

Santa Rosa County  
Board of County Commissioners

Americans With Disabilities Act  
Section 504 Policy

Date Adopted: August 24, 2017

Effective Date: August 24, 2017

**Santa Rosa County provides access to all federally funded activities for all individuals, regardless of handicap.**

Citizen Access.

A. Purpose.

Section 35.1 07(b) of the ADA requires public entities with 50 or more employees to establish grievance procedures for resolving complaints or violations of Titles I and II. The purpose of this policy section is to provide standard procedures for the Complaint Process associated with ADA Accessibility as it relates to citizen inquiries.

Section 504 prohibitions against discrimination (See 45 CFR Part 84) apply to services availability, accessibility, delivery, employment, and the administrative activities and responsibilities of organizations receiving federal financial assistance.

B. Definitions.

1. Accessibility. As it pertains to County facilities, programs, and services, the ability to gain physical access to County buildings, sidewalks, parking, public telephones, parks, and other various programs and services.

2. Accessibility Process. An organized procedural system that is documented, maintained, and in place to answer citizen questions and address complaints pertaining to the accessibility of County facilities, programs, and services.

3. ADA (Americans with Disabilities Act). Public Law 101-336, enacted July 26, 1990, which prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, transportation and telecommunications.

4. Section 504 Coordinator. The County's Human Resources Director is designated as the Section 504 Coordinator. The Section 504 Coordinator has the

responsibility of facilitating and coordinating all ADA issues and requests regarding access problems or concerns for Santa Rosa County.

5. Handicapped. Refers to any person who (1) has a physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such impairment; or (3) is regarded as having such an impairment.

#### C. Citizen Accessibility Process.

1. The accessibility process consists of a systematic procedural description of the County's citizen complaint process. The process includes, but is not limited to:

- a. Online contact information where citizens can find the address and telephone number of the County's Section 504 Coordinator.
- b. Contact information posted and readily available at each County facility, program, or service.
- c. Directions on how to file a complaint available online and via the posted contact telephone number.
- d. An automated form (Appendix A) that can be submitted to the Section 504 Coordinator online; printed out, completed, and submitted by FAX; or a phone number where a form may be requested.

#### D. Citizen Accessibility Access Questions.

1. Citizen Access Questions. The question is transferred to the County's Section 504 Coordinator for appropriate response. The Section 504 Coordinator shall maintain a list of County program area contact persons.

- a. The Section 504 Coordinator logs the call and determines to whom the call is referred for response, if necessary, or answers the question directly.
- b. Once an answer to the question has been determined, the program area contact person notifies the Section 504 Coordinator who contacts the citizen with the answer to the question.
- c. Section 504 Coordinator follows up to ensure that the citizen's question has been answered and to determine if further action is warranted.

#### E. Citizen Accessibility Access Complaints.

1. A citizen reports an access problem or concern. (Appendix C) The complaint is transferred to the Section 504 Coordinator.
2. The Section 504 Coordinator logs the complaint and determines to whom the complaint is referred for response, if necessary, or resolves the complaint.
3. The program area contact person investigates the complaint to determine if a change can be made to resolve the problem or concern.

Some issues may need to be addressed in the form of an agenda request depending on the amount of work or funds needed to correct the problem area.

4. Once a resolution to the problem is determined, the program area contact person notifies the Section 504 Coordinator who contacts the citizen, with the proposed resolution.
5. The program area contact person follows up to make sure that the correction/alteration is completed as determined.
6. The Section 504 Coordinator follows up to ensure that the citizen's problem or concern has been adequately resolved.
7. The Section 504 Coordinator logs actions taken in response to the complaint and the results of the actions taken.
8. At any point, the aggrieved may register a complaint with the Florida Department of Economic Opportunity (DEO). In the event the aggrieved has exhausted all appeals without a decision satisfactory to himself/herself, he/she may appeal the determination to the U.S. Department of Housing and Urban Development; or may pursue other legal channels in an attempt to achieve satisfaction.

## Employees Applicants for Employment.

### Purpose.

This policy section establishes uniform guidance for employees and/or applicants for employment to request reasonable accommodations and file complaints of discrimination based on the Americans with Disabilities Act of 1990 (ADA) as required by state and federal law.

