

# AMERICANS WITH DISABILITIES POLICY

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), **Cabell-Wayne Association of the Blind** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** **Cabell-Wayne Association of the Blind** 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:** **Cabell-Wayne Association of the Blind** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **Cabell-Wayne Association of the Blind** 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:** **Cabell-Wayne Association of the Blind** 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 **Cabell-Wayne Association of the Blind** 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 **Cabell-Wayne Association of the Blind**, should contact the office of Paul Slone, Executive Director, at 304-522-6991 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require **Cabell-Wayne Association of the Blind** 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 **Cabell-Wayne Association of the Blind** is not accessible to persons with disabilities should be directed to Paul Slone, Executive Director, **Cabell-Wayne Association of the Blind**, 38 Washington Ave., Huntington, WV 25701.

**Cabell-Wayne Association of the Blind** 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.

# **Cabell-Wayne Association of the Blind Complaint Procedure under The Americans with Disabilities Act**

This Complaint 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 **Cabell-Wayne Association of the Blind**. **Cabell-Wayne Association of the Blind** 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 complainant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Paul Slone, Executive Director  
Cabell-Wayne Association of the Blind  
38 Washington Ave.  
Huntington, WV 25701

Within 15 calendar days after receipt of the complaint, Paul Slone, Executive Director, or *their* designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Paul Slone, Executive Director, or *their* 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 **Cabell-Wayne Association of the Blind** and offer options for substantive resolution of the complaint.

If the response by **Paul Slone, Executive Director**, or *their* designee does not satisfactorily resolve the issue, the complainant and/or their designee may appeal the decision within 15 calendar days after receipt of the response to the **Board of Directors** or *their* designee.

Within 15 calendar days after receipt of the appeal, the **Board of Directors** or *their* designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **Board of Directors** or *their* 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 Paul Slone, Executive Director, or *their* designee, appeals to the **Board of Directors** or *their* designee, and responses from these two offices will be retained by **Cabell-Wayne Association of the Blind** for at least three years.

## POLICY

It is the policy of Cabell-Wayne Association of the Blind to be in compliance with the Americans with Disabilities Act at all times. Under the law, a driver is required to

- Operate the lift at all stops, except where the lift would be damaged.
- Immediately report lift failures to dispatch.
- Allow an individual with a disability to board the bus in either direction (forward or backward boarding on the lift).
- Allow adequate time for individuals with disabilities to board and disembark.
- Permit individuals with disabilities who do not use wheelchairs, including standees, to use the lift.
- Transport all mobility devices that fit on the lift. This includes three wheel scooters.
- Assist individuals with disabilities with the use of the lift and with the securement of their mobility devices. If it is necessary for you to leave your seat to provide assistance, you must do so.
- Secure the mobility device to the best of your ability using the available securement system, However, if you cannot secure the individual's mobility device and the individual still wants to be transported (after you have informed the individual -that he or she is not secured), you must transport them unsecured as safely as possible.
- Permit an individual with a disability to travel with a respirator or portable oxygen supply.
- Permit all service animals (seeing eye, hearing ear, canine companions, etc.) to accompany individuals with disabilities on the bus.

- Announce transfer points, other major intersections and destination points.
- Announce any stop on request of an individual with a disability.

Under the law, drivers cannot require an individual with a disability to:

- Transfer from their mobility device into a bus seat. However, you recommend they transfer:
- Use designated priority seats, if the individual does not choose to use these seats.
- Have an attendant or charge an attendant a fare.

Additionally, to ensure that the lift is in proper working order, all drivers are required to cycle the lift on a daily basis during the pre-trip inspection. Any problems with the lift are to be reported immediately.

The following progressive disciplinary action will be imposed for failure to be in compliance with the Americans with Disabilities Act. A written warning is to be given for the first offense. Three days off without pay are specified for a second violation. Five days off without pay are indicated for a third violation. A fourth violation can be cause for termination of employment.

**Disabilities Act (ADA)**  
**A federal Civil Rights Law**  
**that ensures accessibility**  
**for people with disabilities.**

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