

**SOMERSET COUNTY, NEW JERSEY: SELF-EVALUATION, TRANSITION
REPORT AND ACCESSIBILITY IMPROVEMENT PLAN FOR AMERICANS
WITH DISABILITIES (ADA)/504 AND TITLE II IMPLEMENTATION PLAN**

2018

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1. INTRODUCTION

The Americans with Disabilities Act of 1990 (the “ADA”), enacted on July 26, 1990, and implementing regulations, 28 C.F.R. Part 35, prohibit discrimination against individuals with disabilities and guarantee equal opportunities for individuals with disabilities in the areas of employment, services, and programs sponsored by a state or local government, public transportation, telephone services, and open public meetings offered to the public. The ADA is based on the Rehabilitation Act of 1973, Section 504, as amended, and contains many similar provisions

The ADA is comprised of various sections, or titles. Title I of the ADA addresses employment issues, guaranteeing that individuals with disabilities are granted the same consideration for employment as those individuals without disabilities, as long as the individual is qualified to work and/or may be so qualified if given a reasonable accommodation in the performance of job-related responsibilities. This provision applies to both current and prospective employees.

Title II of the ADA applies to programs, activities and services provided by public entities, including Somerset County. In particular, Title II requires that all government activities, services, and programs be accessible to those with disabilities. This includes, but is not limited to, open public meetings, public hearings, courts, police, fire, school districts, polling places and 911 centers/emergency services. These requirements also apply to any agency or entity that receives public funding from a Title II entity.

Title III of the ADA requires that all activities, services and programs provided to the public be made accessible to disabled individuals by using the measurement of what is ‘readily achievable,’ taking into account those barriers to accessibility that may be removed with ease and which could then provide the greatest amount of accessibility.

Lastly Title IV of the ADA mandates that all telecommunications, activities, and services provided to the public be accessible by individuals with disabilities.

The ADA requires, among other things, that all public entities such as Somerset County conduct a Self-Evaluation of their services, programs and activities to ensure that they are accessible to all individuals, including those with disabilities. If, based on the Self-Evaluation, a public entity determines that structural changes are necessary to achieve accessibility, the public entity must develop a Transition Plan.

Any Transition Plan must, at a minimum, include the following:

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- (a) Identify physical obstacles that limit the accessibility of the public entity's programs, services or activities to people with disabilities.
- (b) Describe the methods to be used to make the facilities accessible.
- (c) Provide a schedule for making the access modifications and provide a schedule for making modifications if the Transition Plan is to exceed one year in duration.
- (d) Indicate the public official responsible for implementation of the Transition Plan.

The County conducted its first Self-Evaluation during late 1985-early 1986 and created its initial Transition Plan in 1993. At that time, the County examined all its departments to determine accessibility for clients, residents, visitors, and employees, including a walking tour to determine the physical accessibility of County facilities. Based on that inspection, information was generated, necessary structural changes were identified, and a report was presented to the Board of Chosen Freeholders.

The County engaged in a similar process in 2015-2016 to ensure ongoing compliance with the ADA provisions. The barriers identified in the 2015-2016 evaluation, along with the proposed remediation and current status of such, is attached hereto as Exhibit A. This evaluation resulted in the adoption of an updated 2016 Self-Evaluation and Transition Plan.

Notice of the public meeting(s) relating to the proposed 2016 Self-Evaluation and Transition Plan was advertised in both the Courier News and Star Ledger on two occasions prior to the meeting date(s) in accordance with the Open Public Meetings Act. No public comments were received during the meeting(s). Internal notification was also given to the Board of Chosen Freeholders and all Somerset County Department and Division Heads. On March 8, 2016, the County passed Resolution No. R16-197 authorizing the publication and implementation of the aforementioned 2016 Self-Evaluation and Transition Plan. The information related to both the original draft plan and updated plan is on file in the Office of the County Administrator.

Given the time that has elapsed, the County has determined that a formal re-evaluation is advisable. The following represents the County's update to its 2016 Self-Evaluation and Transition Plan to reinforce its continued compliance with the ADA.

2. THE SELF-EVALUATION PROCESS

A. General

In accordance with the ADA, the County must:

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- (a) Evaluate its current services, policies and practices to determine if they meet the requirements of accessibility.
- (b) Modify any policies and practices that do not meet the requirements of program accessibility; and
- (c) Take appropriate corrective steps to remedy any potential accessibility issues revealed by the Self-Evaluation.

