

**CITY OF MORRISTOWN, TN
AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION
PLAN**



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**RESOLUTION NO. 28-16
A RESOLUTION OF THE MORRISTOWN, TENNESSEE CITY
COUNCIL ADOPTING THE AMERICANS WITH DISABILITIES
ACT (ADA) TRANSITION PLAN, ADA COORDINATOR AND
PROCEDURES.**

WHEREAS, the Federal government enacted the Americans with Disabilities Act of 1990 ("ADA") to prevent decimation of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, the City of Morristown, Tennessee, remains committed to the ADA and the elimination of barriers to public facilities; and

WHEREAS, in compliance with Title II of the ADA, the City of Morristown, Tennessee, shall name an ADA Coordinator; and

WHEREAS, in compliance with Title II of the ADA, the City of Morristown, Tennessee, shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA, the City of Morristown, Tennessee, shall publish notice to the public regarding the ADA; and

WHEREAS, in compliance with Title II of the ADA, the City of Morristown, Tennessee, shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE
MORRISTOWN, TENNESSEE CITY COUNCIL THAT:**

1. The Assistant City Administrator is responsible for the overall compliance with the ADA; and
2. The Assistant City Administrator is designated as the ADA Coordinator for the City of Morristown, Tennessee and is responsible for the City's compliance with the ADA; and
3. The Notice under the ADA, a copy of which is attached hereto and as revised from time to time, is adopted as the City of Morristown, Tennessee, Notice under the ADA; and
4. The City of Morristown, Tennessee, Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto and as revised from time to time, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services activities programs or benefits by the City of Morristown, Tennessee; and
5. In compliance with Federal and State laws as set forth above, the City of Morristown, Tennessee City Council resolves to post the required information regarding the ADA coordinator, Notice under the ADA, and City of Morristown, Tennessee, Grievance Procedure under the ADA on its website and at such other locations as may be determined from time to time.

ADOPTED BY THE MORRISTOWN, TENNESSEE, CITY COUNCIL ON
DECEMBER 6, 2016.


GARY CHESNEY, MAYOR

609

610

ATTEST:


ANTHONY W. COX, CITY ADMINISTRATOR

RESOLUTION NO. _____

**A RESOLUTION OF THE MORRISTOWN, TN CITY
COUNCIL ADOPTING THE AMERICANS WITH
DISABILITIES ACT (ADA) TRANSITION PLAN, ADA
COORDINATOR AND PROCEDURES**

WHEREAS, the Federal government enacted the Americans with Disabilities Act of 1990 ("ADA") to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

WHEREAS, the City of Morristown, Tennessee, remains committed to the ADA and the elimination of barriers to public facilities; and

WHEREAS, in compliance with Title II of the ADA, the City of Morristown, Tennessee, shall name an ADA Coordinator; and

WHEREAS, in compliance with Title II of the ADA, the City of Morristown, Tennessee, shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

WHEREAS, in compliance with Title II of the ADA, the City of Morristown, Tennessee, shall publish notice to the public regarding the ADA; and

WHEREAS, in compliance with Title II of the ADA, the City of Morristown, Tennessee, shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE MORRISTOWN,
TENNESSEE CITY COUNCIL THAT:**

1. The Assistant City Administrator is responsible for the overall compliance with the ADA; and
2. The Assistant City Administrator is designated as the ADA Coordinator for the City of Morristown, Tennessee and is responsible for the City's compliance with the ADA; and
3. The Notice under the ADA, a copy of which is attached hereto and as revised from time to time, is adopted as the City of Morristown, TN, Notice under the ADA; and .
4. The City of Morristown, TN, Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto and as revised from time to time, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the City of Morristown, Tennessee; and
5. In compliance with Federal and State laws as set forth *above*, the City of Morristown, Tennessee City Council resolves to post the required information regarding the ADA coordinator, Notice

under the ADA, and City of Morristown, Tennessee, Grievance Procedure under the ADA on its website and at such other locations as may be determined from time to time.

