

# **Americans with Disabilities Act (ADA)**

## **Title II, Self-Evaluation**



August, 2023

Los Angeles County Public Works  
900 S. Fremont Avenue, Alhambra, CA 91803

<https://PW.LACounty.gov/general/ADA/>

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**i. Accommodation Notice**

If you need this report in an alternative format, please contact Claudia Perez, Public Works ADA Coordinator at (626) 458-7901, California Relay 711, or email [ADAInquiries@DPW.LACounty.gov](mailto:ADAInquiries@DPW.LACounty.gov) for assistance. The ADA Coordinator's mailing address is P.O. Box 1460, Alhambra, CA 91802.

**ii. Disclaimer**

This report is provided as guidance regarding the Americans with Disabilities Act. It is not legal advice.

## Acronyms and Abbreviations

ADA	Americans with Disabilities Act
ADAAA	Americans with Disabilities Act Amendments Act, 2008
ADA Notice	Notice on Nondiscrimination under the ADA
CART	Communication Access Realtime Translation
CASp	Certified Access Specialist
CCDA	California Commission on Disability Access
CFR	Code of Federal Regulations
DAG	Disability Advisory Group
DOJ	U.S. Department of Justice
EEOC	Equal Employment Opportunity Commission
HR	Human Resources
PSA	Programs, Services, and Activities
Public Works	Los Angeles County Public Works
TAM II	Technical Assistance Manual Title II
TDD	Telecommunications Device for the Deaf
TTY	Teletype, refers to text-based telecommunications equipment
VRI	Video Remote Interpreting
WCAG	Web Content Accessibility Guidelines

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# Los Angeles County Public Works Americans with Disabilities Act (ADA) Title II, Self-Evaluation, 2023

## **Executive Summary**

Passed in 1990 and modeled after Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) is the nation's most comprehensive Federal civil rights law prohibiting discrimination on the basis of disability. It protects an estimated 61 million Americans, prohibiting discrimination on the basis of disability by employers (Title I); State and local governments (Title II); places of public accommodation (Title III); telecommunications (Title IV), and miscellaneous provisions (Title V).

Title II of the ADA applies to all programs, services, and activities provided or operated by State and local governments. A Self-Evaluation of these programs, services, and activities (PSA) is mandated, as well as a Transition Plan for existing facilities with PSAs. Other requirements include a Public Notice about nondiscrimination under the ADA, a Grievance Procedure, and appointment of an ADA Coordinator.

The Los Angeles County Public Works (Public Works) contracted TGC/ AECOM to develop the Self-Evaluation and Transition Plan to examine how Public Works complies with its obligations under Title II of the ADA.

Public Works has undertaken this ADA Self-Evaluation to enhance its services to the disability community it serves. Through this effort, Public Works is conducting a comprehensive examination of all its programs, services, and activities to ensure that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities.

This report also constitutes Public Works' Self-Evaluation pursuant to Section 504 of the Rehabilitation Act of 1973.

The Transition Plan assesses architectural barriers in Public Works' existing facilities (built or altered before January 26, 1992) and will be submitted as a separate report.

## 1.0 Introduction

### 1.1 The Self-Evaluation Plan

This Self-Evaluation document identifies and recommends ways to address programmatic barriers. Programmatic barriers include communication barriers and policy barriers, such as eligibility criteria for programs, among other non-architectural issues.

In a parallel effort (development of a Transition Plan, Phase I), Los Angeles County Public Works (Public Works) is reviewing existing facilities with programs, services, and activities to identify architectural barriers, the methods that will be used to make the facilities accessible, and to develop a schedule for taking the steps necessary to remediate the barriers. In addition, the Transition Plan will name an official responsible for its implementation.

Title II of the Americans with Disabilities Act (ADA) does not necessarily require a public entity to make each of its existing facilities accessible to and usable by individuals with disabilities.

The Transition Plan will be conducted in several phases, over several years. In the initial phase of the Transition Plan, Public Works is examining existing facilities that are open to the public. Subsequent phases will follow.