The Self-Evaluation must be undertaken in consultation with interested persons, including individuals with disabilities or organizations representing individuals with disabilities, and provide an opportunity for those interested persons to submit comments during the process. The comments must be kept on file with a list of the interested persons consulted, a description of areas examined and any problems identified, and a description of any corrective actions taken, for at least three (3) years.

The County has formed an ADA Committee to steer its Self-Evaluation. The Committee is comprised of representatives from various County departments and divisions which will allow for diverse perspectives and input on current issues. The ADA Committee is charged with receiving, coordinating and evaluating the relevant information and creating an updated plan representing the rolling nature of the County's ADA compliance efforts.

B. Transition Plan

Upon passage of the ADA regulations in 1991, all public entities became obligated to evaluate whether their programs were accessible to persons with disabilities. Public entities with more than 50 employees were also tasked with developing a transition plan detailing any structural changes necessary to achieve program accessibility and setting forth a time frame for implementation of such changes. The County developed an initial Transition Plan, which was subsequently updated in 2016. Although there is no formal requirement for the County to update its Transition Plan, the County continues to work to improve access to all persons and thus continues to engage in periodic re-evaluation of such accessibility.

C. Program Accessibility

The first step in updating the Self-Evaluation was conducting a survey of all County divisions and departments to determine the degree of accessibility in all programs, activities and services provided. The purpose of this examination was to identify any programs, activities, or services that still needed to be modified to achieve accessibility. The survey form used is on file with the Office of the County Administrator.

The following is a general listing of common barriers discovered by the evaluation which impacts program, activity, and service accessibility among County divisions:

1. A policy is needed to ensure that accessible parking is used only by those who need it.

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2. Inaccessible entrances do not have signage indicating the location of the nearest accessible entrance.
3. Door handles are not accessible with a closed fist.
4. Signage does not comply with all requirements.
5. Doors are heavy and may be difficult to open.
6. Carpeting or mat edges are not securely installed to minimize tripping hazards.
7. There is no signage at inaccessible restrooms that gives direction to accessible restrooms.

The Somerset County Engineering Division also completed its own discrete self-evaluation of physical barriers that may exist along County roads including, but not limited to, the presence of adequate curb ramps. Upon completion of this evaluation, the Engineering Division prepared and published an Accessibility Implementation Plan on County Roadways in December of 2017 to serve as a supplement to the County's Self-Evaluation and Transition Plan. A copy of this Plan is on file in the Office of the County Administrator.

D. Initial Self-Evaluation Results

Utilizing *The Americans with Disabilities Act Checklist for Readily Achievable Barrier Removal*, the ADA Committee evaluated all facilities for accessible approaches/entrances (route of travel, ramps, parking and drop-off areas, and entrances), access to goods and services (horizontal circulation, doors, rooms and spaces, emergency egress, signage for goods and services, directional and informational signage, controls, seats, tables and counters, vertical circulation, stairs, elevators, and lifts), usability of rest rooms (getting to the rest rooms, doorways and passages, stalls, and lavatories), and additional access issues (drinking fountains and telephones).

Based on that evaluation, the County is committed to taking the following steps to improve program, activity, and service accessibility in all aspects of County government:

1. The County will engage the services of a consultant with expertise in evaluating ADA compliance to conduct a more extensive examination of County facilities and property
2. Members of the ADA Committee will work with the ADA compliance expert/consultant to develop a plan and budget to address deficiencies identified during the newest round of preliminary facility assessments.
3. Members of the ADA Committee, along with County Counsel, will develop a policy to ensure that accessible parking is used only by those who need it. This policy will then be presented to the Board of Chosen Freeholders for consideration.

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4. The County will work towards implementing the changes identified in Engineering Division's "Accessibility Implementation Plan on County Roadways".
5. Members of the ADA Committee will work with the consultant, Engineering Division and Facilities and Services Division to develop a budget, plan, and schedule to address larger scale projects.