ADOPTED BY THE MORRISTOWN, TENNESSEE CITY COUNCIL ON
DECEMBER 6, 2016.

Gary R. Chesney
Mayor

ATTEST:

Anthony "Tony" C. Cox
City Administrator

CITY OF MORRISTOWN, TN
AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN

In accordance with the Americans with Disabilities Act (ADA), this document shall serve as the City of Morristown's Transition Plan. Included are results of a self-evaluation that addresses barriers within City programs and facilities.

The development of this plan has occurred with the assistance of several individuals and organizations throughout the community. The City of Morristown's ADA Coordinator will coordinate all aspects of ADA compliance. Any comments, additions or suggestions about this plan may be directed to the ADA Coordinator(s):

Larry Clark
Asst. City Administrator
100 W 1st N St.
PO Box 1499
Morristown, TN 37816-1499
423-581-0100
423-585-4687 (fax)
lclark@mymorristown.com

This Transition Plan will continuously be updated. A public hearing regarding the contents of the plan will be held on a yearly basis. Notice of the public hearing will be given at least two (2) weeks in advance of the hearing. Any comments, suggestions or additions to the plan may be addressed to the City's ADA Coordinator throughout the year.

EXHIBITS

- Exhibit A – ADA Coordinator/ Notice Under the ADA
- Exhibit B – ADA Department Coordinators/ Obstacle Removal Coordinators
- Exhibit C – ADA Obstacle Procedure
- Exhibit D – Policy and Procedure for Communication with People Who are Deaf and Hard of Hearing
- Exhibit E – Reasonable Accommodation Request Procedures
- Exhibit F – Complaint Form
- Exhibit G – Emergency Evacuation Plan for People with Disabilities
- Exhibit H – Obstacle List

STATEMENT OF POLICY
CITY OF MORRISTOWN EMPLOYEE HANDBOOK

Equal Employment Policy

It is the policy of the city to be an equal opportunity employer. No officer or employee of the city shall discriminate against any other officer or employee, or applicant for employment on the basis of sex, race, color, religious belief, national origin, sexual orientation, political affiliation, marital status, age or disability unrelated to the person's ability to perform the duties of a particular job or position, except where a bona fide occupational qualification exists.

Rules of the Morristown Civil Service Commission

Statement of Equal Employment Opportunity

The Morristown Civil Service Commission is committed to a policy of acting affirmatively to attract and utilize the talents of all citizens. No Civil Service Commission member or agent of the City shall discriminate against any employee or applicant for employment on the basis of sex, race, color, religious belief, national origin, sexual orientation, political affiliation, marital status, age or disability unrelated to a person's ability to perform the duties of a particular job or position, except where a bona fide occupational qualification exists.

Title II: City Services, Programs, Activities
City of Morristown Compliance Actions
GENERAL NON-DISCRIMINATORY REQUIREMENTS
Designation of ADA Coordinator

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Larry Clark
Asst. City Administrator
100 W 1st N St.
PO Box 1499
Morristown, TN 37816-1499
423-581-0100
423-585-4687 (fax)
lclark@mymorristown.com

City ADA Department Coordinators (contact persons) have been designated:

