



# **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT (LFUCG)**

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## ***AMERICANS WITH DISABILITIES ACT (ADA)***



## ***TRANSITION PLAN***



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### **AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN**



**Final Plan Adopted: 11/01/2011**

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**CAO:** *Richard Moloney*

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**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT (LFUCG)  
AMERICANS WITH DISABILITIES ACT (ADA)  
TRANSITION PLAN**

**I. BACKGROUND: ADA REQUIREMENTS**

The ADA Act of 1990 (revised in September 2010), is Federal civil rights legislation which mandates non-discrimination to persons with disabilities. The Act has five (5) titles, listed below:

- A. Title I – Employment
- B. Title II – Public Services and Transportation
- C. Title III – Public Accommodations
- D. Title IV – Telecommunications
- E. Title V – Miscellaneous

Title II of the ADA prohibits discrimination by public entities on the basis of disability by making all programs, services, and activities accessible to persons with disabilities. In order to accomplish this, the Department of Justice developed regulations requiring LFUCG to conduct a self-evaluation of the accessibility of its programs and services to determine whether issues of accessibility could be addressed through changes in the way such programs and services are provided. LFUCG is obligated to remove physical barriers to accessibility when program changes cannot insure access to services, programs, and activities in existing facilities. Realizing that the structural changes would take time and money to provide, the Department of Justice Regulations, Federal Register 28 CFR Part 35 state that “in the event that structural changes to facilities will be undertaken to achieve program accessibility, a public entity that employs 50 or more persons shall develop, within six (6) months of January 26, 1992, a Transition Plan setting forth the steps necessary to complete such changes.” Additionally, “if a public entity has responsibility or authority over streets, roads, or walkways, its Transition Plan shall include a schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs, giving priority to walkways serving entities covered by the Act.”

The ADA regulations further require the Transition Plan to contain the following elements:

- A. A list of physical barriers in the public entity's facilities that limit the accessibility of its programs, services, or activities to individuals with disabilities;
- B. A detailed description of the methods to be utilized to remove these barriers and make facilities accessible;
- C. The schedule for taking the necessary steps to achieve compliance with Title II;
- D. The name of the official responsible for the plan's implementation;
- E. A schedule for providing curb ramps or other sloped areas where pedestrian walks cross curbs. Priorities should be given to the following order:
  - 1. State and local government offices
  - 2. Transportation
  - 3. Places of public accommodation
  - 4. Employees
  - 5. Other areas (e.g., residential areas where people needing curb ramps reside)
- F. The opportunity for the disability community and other interested parties to participate in the development of the Transition Plan.

The ADA requires that the accessibility changes outlined in the Transition Plan be completed by January 26, 1995, and provides regulations establishing standards for accessible design (ADAAG).

## **II. ADA PROGRAM**

### **A. RESPONSIBLE OFFICIAL**

The ADA Coordinator has been designated by the Mayor as the person responsible for the development and implementation of LFUCG's ADA Transition Plan.

## B. PUBLIC VIEW

In 2006, the Mayor formed the Commission for Citizens with Disabilities (CCD). The Commission consists of 17 members who are appointed to help advise LFUCG on developing policies with regard to ADA implementation. The Commission is comprised of individuals representing diverse needs and medical conditions. LFUCG's commitment to a partnership with the CCD is what makes the ADA program work.

The public may give input and comment on matters related to ADA to either the CCD or they may file a complaint using LFUCG's ADA complaint procedure. Any citizen can comment on items related to ADA during the public comment item on the agenda of every scheduled public Urban County Council meeting or at any Urban County Council meeting that has an ADA issue on the agenda. In addition to attending meetings, individuals may review and comment on LFUCG's Transition Plan via the Internet at [www.lexingtonky.gov](http://www.lexingtonky.gov).

## C. SELF-EVALUATION

As required by the ADA legislation, LFUCG has conducted a Self-Evaluation Survey of its programs, services, and activities in 2007 to insure that they are accessible to and usable by persons with disabilities. To effectively facilitate this process, an ADA Core Planning Team was established consisting of representatives from each department, who were then responsible for ensuring that each Division completed the survey.