E. Questions & Answers

Does the County have a Section 504¹/ADA coordinator? Yes, the County's ADA Committee serves as the coordinator for any and all general ADA enforcement, compliance and access issues. Interested individuals with any comments, concerns or questions may contact Linny Kosensky, Assistant to the County Administrator, Administrator's Office, 20 Grove Street, Somerville, NJ 08876 (908)231-7081

Does the County have an internal grievance procedure that allows for quick and prompt solutions for any complaints based on alleged noncompliance with Section 504/ADA? Yes, the County has adopted, by Resolution, an internal grievance procedure for aggrieved members of the public, as well as a separate grievance procedure for employees. Both policies are attached as appendices hereto.

Has the County identified the "responsible employee" charged with investigating compliance complaints? Yes, as indicated in the County's grievance procedures, the County Office on Aging & Disability Services Coordinator is responsible for receiving and investigating complaints by members of the public, and the County Director of Human Resources is responsible for receiving and investigating complaints by employees.

Does the County maintain on record for at least 1 year all complaints of noncompliance with the ADA and Section 504 received? Yes, this language is included in the County's grievance procedure.

Has the County drafted and disseminated to participants, applicants, employees, union and contractors, consultants, etc., a non-discrimination policy statement that the County does not discriminate on the basis of disability in admission or access to, or treatment or employment in its programs or activities? Yes, this information is disseminated during new employee orientation and posters have been placed throughout County facilities.

Does the non-discrimination policy statement also identify the name, title, office, address, and office telephone number of the 504/ADA Coordinator? The title, office, address, and office telephone number of the 504/ADA Coordinator are identified in the policy.

Has the County provided an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the self-evaluation and transition plan

¹ When used in this document, "Section 504" refers to Section 504 of the Rehabilitation Act of 1973

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process by submitting comments? Yes, with regard to the last 2016 plan update, the attached fliers were posted during the Disability Services Fair in October 2015 and were shared during an emergency activation drill in November 2015. The County also advertised its February 23, 2016 public hearing, during which the Plan was discussed, and invited any and all public comments at that meeting. No comments were received at the time, but information will continued to be shared at the annual Disability Services Fair and other relevant events.

Does the County maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities? Yes, either through the Facilities and Services Division or through the use of a contracted vendor.

Does the County monitor sub-recipients who receive County assistance to ensure compliance with County-funded programs, if so applicable? Yes, the County monitors compliance.

Has the County developed a curb ramp installation schedule as part of the transition plan for pedestrian facilities it owns, operates, and/or maintains? Yes, a draft consultant assessment was performed in 2015. Funding was allocated as part of the regular budgetary process to begin addressing identified deficiencies in 2016 and, in December 2017, the Engineering Division developed and began implementing its Accessibility Implementation Plan for County roadways.

Is the transition plan and self-evaluation plan made available for public inspection? Yes.

Has the County modified any internal policies or practices that do not meet ADA/Section 504 policies? Yes, a new grievance procedure was created as part of a policy update.

Has the County taken appropriate remedial steps to eliminate the effects of any discrimination that resulted from previous policies and practices? N/A.

Does the County build new facilities and alter existing ones in accordance with the Americans with Disabilities Act? Yes.

Does the County have a process and procedure for the installation of accessible features on pedestrian rights of way including but not limited to curb ramps, accessible pedestrian signals, etc.? Yes.

Does the County have a process to provide accessible roadways on County roads? Yes.

Does the County provide auxiliary aids such as sign language interpreters, readers, Braille, large print text and the like, upon request to County program participants with disabilities? Yes.

Does the County notify the public and other interested parties that such auxiliary aids are available and will be provided upon request? Yes.

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Is the County website and all of its contents accessible to individuals with hearing and visual impairments? Yes.

Are County telephone services and 911 services accessible by TTD/TTY phone services? Can hearing impaired individuals contact the County via TTD/TTY phone line? Yes. Also, 711 (NJ Relay) is accessible.

The County is required to operate each of its programs, activities, or services so that when viewed in their entirety, each program, activity or service is readily accessible to and usable by persons with disabilities. The Self-Evaluation has shown that, as a whole, the County's programs, activities, and services are all accessible. Nevertheless, the County is committed to taking the steps outlined in the Transition Plan to improve program, activity, and service accessibility in all aspects of County government. Steps will therefore continue to be taken to inform employees about their responsibilities as public servants and their rights as citizens under the ADA to ensure that program accessibility is improved.

F. Building Accessibility

An initial evaluation of County facilities was conducted in 1993 and a Transition Plan developed at that time. The County strives to provide access to its facilities for all individuals, whether disabled or not, and continues to work towards this goal, limited only by available County resources and feasibility. The County has therefore re-examined its facilities and identified some improvements that could be made.