<p>Larry Clark Asst. City Administrator 100 W 1st N St. PO Box 1499 Morristown, TN 37816-1499 423-581-0100 423-585-4687 (fax) lclark@mymorristown.com</p>	<p>Emily Wood Asst. City Administrator/Airport 100 West 1st North St. PO Box 1499 Morristown, TN 37816-1499 423-585-4614 423-585-4661 (fax) aellard@mymorristown.com</p>
<p>Brian Shepherd Fire Department 625 S Jackson St Morristown, TN 37813 423-585-4651 423-585-4362(fax) bhoneycutt@mymorristown.com</p>	<p>Roger Overholt Police Department 100 W 1st N St. PO Box 1499 Morristown, TN 37816-1499 423-581-0100 423-587-9518 (fax) chiefofpolice@mymorristown.com</p>
<p>Paul Brown Public Works Department 4360 Durham Landing PO Box 1499 Morristown, TN 37813 423-353-1053 423-585-4661 (fax) pbrown@mymorristown.com</p>	<p>Travis Barbee Parks and Recreation Department 415 W Louise Ave Morristown, TN 37813 100 W 1st N St. PO Box 1499 Morristown, TN 37816-1499 423-586-0260 423-318-1544 (fax) tbarbee@mymorristown.com</p>
<p>Tina Whitaker LAMTPO Coordinator 100 W 1st N St. PO Box 1499 Morristown, TN 37816-1499 423-581-0100 423-585-4679 (fax) richd@mymorristown.com</p>	<p>Steve Neilson Community Development Department 100 W 1st N St. PO Box 1499 Morristown, TN 37816-1499 423-581-0100 423-585-4679 (fax) sneilson@mymorristown.com</p>

Equal Employment Opportunity Policies

- The City of Morristown is an equal opportunity employer and the policies of such are set forth in the Morristown Code of Ordinances and the Rules of the Morristown Civil Service Commission.
- City has prepared and distributed notice regarding the application of nondiscriminatory rules (Exhibit A).

Review of City Code/Policies

* A review of the Morristown City Code of Ordinances and any other City-issued policies will be reviewed to ensure proper and uniform terms and definitions are used.

Equally-Effective Communication

Provide public notice of ADA Coordinator and communication sources

- City has published the name, address and phone number of the ADA Coordinator on the Internet, Intranet, and bulletin boards.

Provide internal notice to City employees about ADA issues and compliance steps

- City has posted the ADA Compliance Notice on bulletin boards at all work sites (Exhibit A).

- City has posted the names of the ADA Department Coordinators on bulletin boards at all work sites (Exhibit B).

Provide internal notice to City employees about the obstacle removal procedure

- City has prepared and distributed the City's ADA Obstacle List to all department coordinators (Exhibit C).

- City has prepared and distributed notice regarding ADA Obstacle Removal Procedure (Exhibit D).

Identify equipment needs/access concerns for programs, meetings, etc.

- City's emergency evacuation plans include procedures for evacuating persons with disabilities. (Exhibit H).

Program Accessibility

Obstacle Removal

- Each City department has prepared a summary of all structural/architectural findings. Each department is responsible for budgeting and planning for the removal of structural barriers that exist or may arise in the future.
- City will complete the identification/mapping of all curb ramps, evaluating adequateness and developing financial needs:
 - City has collected input from interested/affected parties;
 - City has established priorities based upon need and cost, as well as impact on affected population.
- See Exhibit C for a complete record of obstacles removed and those scheduled to be removed.

Access to City Services and Programs

- City has provided Braille markings on elevators, floor markings and room numbers on public areas within the Municipal City Center Complex
- City has provided for integrated wheelchair seating in the City Council Chambers.
- City has provided a mechanism for which individuals using wheelchairs can address the City Council and utilize the microphone system.
- City has developed and published information regarding ADA compliance for each department.
- City meetings are identified by the date, time, location and accessibility.
- Alternative formats available on request are:
 - audio tape
 - large-type documents (18-points or larger)
 - Braille
 - sign language interpreter
- City will ensure new facilities and remodeling facilities are reviewed for compliance with ADA and/or International Building Code (IBC) standards.
- City websites are compliant with the latest ADA accessibility standards, as described by the U.S. Department of Justice.

Employment

Job Descriptions

- Job duties and requirements are reviewed to identify non-essential items and/or to eliminate barriers to persons with disabilities. Requests for accommodations within specific positions are evaluated on a case-by-case basis.

Job Applications

- Position vacancies are announced through local newspapers, the City's website, www.mymorristown.com, on the Office of Human Resource's job posting bulletin board.
- Job applications are made, upon request, in alternative formats. Accommodation for completing applications is provided upon request.

