADA Coordinator conducts a self review which is geared towards identifying issues with access to our buildings and services. As self reviews are completed, our policies may be changed to reflect issues that need to be corrected. Please be sure to check the DSS Resource Center regularly for new information.

STAFF RESOURCE GUIDE

AMERICANS WITH DISABILITIES ACT

Introduction

What does the ADA mean for state and local governments in the delivery of their programs, services, and activities? In the broadest sense, it requires that state and local governments be accessible to people with disabilities.

Accessibility is not just physical access, such as adding a ramp where steps exist. Accessibility is much more, and it requires looking at how programs, services, and activities are delivered. Are there policies or procedures that prevent someone with a disability from participating (such as a rule that says “no

animals allowed,” which excludes blind people who use guide dogs)?

This guide has been put together to assist staff in answering questions and ensuring access to our consumers who have a disability. The guide should be used as a framework to assist in answering questions or ensuring access to our services.

Inside this Guide:

Overview	2
Who is Eligible?	3
Who is Covered?	4
ADA Coordinator	5
Access to Services	6
Reasonable Accommodations	7-8

Overview



Helpful technical assistance documents are located on the ADA Home Page at www.ada.gov and on the ADA technical assistance CD-ROM available without cost from the toll-free ADA Information Line at 1-800-514-0301 (voice) and 1-800-514-0383 (TTY).



The ADA covers all state and local governments, including those that receive no federal financial assistance. The ADA also applies to private businesses that meet the ADA's definition of "public accommodation" (restaurants, hotels, movie theaters, and doctors' offices are just a few examples), commercial facilities (such as office buildings, factories, and warehouses), and many private employers.

While the ADA has five separate Titles, Title II is the section specifically applicable to "public entities" (state and local governments) and the programs, services, and activities they

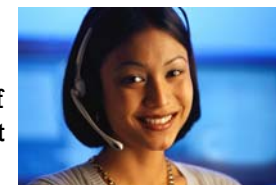
deliver. The Department of Justice ("DOJ" or the "Department"), through its Civil Rights Division, is the key agency responsible for enforcing Title II and for coordinating other federal agencies' enforcement activities under Title II.

In addition, the Department has the ability to enforce the employment provisions of Title I of the ADA as they pertain to state and local government employees. DOJ is the only federal entity with the authority to initiate ADA litigation against state and local governments for employment violations under Title I of the ADA and for all violations under Title II of the ADA.

LANGUAGE LINE

DSS maintains a contract with the Language Line, which allows our workers to immediately access interpretation services for consumers who may require this assistance. The language line number is **1-800-874-9426**. A ID and personal code are needed

to access the service. If you do not have our ID or personal code, please ask your supervisor.



SIGN LANGUAGE

The DSS maintains a contract with the Taconic Center for Independent Living to provide on-site sign language assistance. These services are offered in consumers homes or in our offices throughout the County. If you have a consumer who requires this assistance, please review the case with your supervisor or Rich Magoch. Early notification is best as the service must be scheduled in advance.

HOME VISITS

Consumers who request a home visit because they are unable to travel to the office, or the office is not adequately accessible, should be provided with an opportunity to receive this service. Ask yourself the three questions, if the answers are "yes" and other reasonable

accommodations cannot be made, speak with your supervisor, and arrange the visit. If you are unsure or uncomfortable with making a home visit, speak with your supervisor who can assign the visit to another staff member or arrange for a colleague to attend as well.

ACCESS TO SERVICES

Staff members throughout the Department of Social Services interact with consumers each day. Many of our programs serve thousands of people per month. The



administration is responsible for ensuring that our building remain ADA compliant at all times. On an annual basis, Rich Magoch our ADA Coordinator

conducts a self review of all of our buildings, identifies issues and works to correct them as soon as possible. For some issues, corrective actions may take time, but reasonable accommodation must be offered to a disabled consumer while the issue is being corrected. This may include accepting



an application at a different office location or scheduling a visit in another office location until the identified issue is corrected. Staff need to be aware of issues that may effect the ability of a consumer to gain access to any of our offices. When an issue prevents access, ask yourself the three questions on page four of this guide. If you answer those questions with a “yes”, please make accommodations for your consumer to gain access to a service at a location that is accessible. This may result in a request to your supervisor to conduct a home visit, to accept an application in a different office. If you think accommodations need to be offered, speak to your supervisor regarding the needs of the consumer and a reasonable accommodation.

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Who is Eligible?

Defining who meets the ADA standard of requiring reasonable accommodations refers to an impairment that substantially limits a major life activity which may mean that a person has a disability, but that alone still does not mean that individual is entitled to protection under the ADA. A person with a disability must also qualify for protection under the ADA. A “qualified individual

with a disability” is someone who meets the essential eligibility requirements for a program, service or activity **with or without** (1) reasonable modifications to rules, policies, or procedures; (2) removal of physical and communication barriers; and (3) providing auxiliary aids or services for effective communications.



“Rich Magoch is the DSS ADA Grievance point of contact. All grievances should be directed to him at the Quarry Road Office”.

Grievance Procedure

Local governments with 50 or more employees are required to adopt and publish procedures for resolving grievances arising under Title II of the ADA. Grievance procedures set out a system for resolving

complaints of disability discrimination in a prompt and fair manner. The DSS Grievance Procedure can be found on the DSS Resource Site, under ADA forms and information.

Who is Covered?

Not everyone is covered under the ADA. There are certain basic requirements that must be met in order to be protected. The first and most obvious requirement is that a person must have a disability.



The ADA defines disability as a mental or physical impairment that substantially limits one or more major life activities. ADA protection extends not only to individuals who currently have a disability, but to those with a record of a mental or physical

impairment that substantially limits one or more major life activities, or who are perceived or regarded as having a mental or physical impairment that substantially limits one or more major life activities.

Ask Yourself Three Questions

Ask yourself the following questions to help in defining who is covered by ADA and due reasonable accommodations.

One: Does the individual have an impairment?

Two: Does the impairment limit any major life activities?

Three: Is the limitation on any major life activity substantial?

If your answer to each is yes, arrangements should be made to ensure that reasonable accommodations are available for the consumer to access one of our services.

ADA Coordinator

If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate ADA compliance. The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and investigating any

complaints that the entity has violated Title II. The name, office address, and telephone number of the ADA Coordinator must be provided to interested persons.



Notification

It is important to remember that ADA applies to buildings as well as programs. Consumers who cannot travel to an office to complete an application must be provided with reasonable accommodations if they meet the criteria described earlier in this guide. All consumers should be

provided with notification of their rights under ADA if such information is requested. All offices should have ADA Accessibility Information present in each waiting room and available to the public.

The Americans with Disabilities Act Coordinator for the Department of Social Services is Richard Magoch, Administrative Officer. He can be reached at 291-4313. His address is 11 Quarry Road, Goshen, N.Y. 10924