An Action Plan was subsequently completed by each Division listing specific policy or program modifications needed, and target dates by which those departments would make the necessary changes.

Architectural barriers at facilities and infrastructure issues are addressed separately in LFUCG's Barrier Removal Survey in Section III.

### GRIEVANCE PROCEDURE

LFUCG developed a disability access complaint procedure for individuals who have an ADA issue with regard to program or facility access. The process was

designed by the ADA Coordinator. The complaint form will be distributed to LFUCG's Public Information Office. In addition, complaints may be phoned in to the ADA Coordinator.

### **III. TRANSITION PLAN**

#### **A. BARRIER REMOVAL AND COMPLIANCE STRATEGIES FOR FACILITIES**

The ADA Coordinator has the responsibility of identifying barriers and implementing LFUCG's barrier removal program. In 2007, the ADA Coordinator created an ADA Transition Team to create an ADA Transition Plan. The Transition Team used a five (5) step plan in addressing the creation of LFUCG's ADA Transition Plan.

The steps are:

***Step 1 – Document Needs*** – Each LFUCG department/division ADA Team member will identify the physical barriers in and around a facility that prohibit access to programs, activities and services. “Programs, activities and services” include the functions necessary to fulfill a building's mission”. Events or programs that are open to the public must be accessible by persons with disabilities.

***Step 2 – Document Solutions*** – The Department/Division ADA Team appointed member will define the structural or physical modifications needed to make the facility accessible. Structure modifications include architectural renovations; such as widening a door or constructing a ramp. The modifications must meet ADA's requirements for new construction and changes cannot force a disabled person to access the building in an unequal manner. For example, if the main entrance does not provide accessibility but the rear entrance door does, rear entrance must be equal to the main entrance and available during operating hours.

***Step 3 – LFUCG’s Priorities Are:***

- Priority 1 – Parking, loading zones and exterior routes of travel
- Priority 2 – Entrances, lobbies, corridors, elevators and specific rooms or spaces that contain programs, activities and services including assembly areas, cafeterias and libraries
- Priority 3 – Restrooms, toilets and shower rooms
- Priority 4 – Other access, e.g., drinking fountains and telephones

***Step 4 – LFUCG Transition Team*** - will create a timeline or schedule to correct or remove accessibility barriers and will meet periodically to assess each department/divisions progress. The ADA Coordinator will coordinate the representatives from throughout LFUCG and convene periodic meetings to insure that progress on all areas of concern is being met. Access to and barriers listed below frequently compromise use of LFUCG facilities, by individuals with disabilities,; this list is not necessarily complete but represents a sampling of barriers identified by LFUCG’s Department/Division ADA Transition Team through the use of site surveys during the formulation of this transition process.

***Step 5 – Education*** - The ADA Core Planning team convened representatives from each division within LFUCG for a training session. In this session, the planning team presented information on the number of person with disabilities in our community, provided activities to simulate various disabilities to assist the division representatives to “experience barriers in their environment that affect quality of life”. Then each division representative was given an ADA Assessment Kit with the ADA Assessment checklist, pencils, tape measure, threshold measuring tool, clipboard and list of properties. There were slope levels and door weights available too. The next part of the education was teaching the division representatives how to measure, door push/pull weights, the widths of doors, heights of signs, bars, sinks and door handles. Each division representative was shown how to complete the assessment and given a deadline.



## **(a) Sampling of Barriers**

### **PARKING & SIGNAGE**

Accessible spaces, proportionate to the number of total spaces in the parking garages, are correct; however, the number of spaces, signage and markings on some parking lots, and buildings, is insufficient. Van accessible spaces are not provided. Some lots are not properly signed for towing. Accessibility information is not provided in some building directories.

### **WALKS, CURBS & RAMPS**

Curb ramps do not meet current requirements and are lacking in several areas. Entrances are not ramped; or ramps do not meet the requirements for width, slope, landings, and/or handrail shape and height. Sidewalks have cracks and routes of travel are interrupted by changes in levels.