Interpreter

- City has implemented a system where various interpreters within the Morristown area may be contacted on a 24-hour notice by City of Morristown personnel to assist in providing services to persons who are deaf or hard of hearing. (Exhibit E)
- Job applicants requesting an interpreter will be asked if they would like a certified interpreter. If so, a certified interpreter would be contacted. One or more noncertified interpreters are employed by the City and may provide services to those who do not wish to have a certified interpreter.

Interviews

- Employment interviews conducted by the City of Morristown are conducted in accordance with federal law that protects qualified individuals with disabilities from inquiries designed to identify the existence of an applicant's disability. Supervisors have been trained in this area and have been given "The Hiring Process" manual that explains why certain interview questions are prohibited and helps interviewers develop questions that reveal an applicant's ability to perform the essential functions of the job.

Pre-employment medical exams

- Applicants for certain job classifications are required to undergo a pre-employment medical exam which may include a physical examination, drug screening and/or psychological examination. These examinations are all conducted post-job offer and are given to all candidates who are offered a position within that job classification.

Rules of the Morristown Employee Handbook

In accordance with State statutes, the Commission may set medical, physical or health standards that are clearly job-related, making reasonable accommodation for persons with disabilities.”

Reasonable Accommodation Requests

- City has consistently reviewed all formal and informal requests for reasonable accommodations and has approved such requests unless they have imposed an undue hardship.
- Formal procedures and a request form for employees requesting a reasonable accommodation have been developed. Such procedures will be distributed to employees and department heads. (Exhibit F).

Other

Grievance Procedure

- The Morristown City Code of Ordinances (or Employee Handbook) outlines the grievance procedure for City employees.
- City has established a grievance procedure for the general public relating to disability/access-related complaints (Exhibit G).
- City will ensure all employees are aware of the grievance procedure.

Cooperation from Organizations/Advocates of Persons with Disabilities

- City utilized public input during the self-evaluation process.
- City’s ADA representatives continue to meet with individual advocates/organizations on ADA compliance issues.
- City’s ADA Coordinator will continue to serve as an ad-hoc member of the Morristown Disabilities Commission and will serve as a liaison between the Commission and the Mayor’s Office.
- City maintains an on-going list of persons interested in assisting the City in its compliance efforts.

Crisis Intervention Team

- The Morristown Police Department may use enforcement when they encounter a potentially volatile situation involving a person with a mental disability.
- The Morristown ADA Compliance Coordinator will continue to sponsor programs that provide information on a variety of disability-related topics.

EXHIBIT A

**NOTICE
CITY OF MORRISTOWN, TENNESSEE
ADA COMPLIANCE COORDINATOR**

The City of Morristown does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services or activities. The City of Morristown does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

Questions, concerns, complaints or requests for additional information regarding the ADA may be forwarded to the City of Morristown's designated ADA Compliance Coordinator.

Larry Clark
Asst. City Administrator
100 W 1st N St.
PO Box 1499
Morristown, TN 37816-1499
423-581-0100
423-585-4687 (fax)
lclark@mymorristown.com

**Days/Hours Available:
Monday-Friday, 8:00 a.m.- 5:00 p.m.**

Individuals who need auxiliary aids for effective communication in programs and services of the City of Morristown are invited to make their needs and preferences known to the ADA Compliance Coordinator.

This notice is available in large print, on audio tape, and in Braille from the ADA Coordinator.

**NOTICE UNDER THE
AMERICANS WITH DISABILITIES ACT (ADA)**

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the **City of Morristown, Tennessee**, will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: City of Morristown, Tennessee, 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 Communication: City of Morristown, Tennessee, will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **City of Morristown, Tennessee**, 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.

Modifications to Policies and Procedures: City of Morristown, Tennessee, 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 **City of Morristown, Tennessee**, offices, even where pets are generally prohibited.