The County has surveyed the following County buildings to ensure compliance:

1. County Administration Building, 20 Grove Street, Somerville, NJ
2. Cedar House, 520 North Bridge Street, Bridgewater, NJ
3. Finderne Garage (Buildings A&B), 750 East Main Street, Bridgewater, NJ
4. Hillsborough Senior Center, 339 South Branch Road, Hillsborough, NJ
5. Richard Hall Community Mental Health Center (Partial Care), 500 North Bridge Street, Bridgewater, NJ
6. South County Public Works Facility, 410 Roycefield Road, Hillsborough, NJ
7. Cooperative Housing, 60 East High Street, Somerville, NJ
8. 4H Center, 410 Milltown Road, Bridgewater, NJ
9. Somerset County Courthouse, 20 North Bridge Street, Somerville, NJ
10. 40 North Bridge Street, Somerville, NJ

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11. Jury Assembly, 20 North Bridge Street, Somerville, NJ
12. Historic Courthouse, 35 Main Street, Somerville, NJ
13. Somerset County Jail, 20 Grove Street, Somerville, NJ
14. Bernie Field Parking Deck, High Street, Somerville, NJ

3. TIMELINE FOR TRANSITION IMPLEMENTATION

Short Term Deliverables (1-3 Years)

- Rewriting Self-Evaluation Plan and ADA504/Transition Plan.
- Surveying County employees/departments to determine what steps must be taken to comply with ADA/504.
- Continued inventory of County-owned facilities accessible to the public.
- Ongoing ADA training of staff.
- ADA posters, signs and brochures.
- Continue employment/hiring compliance with ADA/504.
- Retain ADA compliance specialist to inventory and identify any areas needing improvement.

Long Term Deliverables (4-10 Years)

- Ensuring that all County buildings and facilities built after 1992 comply with ADA standards.
- Review and implement updated accessibility requirements for all new construction using ADA architectural/engineering standards.
- Ongoing ADA/504 training.
- Review of County roads/sidewalks.
- Building and maintaining an ADA inventory database.

4. THE ACCESSIBILITY INFORMATION PLAN

A. General

The Accessibility Information Plan (“AIP”) is being developed in accordance with the County’s Transition Plan in order to provide the maximum amount of information to the public. The AIP will be developed with the assistance of interested persons and be made available for public inspection on the County website and elsewhere.

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B. Identification of Physical Barriers, Work Required to Improve Accessibility, and Schedule of Work Required to Improve Accessibility

A report has been compiled that identifies the physical barriers found during the surveys of County buildings and the work required to make those buildings accessible. The report also contains the year the survey was completed. Members of the ADA Committee will work with the necessary individual(s) to set a timeline for completion of the identified improvements and an estimated total cost for the improvements. In addition, the County will retain the services of a compliance specialist, or similar professional, to pinpoint any additional recommended changes to achieve optimal accessibility.

C. Responsible Employee

49 C.F.R. 27.13 and 28 C.F.R. 35.107 provide that public entities with 50 or more employees must designate at least one employee to coordinate compliance with the respective regulations. The public entity shall make available to all interested individuals the name, office address, and telephone number of the ADA Coordinator.

The County's ADA Committee is charged with the responsibility of implementing, monitoring, and ensuring the County's compliance with the ADA and regulations. The Committee's responsibilities include monitoring the County's policies and practices for compliance with the ADA/504, identifying any shortcomings and developing remedies, evaluating potential remedial steps to eliminate the possible effects of discrimination, monitoring complaint procedures to ensure appropriate due process standards, conducting a review of ADA/504 program areas, identifying, investigating, and eliminating ADA/504 discrimination when found to exist, working with other County employees/departments to ensure continued compliance and provide assistance as requested, and confirming that the Transition Plan is implemented.

The County has determined that it is most effective to delegate responsibility for discrete areas of ADA compliance to different individuals, depending on their area of expertise. Accordingly, Linn Kosensky, who heads the ADA Committee, has been designated as the County's ADA Coordinator and shall serve as the point of contact for any and all general ADA-related issues. With regard to ADA grievances, the Coordinator of the Office on Aging and Disability Services is tasked with receiving, investigating and resolving ADA-centered complaints by the public, and the Director of Human Resources is charged with receiving, investigating and resolving ADA-centered complaints by employees.