### **ENTRANCES, CORRIDORS & STAIRS**

Signage is lacking in several areas; access doors in disrepair problems with stair handrails and automatic door openers. Kick plates are non-compliant in several areas. ADA approved door knobs are absent in several areas. Doors are not sufficiently wide and/or require excessive effort to open, and close too quickly to allow safe passage. There is insufficient space at some entrances for wheelchair accessibility. Some stair tread is not deep enough to meet minimum standards. Wheelchair lift for accessibility to building is broken.

### **PUBLIC RESTROOMS**

Some accessible signage is missing at men's and women's restrooms. Handrails do not fully comply with minimum standards. Twist door knobs need to be replaced with ADA approved handles. Thresholds for doors not beveled.

Maneuvering clearances are inadequate. Some stall doors do not provide for the minimum clearance.

#### **PUBLIC TELEPHONES & WATER FOUNTAINS**

Some fountains mounted at incorrect height. Some fountain spouts at incorrect height; water fountains protrude into pathway.

#### **MEETING ROOMS**

Tables in meeting rooms are too close for proper clearance; meeting rooms need chairs to be moved for wheelchair access to tables.

#### **ELEVATORS**

Several handrails in elevators are not mounted at the proper distance above the floor; some call buttons mounted too high on wall.

### **COMPLIANCE STRATEGIES FOR REMOVING ACCESS BARRIERS IN FACILITIES AS REQUIRED BY THE ADA ARE AS FOLLOWS:**

#### **1. Targeted Barrier Removal Projects**

LFUCG has implemented a barrier removal program in LFUCG-owned facilities. The program is based on the facility survey that was conducted by LFUCG's Division/Department ADA Transition Team and constitutes LFUCG's Transition Plan of upgrades related to accessibility as well as targeted dates for completion of the upgrades. The plan has been reviewed by the CCD and is reviewed annually to insure that LFUCG is meeting the needs of those with accessibility issues. Total accessibility for all LFUCG-owned facilities, for every citizen, is the goal of The Transition Plan. Priorities include all LFUCG-wide facilities. LFUCG-wide facilities are defined as "those which serve the residents of the entire LFUCG urban service area". Whenever funding is made available, facilities are added to the priority list for that particular fiscal year.

**2. Retrofit or Remodel Projects by LFUCG Departments**

Whenever a retrofit or remodel of an existing LFUCG-owned building occurs, the facility is required to become compliant with ADA regulations (subject to availability of funding).

**3. Maintenance and Repair Work**

When appropriate, and when funding is available, LFUCG will bring facilities into compliance by replacing defective fixtures with compliant models, i.e., door knobs replaced with levered door handles, etc.

**4. Leased Facilities**

When LFUCG lease agreements are scheduled for renewal, facilities are required to become compliant with the ADA. The responsibility for the improvements shall be negotiated with the lessee.

**B. BARRIER REMOVAL AND COMPLIANCE STRATEGIES FOR PUBLIC RIGHTS-OF-WAY**

The ADA Coordinator and the Engineering Division of LFUCG are responsible for LFUCG's Transition Plan with regards to rights-of-way. Improvements to rights-of-way locations are contingent on availability of funding, and can only be made through a comprehensive strategy to systematically locate, fund, and bring into compliance, those areas that are currently non-accessible to the public. Primary accessibility improvements are as follows:

***1. CURB RAMP CORRECTION PROGRAM***

LFUCG's Department of Engineering has conducted site-surveys to identify areas of need; in addition, the Commission for Citizens with Disabilities (CCD) has also conducted extensive site surveys to locate and identify those areas that need to be prioritized for curb ramp retrofits. Input from citizens, throughout Lexington-Fayette County was also used to identify areas of concern. Areas considered the highest priority include:

- Existing Curb Ramps that are damaged
- Existing Curb Ramps with Running Slope greater than 12%, located near a Hospital, School, Transit Stop, Government Building or similar Facility
- Areas where no Curb Ramp exists where Sidewalk or Pedestrian path exists and location is near a Hospital, School, Transit Stop, Government Building, or similar Facility
- Areas where an existing Curb Ramp with a running slope of greater than 12% (not located near a hospital or similar facility)
- Areas where no curb ramp where a Sidewalk or Pedestrian path exists (not located near a hospital or similar facility)
- No Curb Ramp where a Striped Crosswalk exists
- **SCHEDULING** - These areas will be addressed as funding is identified and made available. Phase #1 of the replacement of curb ramps has been completed (see attachment C). Phase #2 will begin in FY 2012.