The ADA does not require the **City of Morristown, Tennessee**, 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 the **City of Morristown, Tennessee**, is not accessible to persons with disabilities should be directed to ***the Human Resources Office, at 423-581-0100***.

The **City of Morristown, Tennessee**, 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.

EXHIBIT B

**Americans with Disability Act
Obstacle Removal Coordinators**

TO REPORT AN OBSTACLE ON MUNICIPAL PROPERTY,
PLEASE CONTACT ONE OF THE COORDINATORS BELOW

<p>Larry Clark Asst. City Administrator 100 W 1st North St. PO Box 1499 Morristown, TN 37816-1499 423-581-0100 423-585-4687 (fax) lclark@mymorristown.com</p>	<p>Emily Wood Asst. City Administrator/ Airport 100 West 1st North St. PO Box 1499 Morristown, TN 37816-1499 423-353-1053 423-585-4661 (fax) aellard@mymorristown.com</p>
<p>Brian Shepherd Fire Department 625 S Jackson St Morristown, TN 37813 423-585-4651 423-585-4362(fax) bhoneycutt@mymorristown.com</p>	<p>Roger Overholt Police Department 100 W 1st N St. PO Box 1499 Morristown, TN 37816-1499 423-581-0100 423-587-9518 (fax) chiefofpolice@mymorristown.com</p>
<p>Steve Neilson Community Development Department 100 W 1st N St. PO Box 1499 Morristown, TN 37816-1499 423-581-0100 423-585-4679 (fax) sneilson@mymorristown.com</p>	<p>Travis Barbee Parks and Recreation Department 415 W Louise Ave Morristown, TN 37813 100 W 1st N St. PO Box 1499 Morristown, TN 37816-1499 423-586-0260 423-318-1544 (fax) tbarbee@mymorristown.com</p>

EXHIBIT C

ADA OBSTACLE REMOVAL PROCEDURE

Purpose

The purpose of the procedure is the elimination of the physical obstacles in the City's facilities that limit the accessibility of its programs or activities to persons with disabilities.

Procedure

The City of Morristown will prepare a list of obstacles in City facilities and on City property. The list shall be maintained on a regular basis. The City's fiscal year starts on July 1st. The department coordinator will inform the department budget analyst of those obstacles that will be submitted for the budget. The obstacles should be presented by the 1st of February in order to be considered for the budget. The City ADA Coordinator will prepare and monitor the list.

The Coordinator may pass any obstacle (budgetary, non-budgetary, critical, or non-critical) to the responsible Department for correction when deemed appropriate. Public Works, Police Department, Fire Department, Community Services, OBM, and CWLP, will provide a coordinator to coordinate the activities with the ADA Coordinator. Other departments are encouraged to submit coordinators. These coordinators will provide the following functions:

1. Report to the City ADA Coordinator any known obstacles.
2. Receive the non-budgetary and budgetary obstacle list from the City ADA coordinator -
3. When possible, have non-budgetary obstacles eliminated and report them to the City coordinator.
4. Submit budgetary obstacles to the budget process.
5. Report to the City ADA coordinator list of obstacles on the approved budget
6. Report to the City ADA coordinator the budgeted obstacles that have been eliminated.

The report activities are to be reported on standardized forms. Employees should report any obstacle to their department coordinator. Employees in departments without a department coordinator and the general public should report all obstacles to the Citywide Coordinator.

EXHIBIT D

POLICY AND PROCEDURE FOR COMMUNICATION WITH PEOPLE WHO ARE DEAF AND HARD OF HEARING

POLICY FOR THE POLICE DEPARTMENT

It the policy of the City of Morristown to insure that steps are taken to provide for effective communication for persons that are deaf and hard of hearing.

PROCEDURES

A. When a Morristown responding police officer comes in contact with a person who is deaf or hard of hearing, that person must determine if he/she is capable of providing effective communications with the deaf or hard of hearing person to resolve the issue.

B. Several techniques or process can be used to effectively communicate with a person who is deaf or hard of hearing.

1. Use of hand written notes.
2. Use of typewritten notes or text.
3. Use of sign language.
4. Use of an approved interpreter.