5. COMMUNICATIONS

A. General

Somerset County is required to take appropriate steps to ensure that communications with individuals with disabilities are as effective as communications with non-disabled individuals.

B. Auxiliary Aids

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The ADA requires the County to provide appropriate auxiliary aids where necessary to afford an individual with a disability an opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by the County. Determination of the appropriate aid should be considered on a case-by-case basis, depending on the disability and the applicable program.

An auxiliary aid can be almost anything, ranging from pen and paper to large print materials, sign language interpreters, readers, and videotext displays. The County has adopted a flexible approach to determining the appropriate auxiliary aid, depending on the situation, and takes into account the type, length and complexity of the communication, as well as the individual's typical means of communicating. The goal is always to find the best practical solution under the circumstances.

As a general matter, the County has made great strides in educating its various departments on the need for large-print and audio-recorded materials as part of any visual presentations. The County has also focused on ensuring that members of the public with disabilities have equal access to public meetings and hearings. To that end, the County has compiled a list of qualified interpreters that may be called upon to provide assistance to any hearing-impaired individual at public meetings and hearings, provided such a request is received in advance.

C. Telecommunications Devices for the Deaf ("TDD's")

Another focal point for the County has been to ensure that hearing-impaired individuals have the same telephonic access to the County as non-disabled individuals. The County has worked to provide appropriate communication methods to ensure immediate access to services and programs by the hearing disabled. Persons with such disabilities may contact any County office by using the 711 relay service (NJ Relay), 24 hours a day.

In addition, other County operations such as the Library and 911 Communications Center have independent TTY systems which allow hearing-impaired persons to access services. The County's 911 Communications Center, in particular, has an integrated TTY system and is accessed by calling (908) 526-2500.

D. Information and Signage

The ADA requires that a public entity ensure that all interested persons, including persons with vision and hearing impairments, can obtain information as to the existence and location of accessible services, activities, and facilities. Signs must therefore be placed at all inaccessible entrances at each facility directing persons to an accessible entrance or to a place where information may be obtained about accessible facilities. At each accessible entrance the International Symbol for Accessibility (below) must be used. The symbol must also be located at any accessible parking spaces, accessible passenger loadings zones, and accessible rest rooms. Signs that designate permanent rooms and spaces (i.e. offices, meeting rooms, and rest rooms) must be located on walls adjacent to the latch side of the door (or the nearest adjacent wall) at 60" from floor to center line of the sign and out of the swing of the door. Other signs that provide direction to, or information about, functional spaces of the building must comply with the same proportion, height, and contrast requirements. These signs must be printed with raised sans serif characters and include Grade 2 Braille.

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It is also important to note that the courtroom of Assignment Judge Yolanda Ciccone, A.J.S.C. is a Computer Integrated Courtroom equipped with computer systems flashing a running transcript of court testimony onto computer terminals throughout the courtroom. This Computer Integrated Courtroom has been in place since 1992 and has proven itself to be a useful tool for ensuring compliance with the ADA in the courts.

6. NEW CONSTRUCTION AND ALTERATIONS

A. **New Construction and Alterations**

Because a public entity may not deny the benefits of its programs, activities, and services to individuals with disabilities because its facilities are inaccessible, after January 26, 1992 every facility or part of a facility constructed or altered by, on behalf of, or for the use of the County, has been designed, constructed, and altered so that the facility is “readily accessible to and useable by” persons with disabilities. This allows individuals with disabilities to approach, enter, and use County facilities easily and conveniently. Primary entrances, parking areas, entrance and exit routes, rest rooms, water fountains, and other services and programs offered within the facility (including employee work-stations and offices) have been made to be accessible. Certain County facilities predating January 26, 1992 have also been renovated to be made fully accessible, including the Historic Courthouse and 40 North Bridge Street. The ADA Checklist was used as a tool during facilities site inspections to assist in determining methods for providing program accessibility.

B. **Accessibility Standards**

County buildings will continue to be designed, constructed, or altered in accordance with the Uniform Accessibility Standards (UFAS) or with the American with Disabilities Act Accessibility Guidelines (ADAAG), except that the elevator exemption contained at section 4.1.3(5) and section 4.1.6.(1)(j) of the ADAAG does not apply. Other design, construction, or alteration methods may be used when it is clearly evident that these methods are equivalent to those in the UFAS or ADAAG.