### Procedures.

#### 1. Applicants for Employment: Requests for Reasonable Accommodations.

- a. All job announcements shall include the statement, if an accommodation is needed in order to participate in the application process, please contact the Human Resources Office.
- b. Any applicant for employment may request a reasonable accommodation. The request for accommodation should specify the type of accommodation requested.
- c. An applicant may request reasonable accommodation at any time during the job application process.
- d. Any cost involved in accommodating the applicant must be approved by the department/division director or his designee in the department/division where the accommodation is being requested. When the department/division director feels that the program/division budgets do not have funding to support the accommodation, the director shall contact the Section 504 Coordinator before denying the request based on undue hardship.
- e. The Section 504 Coordinator and the hiring supervisor shall initiate the necessary steps to coordinate the accommodation.
- f. All original requests for accommodations and resolutions thereof shall be forwarded to the Human Resources Office after completion. Copies pertaining to a request for accommodation shall be maintained in the Human Resources Office in a secured area.
- g. If the applicant is not satisfied with the decision made, he or she may appeal to the County Administrator or his/her designee.

#### 2. Employees: Requests for Reasonable Accommodation.

- a. Any employee may request reasonable accommodation under the ADA. The employee shall make such request to his or her immediate supervisor and/or

Section 504 Coordinator. The request for accommodation shall be in writing using the Santa Rosa County Board of County Commissioners' Request for Reasonable Accommodation Form (Appendix B). The supervisor and/or the Section 504 Coordinator shall ensure that the form is completed by the employee.

b. The supervisor shall discuss the accommodation with the employee and provide either the accommodation requested or an accommodation that is equally effective. If the supervisor believes the accommodation is not reasonable and would change the nature of the employment, the supervisor will forward the request to the Section 504 Coordinator for resolution. In any event, all requests for accommodations and resolution of such requests shall be forwarded to the Section 504 Coordinator.

c. If an employee requests accommodation to perform the essential functions of the job, the Section 504 Coordinator may request supporting documentation about his/her disability and functional limitations. The documentation must be from an appropriate healthcare professional.

d. If the employee provides insufficient information to substantiate a claim of disability covered by the ADA, then the County may require an employee to be independently examined by an appropriate healthcare professional of the County's choice. The examination must be job-related. The County shall pay all costs reasonably associated with the employee's independent medical examination.

e. Any cost involved in providing a reasonable accommodation must be approved by the department/division director or his designee in the department/division where the accommodation is being requested. When the department/division director feels that the program/division budgets do not have funding to support the accommodation, the director shall contact the Section 504 Coordinator before denying the request based on undue hardship.

f. The Section 504 Coordinator and the supervisor shall initiate the necessary steps to coordinate the approved reasonable accommodation.

g. All original requests for accommodations and resolutions shall be forwarded to the Human Resources Office after completion.

h. If the employee is not satisfied with the decision made as to the request for accommodation, he or she may appeal to the County Administrator or his/her designee.

### **3. Complaint Process. (This process is to be used in lieu of the Grievance Process.)**

a. Any employee and/or applicant for employment with the County may file a complaint of discrimination/harassment on the basis of disability with the County. Complaints shall be filed with the Human Resources Director. Any complaints filed internally alleging a violation of the Americans with Disabilities Act or this procedure should be reported immediately.

b. Any employee who believes he or she has been subjected to discrimination/harassment on the basis of disability must promptly bring the problem to the attention of the County. If an employee believes that he or she has been discriminated against/harassed, he or she should immediately report the problem to his/her supervisor. If the complaint involves the supervisor, or the employee is uncomfortable presenting this issue to the supervisor, then he or she should inform the Human Resources Director.

c. If a complaint of discrimination/harassment on the basis of disability involves a County Commissioner, the employee should immediately report the problem to the Human Resources Director or the Chairman of the County Commission. If the complaint involves the Chairman of the County Commission or the employee is uncomfortable presenting this issue to the Chairman, then the employee should inform the Vice-Chairman of the County Commission or the Human Resources Director.