## ***2. AUDIO ACCESSIBLE TRAFFIC SIGNALS***

Whenever possible, and when funding is available, audio accessible traffic signals will be installed to replace older, visual-only units; in addition, whenever new equipment is installed for construction, relating to new or updated intersections, audio accessible traffic signals will be installed. Audio accessible signals were installed during the initial stage of the “Streetscape” project to re-design and re-pave the downtown area. (See attachments D & E).

## ***3. PARKING, FACILITIES & SIGNAGE***

Identifiable areas, without proper ADA signage or accessibility information, will be corrected, with the proper signage installed. Facilities improvements will be implemented whenever funding becomes available.

New ADA signage and a new handicapped-accessible wheelchair lift, in the Government Center, have been installed (see attachments F & G).

#### **4. PUBLIC INVOLVEMENT RECORD**

Record of the opportunity given to the disability community and other interested parties to participate in the development of the Transition Plan will be documented. The Draft Transition Plan will be provided to members of The Commission for Citizens with Disabilities, and public, for review and input into the process.

##### ***PUBLIC COMMENT***

Examples of comments from the public, concerning the LFUCG Draft Transition Plan, are listed below:

"The only comments I would have is this, is there a standard set by the ADA for future reviews? That is to say is there a mandate from ADA in reference to reconvening the core group and reevaluating the conditions of our workplace at that time; or should there be a standing internal committee that meets say yearly to reevaluate our plan? That would show two things; we as a government are doing all we can to insure we are in compliance, and secondly it would allow you a forum for updating all of government through the core group" – *Rick Curtis, LFUCG Public Safety*

"I did take the time to read the transition plan and I think it's good. I am curious about one thing. If it's federal law, how can you legally put in the qualification "when funds become available". If someone wanted to sue over accessibility, I imagine that qualifier would not hold up in court. The way funds are allocated; funding may never be available for a specific need" – *Paula Wiese, Bluegrass Council of the Blind*

(A) DAMAGED CURB CUT AT MARKET STREET AND SHORT STREET, LEXINGTON





(B) REPAIRED CURB CUT AT CULPEPPER ROAD AND FONTAINE ROAD



(C) 2010 SIDEWALK RAMPS - NORTHSIDE LOCATIONS COMPLETED – APRIL, 2011

<u>ADDRESS</u>	<u>NO. OF CUTS</u>
Appletree Lane and Clayton Avenue	2
Bellaire Avenue and W. Sixth Street	1
Boiling Springs Drive and North Forbes Road	2
Cambridge Drive and Village Drive	2
Eastern Avenue and Corral Street	2
Hill Rise Court and Hill Rise Drive	4
Johnson Avenue and E. Fifth Street	1
Market Street and Short Street	2
McClain Drive and Twelfth Street	2
McClain Drive and Kenyon Road	2
Margate Drive and Wanstead Way	2
Margate Drive and Stonehaven Drive	2
Meadowthorpe Avenue and N. Forbes Road	2
New Circle Road and Meadow Lane	2
N. Ashland Avenue and Franklin Avenue	2
N. Ashland and Hambrick Avenue	2
Pleasant Ridge Drive and Brighton Place Drive	2
Ranier Drive and Sierra Drive	2
Seventh Street and Harry Street	1
Taylor Drive and N. Forbes Road	4
Terrace View Drive and Hill View Place	2
Terrace View Drive and Hill Rise Drive	2
Village Drive and Davenport Drive	2
Warnock Street and Goodloe Street	4
<b>TOTAL</b>	<b>51</b>