C. Contacting the Interpreter

If the technique or process that most effectively communicates with the deaf or hard of hearing person is the use of an approved interpreter, the following procedure will be used:

1. The responding police officer will contact his supervisor and advise the supervisor of the need for an interpreter so that effective communications with the deaf or hard of hearing person will occur.

2. The responding police officer or supervisor will contact Sangamon County Combined Dispatch (SCCDS) and ask SCCDS to contact an approved interpreter for a deaf or hard of hearing person.

3. Upon arrival at the scene of the interpreter, the responding police officer will brief the interpreter on the situation, and the message/information that needs to be relayed to the person who is deaf or hard of hearing.

4. When the person who is deaf or hard of hearing requires immediate hospitalization, it is the ambulance driver who "Will notify the hospital emergency room of the need for an interpreter; the hospital will then contact an interpreter.

D. Payment Responsibility

When the use of an interpreter is requested by the responding police officer in order to provide for effective communications, the Police Department will be responsible for the cost.

Note 1: It is anticipated that Office of Community Relations shall be allocated future funds to pay the interpreter.

Note 2: When the person who is deaf or hard of hearing is sent to the hospital by ambulance, the hospital will be responsible for payment to the interpreter.

Upon the conclusion of the interpreter's service, the responding police officer will complete a requisition form to commence the process to compensate the interpreter.

The requisition form will contain at a minimum

- 1) Name, Address, City, State, Zip Code, Phone number of the interpreter.
- 2) The name of the requesting police officer and supervisor
- 3) The date, time, location, file number of the ca11 for police service
- 4) Approximate cost of the services rendered.
- 5) An invoice or bill from the interpreter (if provided)
- 6) A copy of the police report will be attached to the requisition form.

The completed requisition form will be forwarded for processing through the proper chain of command.

EXHIBIT E

REASONABLE ACCOMMODATION REQUEST PROCEDURES

I. POLICY

It is the policy of the City of Morristown to inform employees and applicants of the right to reasonable accommodations and to provide such accommodations in the most cost effective manner available unless it would impose an "undue hardship".

II. PURPOSE

The purpose of the policy is to ensure that requests for reasonable accommodations are considered in a timely manner and in a way that is consistent with the Americans with Disabilities Act.

III. DEFINITIONS

"Qualified Individual with a Disability" - an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job that such individual holds or desires.

"Reasonable Accommodation" - any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or perform essential functions of the job.

"Undue Hardship" - an action requiring significant difficulty or expense.

IV. PROCEDURES

A. An employee must request any and all reasonable accommodations on a "*Request for Reasonable Accommodation Form*". This form can be obtained from the employee's immediate supervisor or the Office of Human Resources. The employee is responsible for adequately responding to all questions on the form. Once completed, the form, along with any medical documentation supporting the request, shall be submitted to the employee's immediate supervisor.

B. The immediate supervisor shall:

1. Grant the request if able to do so without obtaining further authorization.

The immediate supervisor shall then indicate on the "*Request for Reasonable Accommodation Form*" that the accommodation has been made and forward the completed form to the ADA Coordinator; OR

2. Make a recommendation to the Division Head regarding the request within five (5) working days of receipt of the completed "*Request for Reasonable Accommodation Form*" and forward the request directly to the Division Head.

C. The Division Head shall make a recommendation regarding the request within five (5) working days of receipt of the "*Request for Reasonable Accommodation Form*" and shall forward the request directly to the Director.

D. The Director will make the final decision regarding the request within five (5) working days of receipt of the "*Request for Reasonable Accommodation Form*". A copy of the Director's decision shall be given to the Division Head, immediate Supervisor and ADA Coordinator. The immediate Supervisor shall be responsible for providing the employee with a copy of the response within five (5) working days of receipt of the Director's decision. If the recommendation is to grant the request, the immediate supervisor shall be responsible for the implementation of the request.