d. At that time, the Human Resources Director will refer the complaint to a private law firm or private entity outside the County's political jurisdiction, previously retained, to investigate the claim (this should be complied with prior to any notification to the Board, County Administrator, or County Attorney). Once the complaint has been referred to the outside private agency or law firm for investigation, then the party involved in the complaint shall be notified.

e. Each complaint will be immediately and thoroughly investigated in a professional manner. All discrimination/harassment complaints reported to a supervisor or any member of management, shall be promptly reported to the Human Resources Director. Actions taken to investigate and resolve discrimination/harassment complaints shall be conducted confidentially to the extent practicable, appropriate, and legal, in order to protect the privacy of the persons involved.

f. The person who is accused of engaging in discriminating/harassing behavior shall be notified and given an opportunity to respond verbally and/or in writing. Investigations may include interviews with parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have relevant information or knowledge.

g. The employee making the complaint shall be notified of a decision or the status of the investigation in a timely manner. There will be no discrimination or retaliation

against any individual who files a good-faith complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a discrimination/harassment complaint.

h. If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be taken. Disciplinary action, which may include discharge, will also be taken against individuals who make false or frivolous accusation, such as those made maliciously or recklessly.

i. If deemed to be in the County's best interest, the complainant, the respondent, or both, may be placed on leave with pay during the investigation process. This decision will be made by the County Administrator, the Chairperson or the Vice Chairperson.





APPENDIX B

**Santa Rosa County Board of County Commissioners  
Request for Reasonable Accommodation Form**

If selected for Recruitment/Employment, initial requests for Reasonable Accommodations shall be submitted to the supervisor and the Section 504/ADA Coordinator. All medical information is maintained separately from all personnel records and shall be kept confidential.

PART 1 REQUESTOR'S INFORMATION.

Section 1 Employee/Applicant Information (To be completed by requestor and returned to supervisor or Board's designated responsible person for reasonable accommodations):

Date: \_\_\_\_\_ Check one:  Employee  Applicant  
Name: \_\_\_\_\_ Department/Division: \_\_\_\_\_  
Job Title: \_\_\_\_\_ Work Site Location: \_\_\_\_\_  
Work Telephone #: \_\_\_\_\_ Home Telephone #: \_\_\_\_\_  
Supervisor's Name: \_\_\_\_\_

Section 2 Accommodation Request:

I am requesting accommodation(s) for the following reason(s) check relevant box(es):

- To complete the employment application process.
- To perform essential job function(s).
- To have equivalent benefits and privileges of non-disabled employees.
- To obtain evacuation assistance in a time of emergency.
- Other (provide explanation).

How does your disability restrict your ability to accomplish the essential functions of your job responsibilities?

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

What type of accommodation(s) do you believe would be effective?

\_\_\_\_\_

Part II APPROVAL(S)

Section 1 Supervisor Approval (To be completed by the Section 504/ADA Coordinator).

I have received your request for an accommodation.  Approved  Need More Review.

Comments: \_\_\_\_\_  
\_\_\_\_\_

APPENDIX B (CONTINUED)

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Section 2 Notification of need for additional information (To be completed by the supervisor or Human Resources):

We are continuing to assess your request. To make a County determination, we need the following information:

Medical documentation.

Please inform your doctor of your application for an accommodation and have your doctor send us medical documentation, indicating the limitations placed on your life functions and activities.

Information should be returned by the following date \_\_\_\_\_ to your supervisor or the Section 504/ADA Coordinator, Santa Rosa County Human Resources, 6495 Caroline Street, Suite H, FL 32570

Other

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

We require no additional information from you.

Section 3 Accommodation(s) Granted (Description of Accommodation):

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

Requestor's Acknowledgement: \_\_\_\_\_ Date: \_\_\_\_\_

Requestor's Comments: \_\_\_\_\_  
\_\_\_\_\_

The County review process includes an evaluation of all relevant information. This may include an interview with you and/or your supervisor. After completion of the review, you will receive a final copy of this form from Human Resources regarding the County's decision. We anticipate that the decision will be made by \_\_\_\_\_. If you have any questions, please call 850-983-1948.

Section 504/ADA Coordinator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