(C) 2010 SIDEWALK RAMPS SOUTHSIDE LOCATIONS COMPLETED – APRIL, 2011

<u>ADDRESS</u>	<u>NO. OF CUTS</u>
Adair Road and Hart Road	3
Alexandria Drive and Garden Springs Drive	2
Alumni Drive and Buckhorn Drive	1
Blairmore Court and Blairmore Road	2
Bristol Road and Hart Road	2
Brookridge Drive and Rolling Creek Lane	2
Chinoe Road and Chinoe Place	2
Clays Mill Road and Mitchell Avenue	2
Elizabeth Street and Transcript Avenue	1
Georgian Way and Pine Bloom Drive	1
Glenover Road and Jesselin Drive	2
Glenover Road and Valley Road	2
Harrodsburg Road and Cheryl Lane	2
Hart Road and Prather Road	2
Hart Road and Culpepper Road	6
Ivybridge Drive and Firethorn Place	4
Rollingdale Road and Ridgecane Road	2
Sage Drive and Aster Road	2
Southpoint Drive and Aligan Way	2
Versailles Road	2
Violet Road and Aster Road	2
Whitfield Drive and Amberley Drive	2
Whitfield Drive and Worthington Lane	2
<u>Whitfield Drive and Aligan Way</u>	<u>1</u>
<b>TOTAL</b>	<b>51</b>

(D) AUDIBLE TRAFFIC SIGNAL; MAIN STREET & MILL STREET



(E) AUDIBLE TRAFFIC SIGNAL CONTROLS





(F) NEW ADA SIGNAGE IN FRONT OF GOVERNMENT BUILDING



(G) NEW WHEELCHAIR LIFT FOR GOVERNMENT CENTER ENTRANCE



## (H) ADA PUBLIC NOTICE



### NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the American with Disabilities Act of 1990 ("ADA"), **Lexington-Fayette Urban County Government ("LFUCG")** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities

**Employment:** **LFUCG** 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:** **LFUCG** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **LFUCG** 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:** **LFUCG** will make all reasonable modifications to policies and programs to ensure that people with disabilities have equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in **LFUCG** offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of **LFUCG**, should contact the office of **Tom Wilson, ADA Coordinator, LFUCG, 200 E. Main St., Room 421, Lexington, KY 40507 @ 859-258-3930** or [twilson@lexingtonky.gov](mailto:twilson@lexingtonky.gov), as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require **LFUCG** 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 **LFUCG** is not accessible to persons with disabilities should be directed to **Tom Wilson, ADA Coordinator, LFUCG, 200 E. Main St., Room 421, Lexington, KY 40507 @ 859-258-3930** or [twilson@lexingtonky.gov](mailto:twilson@lexingtonky.gov).

**LFUCG** 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.

## (I) REASONABLE ACCOMMODATION POLICY



### **REASONABLE ACCOMMODATION AND REASONABLE MODIFICATION POLICY**

It is the policy of Lexington-Fayette Urban County Government (LFUCG) to provide reasonable accommodations to employees or job applicants with disabilities upon receipt of required documentation of the need for the accommodation.

A Reasonable Accommodation is “any change in the work environment or the way things are usually done that gives an individual with a disability an equal employment opportunity”.

Types of Reasonable Accommodations include:

- Modification of a building or work location to make the area accessible and usable by an individual with a disability
- Job restructuring by exchanging marginal duties with co-workers
- Part-time or modified work schedule
- Flexible leave policies
- Acquiring or modifying equipment or devices
- Adjusting or modifying examinations, training materials, or policies
- Providing qualified readers and interpreters
- Altering when and how an essential job function is performed
- Permitting use of accrued paid leave or unpaid leave for necessary treatment

The ADA does not require an employer to always accommodate a person with a disability, even an existing employee. For example, if the accommodation is too burdensome for the employer, an accommodation may not be required. If the person’s disability changes and causes greater limitations which make him/her unable to perform the essential functions of his/her job, even with an accommodation, and there are no vacant positions for which he/she is qualified, an accommodation is not required.