C. **Alterations to Existing Facilities**

Public entities are not required to make renovations to existing facilities. Renovations are only necessary when a facility is “altered by, or on behalf of or for the use of a public entity” and the accessibility requirement applies only if the renovation affects or could affect the “usability of the facility.” Specifically,

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Title III of the ADA provides that any renovations and changes in wall configurations and the types of changes such as installing new floors, relocating electrical outlets, or relocating or replacing door hardware would prompt the requirement if they affected the usability of the building.

D. Alterations to Historic Properties

Such alterations will comply, to the maximum extent feasible, with section 4.1.7 of the UFAS or section 4.1.7 of the ADAAG.

E. Parking

As indicated above, the County has a number of different facilities, each of which was inspected and assessed as part of the self-evaluation process. Among the items examined were the availability of accessible parking spaces, whether the required number of parking spaces were being provided and whether the accessible parking spaces and passenger loading zones contained appropriate signage

The County's evaluation revealed that the following facilities were in compliance with the ADA's parking requirements:

Hillsborough Senior Center, 339 South Branch Road, Hillsborough, NJ

Richard Hall Community Mental Health Center (Partial Care), 500 North Bridge Street, Bridgewater, NJ

Cooperative Housing, 60 East High Street, Somerville, NJ

4H Center, 410 Milltown Road, Bridgewater, NJ

Somerset County Courthouse, 20 North Bridge Street, Somerville, NJ

Jury Assembly, 20 North Bridge Street, Somerville, NJ

Historic Courthouse, 35 Main Street, Somerville, NJ

Somerset County Jail, 20 Grove Street, Somerville, NJ

Bernie Field Parking Deck, High Street, Somerville, NJ²

While the majority of County facilities meet, or exceed, ADA parking requirements, a few issues have been identified which will be addressed as part of the County's newest transition plan.

² The design of the Bernie Field Parking Deck restricts the provision of van accessible spaces. The configuration of these spaces is not possible to achieve within the existing Parking Deck and, therefore, the provision of such would place an unreasonable economic burden on the County

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F. Curb Ramps/Roadways

Title II of the ADA specifically requires the provision of curb ramps or other sloped areas for all newly constructed or altered streets, roads, and highways at any intersection having curbs or those barriers to entry from a street level pedestrian walkway. Public entities must also install curb ramps within existing sidewalks that are not otherwise being altered. As indicated above, the Engineering Division has prepared an accessibility plan that addresses all County roadways.

7. CONCLUSION

The implementation of the ADA has for more than two decades now assisted individuals with disabilities in our country to receive equal access and treatment in communications, government, transportation services, and places of public accommodation. The County of Somerset has endeavored to comply with both the spirit and the language of the ADA so as to better assist County residents and all other disabled individuals. By taking the steps outlined herein, Somerset County continues its dedication towards actively increasing accessibility to the services it provides. While the main purpose of this document is to memorialize the County's compliance with the ADA and update its continued efforts to provide equality of services to the public, it will also, through its development, distribution, and implementation, increase awareness of accessibility needs among County employees and the citizens of Somerset County.

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SOMERSET COUNTY

Americans With Disabilities Act Policy



Chapter #:	Chapter Title:	# of Pages: 2
Date Created: December 7, 2015		Approved by:
Date Revised:		Date Approved:
Resolution Number:		Resolution Date:

Policy

General

Somerset County complies with the Americans with Disabilities Act (ADA), the New Jersey Law Against Discrimination (LAD) and all other laws providing for nondiscrimination in employment against qualified individuals with disabilities or handicaps. Somerset County is committed to providing equal employment opportunities for all qualified people including those with physical or mental disabilities. Upon request from a qualified individual with a disability, Somerset County will provide reasonable accommodation to allow the individual to perform the essential functions of the position, providing the accommodation would not be an undue hardship on the County.

Procedure

General

Any applicant or employee who requires a reasonable accommodation in order to perform the essential functions of the job should contact the Division Head and Human Resources Benefits Manager and request such an accommodation. The Human Resources Department will work in conjunction with the Division Head to identify possible reasonable accommodations, if any, that will help the employee perform the essential functions of the job. If a reasonable accommodation is identified that will not impose an undue hardship, the County will make the accommodation.

