

11R-19A

SPONSOR: Al Salinas
2nd District CouncilmanRESOLUTION NO. R19

(as amended)

**A RESOLUTION ADOPTING THE NOTICE PROVISIONS OF THE AMERICANS
WITH DISABILITIES ACT IN THE CITY OF HAMMOND**

WHEREAS, the City of Hammond receives Federal funds for many uses and projects; and

WHEREAS, the receipt of such funds requires compliance with Federal laws and policies; and

WHEREAS, it is the wish of the U.S. Equal Employment Opportunity Commission that Municipal entities such as Hammond formally enact and adopt policies and procedures demonstrating compliance with the Americans With Disabilities Act (ADA); and

WHEREAS, The City of Hammond, by its Common Council wishes to formally adopt and implement the following policy and procedure for the benefit of all Hammond Citizens; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Hammond that the following declaration become a written policy of the City of Hammond and be posted in all Municipal Buildings upon passage.

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

The City of Hammond adopts the 2010 American with Disabilities Act Standards for Accessible Design and the 2005 Guidelines for Accessible Public Rights. In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Hammond, Indiana will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The City of Hammond, Indiana 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.

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Effective Communication: The City of Hammond, Indiana will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City of Hammond's 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: The City of Hammond 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 Hammond 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 the City of Hammond should contact the Executive Director of Human Relations at the office of Hammond Human Relations, 219-853-6502, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of Hammond 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 Hammond is not accessible to persons with disabilities should be directed to the Executive Director of Human Relations at the office of Hammond Human Relations, 219-853-6502

The City of Hammond 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.

**CITY OF HAMMOND
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 City of Hammond. The City'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

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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:

Executive Director of Human Relations
Hammond Human Relations—City Hall
5925 Calumet Avenue, First Floor
Hammond, IN 46320

Within 15 calendar days after receipt of the complaint, the Executive Director or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the Executive Director or [his/her] designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Hammond and offer options for substantive resolution of the complaint.

If the response by the Executive Director or his/her 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 Mayor's Chief of Staff or [his/her] designee.

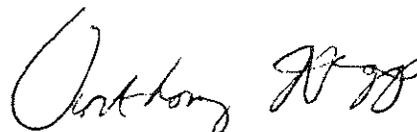
Within 15 calendar days after receipt of the appeal, the Mayor's Chief of Staff or [his/her] designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Mayor's Chief of Staff or [his/her] designee will respond in writing,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

All written complaints received by the Executive Director or his/her designee, appeals to the Mayor's Chief of staff or his/her designee, and responses from these two offices will be retained by the City of Hammond for at least three years

RESOLVED this 19th day of December, 2011



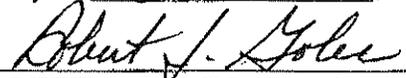
ATTEST:
ROBERT J. GOLEC, City Clerk



Anthony Higgs, President
Hammond Common Council

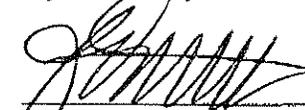
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PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor said City for approval on the 20th day of December, 2011.



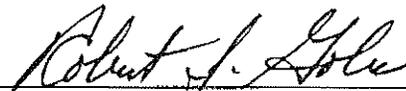
ROBERT J. GOLEC, City Clerk

The foregoing Resolution No. 819 consisting of four (4) typewritten pages, including this page, approved by the Mayor on the 21st day of December, 2011.



THOMAS M. MCDERMOTT, JR., Mayor
City of Hammond, Indiana

PASSED by the Common Council on the 19th day of December, 2011.



ROBERT J. GOLEC, City Clerk