## When an Employer Must Provide a Reasonable Accommodation

### General Requirements

- An employer must make a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless the employer can show that the accommodation would cause undue hardship on the operation of its business. An employer is only obligated to accommodate a **qualified individual with a disability**. An employer must also know that the applicant or employee has a mental or physical impairment before the employer is obligated to provide the accommodation
- A Reasonable Accommodation must always take into consideration two factors:
  - The specific abilities and functional limitations of a particular applicant or employee with a disability; and the specific functional requirements and essential job functions of a particular job
- In considering an accommodation, the focus should be
  - On the abilities and limitations of the individual to perform a specific task or particular position
  - Not on the name of the disability or a particular physical or mental condition
  - The employer is responsible for notifying job applicants and employees of its obligation to provide accommodations for otherwise qualified individuals with a disability
- Limits on Employer's Duties to Accommodate
  - An employer is NOT required to lower quality or production standards to make an accommodation
  - An employer is NOT obligated to provide personal items as accommodations, such as eye glasses or hearing aids
  - An employer is NOT required to provide an accommodation if it will pose an undue hardship on the operation of its business
  - An employer is NOT required to hire an individual who poses a "direct threat" to the health and safety of others
- The employer's obligation to provide reasonable accommodations apply **ONLY** to those accommodations that reduce barriers to employment related to a person's disability; it does NOT apply to accommodations that a disabled person may request for some other reason



(J) REASONABLE ACCOMMODATION REQUEST FORM (Employee or Applicant)



**EMPLOYEE OR APPLICANT REQUEST FORM  
FOR REASONABLE ACCOMMODATION**

TO: Human Resources Director

FROM: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE/E-MAIL: \_\_\_\_\_

RE: Americans with Disabilities Act Reasonable Accommodation Request

DATE:    /    /

I am currently employed by LFUCG or am applying for employment with LFUCG. I need an accommodation(s) to be able to perform my job duties because of a disability. I have the following condition: \_\_\_\_\_. This condition affects me in the following way(s): \_\_\_\_\_

\_\_\_\_\_

I am requesting the following accommodation(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I have enclosed pertinent medical documentation from my physician in support of my request for accommodation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

(K) REASONABLE ACCOMMODATION REQUEST FORM (Program Access)



**REQUEST FOR PROGRAM ACCESS ACCOMMODATION**

*Submit this form to the Therapeutic Recreation (TR) Department. If you need assistance contact LFUCG Department of Social Services at 288-2928*

Name of the Program: \_\_\_\_\_

Description of the Program including Goals:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location of the Program: \_\_\_\_\_

Days of the week that participant has registered for the program:

\_\_\_\_\_

Time of the Day: \_\_\_\_\_

Start Date: \_\_\_\_\_

End Date: \_\_\_\_\_

Name of the participant: \_\_\_\_\_

Phone number of Parent/guardian: \_\_\_\_\_

Diagnosis if known: \_\_\_\_\_

What accommodation is the parent or participant requesting: (i.e. one-on-one staff, physical accommodation, program accommodation, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## (L) LFUCG ADA GRIEVANCE PROCEDURE



### **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT (LFUCG) Grievance Procedure under The Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the **Lexington-Fayette Urban County Government (LFUCG)**. The LFUCG's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**Tom Wilson, ADA Coordinator, LFUCG, 200 E. Main Street, Office 421, Lexington, KY 40507**

Within 15 calendar days after receipt of the complaint, **Tom Wilson, ADA Coordinator** or **his** designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **Tom Wilson, ADA Coordinator** or **his** designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of **Lexington-Fayette Urban County Government (LFUCG)** and offer options for substantive resolution of the complaint.

If the response by **Tom Wilson, ADA Coordinator** or **his** designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **Chief Administrative Officer** or **his/her designee**.

Within 15 calendar days after receipt of the appeal, the **Chief Administrative Officer** or **his/her designee** will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **Chief Administrative Officer** or **his/her designee** will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **Tom Wilson, ADA Coordinator** or **his** designee, appeals to the **Chief Administrative Officer**, or **his/her designee**, and responses from these two offices will be retained by the **LFUCG** for at least three years.