In determining the nature of the disability and what, if any, reasonable accommodations are available, the County may request that the employee undergo an exam(s) by a Somerset County physician(s). All medical

information that Somerset County obtains about an employee or applicant will be treated as confidential in accordance with the ADA and related federal and state laws.

The County of Somerset has adopted an internal grievance procedure providing for the prompt and equitable resolution of complaints alleging discrimination on the basis of disability in employment with the County.

The definition of "employment" for ADA purposes includes:

- Recruitment, advertising, and job application procedures
- Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring
- Rates of pay or any other form of compensation and changes in compensation
- Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists
- Leaves of absence, sick leave, or any other leave
- Fringe benefits available by virtue of employment, whether or not administered by the County
- Selection and financial support for training, including: apprenticeships, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training
- Activities sponsored by the County for current, prospective or former employees
- Any other term, condition, or privilege of employment

Complaints regarding any of the items listed in the employment section above should be directed to your Supervisor, Division Head or to the Human Resources Division.

Steps of the Grievance Procedure for an employment issue as listed above are:

Step 1: A complaint should be filed in writing or verbally, to the Supervisor of Human Resources containing the name and department of the employee/former employee filing and briefly describe the alleged violation of the regulations. The complaint should be within five working days after the complainant becomes aware of the alleged violation.

Step 2: The Supervisor of Human Resources shall thoroughly investigate the complaint, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint. The Supervisor of Human Resources shall give his/her written determination as to the validity of the complaint and description of resolution, if any, and forward a copy to the complainant within five working days of receipt of the complaint.

Step 3: If the complaint is not satisfactorily resolved at Step 2, the complainant may request a reconsideration of the determination. The

complainant may appeal the determination of the Supervisor of Human Resources within three working days to the County Administrator. The County Administrator will chair a Committee of not less than three to review the Supervisor of Human Resources' decision and shall render a determination within five working days of receipt of the appeal, forwarding a copy to the complainant and the Supervisor of Human Resources.

Step 4: If the complaint is not satisfactorily resolved at Step 3, the complainant may request a further appeal of the County Administrator's determination to the Board of Chosen Freeholders within three working days of the County Administrator's determination. The Board of Chosen Freeholders shall render their final determination within ten working days of receipt of the appeal. Copies will be furnished to the complainant, County Administrator, and the Supervisor of Human Resources.

SOMERSET COUNTY

Section 504/ADA Grievance Policy



Chapter #:	Chapter Title:	# of Pages: 2
Date Created: December 7, 2015		Approved by:
Date Revised:		Date Approved:
Resolution Number:		Resolution Date:

Policy Section 1. General

- A. The County of Somerset has adopted an internal grievance procedure providing for the prompt and equitable resolution of complaints alleging discrimination on the basis of disability in admission, or access to, or treatment, in County sponsored programs and activities, prohibited by the Office of Revenue Sharing's Regulations (31 C.F.R. 51.55 (d) (2)) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) and the Americans With Disabilities Act (28 CFR part 35).

- B. All complaints on the basis of disability in admission, access to, or treatment regarding County sponsored programs and activities, should be addressed to the Coordinator of the Office for the Disabled, P.O. Box 3000, Somerville, New Jersey 08876. Complaints may also be filed using the 711 (NJ Relay) dialing code for access to Telecommunications Relay Services (TRS) or by calling (908) 526-2500.
 - 1) Use of this grievance procedure is not a prerequisite to the pursuit of other remedies. These rules shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that Somerset County complies with Section 504 and Title II of the ADA and their implementing regulations.

 - 2) The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies.

Procedure Section 2 Steps of the Grievance Procedure

- Step 1 A complaint should be filed in writing or verbally, contain the name and address of the person filing and briefly describe the alleged violation of the regulations. The complaint should be within five working days after the complainant becomes aware of the alleged violation.
- Step 2 The Coordinator of the Office for the Disabled shall informally but thoroughly investigate the complaint, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint. The Coordinator of the Office for the Disabled shall give his/her written determination as to the validity of the complaint and description of resolution, if any, and forward a copy to the complainant within five working days of receipt of the complaint.
- Step 3 If the complaint is not satisfactorily resolved at Step 1, the complainant may request a reconsideration of the determination. The complainant may appeal the determination of the Coordinator of the Office for the Disabled within three working days to the County Administrator. The County Administrator will chair a Committee of not less than three to review the Coordinator of the Office for the Disabled's decision and shall render a determination within five working days of receipt of the appeal, forwarding a copy to the complainant and the Coordinator of the Office for the Disabled.
- Step 4 If the complaint is not satisfactorily resolved at Step 2, the complainant may request a further appeal of the County Administrator's determination to the Board of Chosen Freeholders within three working days of the County Administrator's determination. The Board of Chosen Freeholders shall render their final determination within ten working days of receipt of the appeal. Copies will be furnished to the complainant, County Administrator, and the Coordinator of the Office for the Disabled.