- E. All reviewers shall consider each request based on the following criteria:
- The relationship between the accommodation and essential functions of the job;
 - Necessity;
 - Cost effectiveness;
 - Undue hardship; and
 - Compatibility with existing equipment (where applicable).

V. UNDUE HARDSHIP

Reasonable accommodations do not have to be granted if they impose an undue hardship. However, consideration must be given to whether another accommodation exists that would not result in an undue hardship. Factors to be considered in determining whether a reasonable accommodation request poses an undue hardship include:

- the nature and cost of the accommodation;
- the overall financial resources of the facility , number of employees at such facility and the effect on expenses and resources;
- the overall financial resources and size of the employer, including the number of employees and the number, type and location of its facilities;
- the type of operation including composition, structure and functions of the workforce, geographic separateness and administrative or fiscal interrelationship;
- the impact of the accommodation on business operations.

VI. APPEAL OF DECISION

If the employee wishes to appeal the Director's decision, the employee must file an appeal with the City's ADA Coordinator within ten (10) working days of notification of the decision. The request shall include the reasons for the request for reconsideration and, if appropriate, alternative suggestions for a reasonable accommodation. A decision shall be made and the employee notified within ten (10) working days of receipt of the appeal.

The decision of the ADA Coordinator constitutes the final administrative action.

VII. EXTENSION OF TIME LIMITS

The time limitations provided in Section IV may be extended if circumstances warrant; e.g., absence of a person needed to make the determination, additional information required, etc. The individual requesting the reasonable accommodation shall be notified if an extension is required and shall be given the date of the extended deadline.

VIII. MEDICAL VERIFICATION

At anytime during the review process, medical documentation may be required to assess the accommodation request. It will be the responsibility of the employee/applicant to provide this information. The medical report(s) must include documentation supporting the need for the specific requested accommodation.

IX. JOB APPLICANTS

This policy shall also apply to applicants for positions with the City of Morristown. Applicants who are requesting a reasonable accommodation to perform the essential functions of the job will also be required to complete the "*Request for Reasonable Accommodation Form*". Applicants may request the "*Request for Reasonable Accommodation Form*" from the Office of Human Resources.

EXHIBIT F

COMPLAINT FORM

Employee (E) _____

Non-employee/citizen(NE) _____

file number date opened date closed _____

complainant notified of findings _____

last name first name _____

address city zip _____

phone number _____

date of birth _____

sex: M/F _____

Filed with: ADA coordinator other(specify)

Location/place where incident/situation occurred
applicable city department involved

Summary of complaint:

Outcome: _____

EXHIBIT G

Emergency Evacuation Plan for People with Disabilities:

1. **Some people with disabilities may not want assistance.**

In such cases, the fire warden should alert the fire department to their last known location.

2. **For those who do want assistance, below are some suggestions:**

a) *People who are unable to walk* - If located on an upper floor, the employee may be assisted to a stairwell landing to await evacuation or further instructions by fire department personnel. It is important that the co-worker or "buddy" who is assigned to the person with the disability stay with the person until the emergency is over or insure that the person with the disability is provided with a walkie-talkie, and, is capable of using it.

b) *People who can walk with assistance*: These employees may not be able to travel to a safe area quickly. A co-worker or "buddy" may be designated to assist and accompany the person in descending the stairs in the event additional help is needed, or the individuals may choose to wait in a stairwell for fire department personnel to assist them. It is important to inform the fire department personnel of this decision. Someone should be assigned to stay with this person until the emergency is over, or, insure that the person with the disability is provided with a walkie-talkie and is capable of using it.

c) *Visual Impairment*: Those individuals with poor vision or no vision may not realize the extent or location of an emergency, and may walk into unexpected objects in paths of escape. An employee with a visual impairment can proceed down the stairs with minimal assistance from a sighted coworker. The individual may prefer to hold on to the sighted person's elbow and walk a half-step behind. Someone should follow behind to protect the employee from being pushed down in the event of crowding. It is best if someone remains with the employee until the emergency is terminated.