Section 3. Grievance Records

The Coordinator of the Office for the Disabled shall maintain the files and records of the County of Somerset relating to the complaints filed.

Related Policies: Americans With Disabilities Act Policy

COUNTY OF SOMERSET
ADA COMMITTEE

<u>Name</u>	<u>Title</u>	<u>Division/Agency</u>
Richard Close	Design Specialist	Engineering
Angela Jupin	Deputy County Counsel	County Counsel
Linny Kosensky	Assistant to the County Administrator	Administrator's Office
Paul Malarcher	Benefits Manager	Human Resources
Robert Peschel	Sergeant	Sheriff's Office
Paulann Pierson	Office for the Disabled Coordinator	Office on Aging and Disability Services
William Stahl	Director of Public Health & Safety	Public Health and Safety
Adam Slutsky	Assistant County Engineer	Engineering
Greg Thompson	Assistant Director of Facilities and Services	Facilities and Services



Providers of Sign Language Interpreters and CART Captionists – Deaf Owned

21 Clyde Road, Suite 103, Somerset, NJ 08873
 (732) 873-6401
 (800) 275-7551
 (732) 873-6405 Fax
 www.aslirs.com

RATE CHART – GENERAL

Effective January 1, 2016 thru December 31, 2016

NOTE: ASLIRS, Inc. reserves the right to modify these rates at any time.

GENERAL INTERPRETING:

Day	8AM-5PM	\$120.00 per hour	2 Hour minimum
Night	5PM-8AM	\$140.40 per hour	2 Hour minimum
Weekend	24 Hours	\$140.40 per hour	2 Hour minimum
Holidays	24 Hours	\$240.00 per hour	2 Hour minimum

TRILINGUAL INTERPRETING:

Weekdays	8AM-5PM	\$140.40 per hour	2-3 Hour minimum*
Night/Weekend	5PM-8AM/24 Hours	\$156.00 per hour	2-3 Hour minimum*
Holidays	24 Hours	\$280.80 per hour	2-3 Hour minimum*

* Minimum is based on type of interpreting (i.e., medical, general, legal, educational)

CART (Open Captioning):

Day	8AM-5PM	\$140.40 per hour	2 Hour minimum
Night/Weekend	5PM-8AM/24 Hours	\$156.00 per hour	2 Hour minimum
Holidays	24 Hours	\$280.80 per hour	2 Hour minimum

VIDEOTAPED: \$150.00-\$200.00 per hour 2 Hour minimum

TRAVEL/MILEAGE: Mileage is reimbursed at the NJ state regulated rate (currently \$0.31 per mile) OR a portal-to-portal charge. Parking, tolls, public transportation, etc. may also be applicable. *Please confirm mileage rates at time of request.*

CANCELLATION POLICY: Two (2) Full Business Days Notice is required or you will be billed for the FULL CONTRACTED TIME. Requests made with less than two full business days notice, once confirmed, are automatically chargeable for the FULL CONTRACTED TIME.

LATE NOTICE FEE: Requests made with less than one (1) day's notice (weekends included) are automatically charged an additional 10% late notice fee on the total number of service hours.

ADMINISTRATIVE FEE: We charge a \$150 administrative fee for any assignment that is booked for two (2) or more days and then canceled once confirmed, even if cancelled before the cancellation date.

PREPARATION TIME: If necessary, additional time spent on preparation will be added to the scheduled hours for on-site interpreting. This applies to assignments that require extensive review of the subject matter to be interpreted, such as, but not limited to, educational coursework, theatre/plays, technical training, legal, etc.

PAYMENT TERMS: Net 30 days. A \$35.00 rebilling fee will be added for each 30 days past due.

NOTE: Depending on job specifications, two interpreters may be needed.