d) *Deaf or Hard-of-Hearing*: Deaf and hard-of-hearing individuals may not be able to distinguish audible warning alarms or respond to voice communications. They may be able to see a visual alarm; if so, they should be able to evacuate with the other employees. If there is no visual alarm nearby, personal notification in the form of

sign or hand gestures will be necessary. It is especially important that the floor warden check in restrooms, copy rooms, and kitchens in case an alarm may not be seen from that area. To get the attention of deaf or hard-of-hearing employees, flick the room light switch on and off to convey the need to communicate.

Evacuation Procedure for People with Disabilities:

1. The floor warden must know the whereabouts of every person with a disability who is in the work area and know who that person is.
2. Each floor warden shall designate an assistant and an alternative to assist the person with the disability to the secure stairwell.
3. Before leaving the person with the disability and the co-worker/buddy in the area of refuge, the floor warden shall give the person(s) a walkie-talkie set.
4. If the person with disability is capable of operating the walkie-talkie, the coworker/ buddy may choose to proceed out the building to the assigned meeting area.
5. The floor warden shall keep the other walkie-talkie for communication with the person(s) in the area of refuge.
6. The safety supervisor and the floor warden shall descend the stairwell making sure all the doors in the stairwell are closed.
7. The floor warden shall exit the building and shall notify the fire personnel where the persons with disabilities are located in the areas of refuge.

Exhibit H

CITY OF MORRISTOWN OBSTACLE LIST

*Sidewalks: The Morristown Disabilities Commission will be updated on an ongoing (at least annual) basis as budgetary parameters are determined and the specific details/nature of sidewalk projects are identified. A major presentation will be made by the Morristown Department of Public Works regarding sidewalks and curb cuts as a part of the annual ADA Public Hearing. The contents of this presentation will be added as an addendum to this report.

- There were approximately 14 corner curb cuts completed during the construction season from July 1, 2021 to June 30, 2022
- There were approximately 2,025 square feet of sidewalk repair and replacement completed during the construction season from July 1, 2021 to June 30, 2022.
- Public Works expects to complete a minimum of 12 corner cuts in the construction season of July 1, 2022 to June 30, 2023.
- Public Works expects to complete a minimum of 1,750 square feet of sidewalk repair and replacement during the construction season from July 1, 2022 to June 30, 2023.

***Parks: ADA Improvement Park Areas around Morristown - Currently, the department is planning on budgeting for ADA repairs/upgrades for FY22.

The department continues to research available grants and applies for these grants as they become available.

Exhibit H

ADA Obstacle List -Buildings

Location	Item/ Obstacle List	Review Date	In Compliance	NOT In Compliance	Estimated Compliance Date	Actual Compliance Date
City Center	In compliance					Jan 1 2016
Public Works Bldg.	New building					June 2020
Talley Ward					June 2023	
Fire Station 1	In compliance					Jan 1 2016
Fire Station 2	In compliance					Jan 1 2016
Fire Station 3	In compliance					Jan 1 2016
Fire Station 4	In compliance					Jan 1 2016
Fire Station 5	In compliance					Jan 1, 2016

Location	Item/ Obstacle List	Review Date	In Compliance	NOT In Compliance	Estimated Compliance Date	Actual Compliance Date
Fire Station 6	In compliance					Jan 1, 2016
Fred Miller Park					June 2023	
Wayne Hansard Park					June 2023	
Frank Lorino Park					June 2023	
Civitan Park					June 2023	
JayCee Dog Park					June 2023	
Animal Shelter	New Building					July 1 2017
Rose Center	Inspection to be done				Summer 2023	
Airport	In Compliance					Jan 1, 2016
Farmers Market	In Compliance					August 20, 2015

Exhibit H

ADA Obstacle List –Sidewalks

Exhibit H

ADA Obstacle List –Sidewalk Ramps