### 1.2 Summary of Key Findings, Recommendations, and Best Practices

#### 1.2.1 Key Findings

Public Works already has taken the correct steps in demonstrating its efforts in good faith to provide individuals with disabilities equal access to its programs, services, and activities. Public Works has complied with the administrative requirements of Title II of the ADA by establishing the following:

- Published an ADA-dedicated page on its website [www.PW.LACounty.gov/general/ADA](http://www.PW.LACounty.gov/general/ADA) with a published Notice about the ADA and a [Nondiscrimination Statement](#) on the basis of disability
- Developed a [Grievance Procedure](#) which includes an [Accommodations Request Form](#) and a [Complaint Form](#) on its website

- Designated a responsible official to serve as its [ADA Coordinator](#) and published the official's name and contact information on its website.
- Trained the ADA Coordinator with attendance to specialized training in the ADA for which the ADA Coordinator received a certification.
- Assigned staff to assist the ADA Coordinator.
- Provided periodic training on the ADA and other civil rights laws to staff, particularly those whose positions require interactions with the public.
- Made appropriate arrangements for the provision of auxiliary aids and services, when necessary, for effective communication.
- Made reasonable modifications of policy when needed, providing an [Accommodations Request Form](#) on its website for policy modifications and reasonable accommodation to applicants and employees with disabilities.
- Created an ADA Liaison Committee to assist the ADA Coordinator in the review of the Self-Evaluation and Transition Plan draft reports; and with the implementation of the recommended actions.
- Met with the [Los Angeles County Commission on Disabilities](#) which acts as a voice for the disability community and represents the five Supervisorial Districts of the County, including a State seat and a youth seat.

Overall, Public Works has displayed serious commitment to comply with the mandates of Title II of the ADA.

### **1.2.2 Recommendations and Best Practices**

The following are areas that should be supplemented to provide ongoing accessibility improvements. Section 4 of this report presents a detailed account of the findings and recommendations, but key recommendations are summarized as follows:

1. **Public Notice on Nondiscrimination Under the ADA:** Adopt the forms developed by the US Department of Justice including the ADA Notice for a comprehensive coverage of ADA provisions as provided in Appendix A.
2. **Grievance Procedure:** The time frame for filing a complaint as currently set forth by Public Works and the time allotted for Public Works to respond to a complaint

in writing should be changed to be consistent with the Department of Justice's (DOJ's) grievance procedure timeline. Under the current Public Works' grievance procedure timeline, a grievant may lose their right to file a complaint with the Federal government within the 180 days allotted. Adopting the model provided by DOJ would resolve this concern. Los Angeles County provides 60 days to respond back in writing to a complaint filing, whereas Public Works provides 90 days for a written response (based on current online information).

3. **Second Level of Review:** Any appeal of an initial denial by the ADA Coordinator for a request for accommodation shall be sent for a second level of review above the ADA Coordinator, to Public Works' Administration or County Counsel.
4. **ADA Coordinator:** The name, title, and contact information of the ADA Coordinator should be placed on all notices disseminated by Public Works. An Accessibility Statement may also be included. Staff should be provided with access to the ADA Coordinator's email address and phone number in every document sent to them. The ADA Coordinator's contact information is on Public Works' website: [www.PW.LACounty.gov/general/ADA](http://www.PW.LACounty.gov/general/ADA)
5. **Consistent Policy:** Requests for policy modifications can come to the attention of Public Works from a variety of sources, and to various staff who have contact with individuals with disabilities. Thus, having a consistent policy about procedures when a request is received or denied is important. This also applies to requests for the provision of auxiliary aids and services, such as printed material in alternative formats (e.g., large print or Braille), sign language interpreters, and Communication Access Realtime Translation (CART) or live captions. All staff should be familiar with the role of the ADA Coordinator when making these decisions.
6. **Policy Modifications:** Unless staff can set forth, in writing, reasons for denying requests for modifications of policy or provision of auxiliary aids or services, the requests should be honored. These reasons should be discussed with the ADA Coordinator and County Counsel before denying a request.
7. **Documentation of Request Denial:** Denial of a request for an auxiliary aid or service, or denial of a request for a policy modification should be documented by

staff. Staff should identify the nature of the request and the basis for the denial and submit the documentation to the ADA Coordinator.

If the basis of the denial is the assertion that granting the request would fundamentally alter the nature of a program, service, or activity, the request and the basis of the denial should be documented carefully, and the denial should be provided in writing by the head of the agency or their designee (i.e., Public Works Administration).

Similarly, if the decision to deny the request is based on the assertion that granting the request would constitute an undue financial or administrative burden, the head of the public agency or their designee (i.e., Public Works Administration) should take into consideration the overall budget of the Department and justify the denial in writing.

8. **Service Animals:** Staff training on service animals should be continued and a written policy on service animals should be developed and distributed.
9. **Additional Training:** Additional training on the ADA should be provided to the ADA Coordinator's staff, ADA Liaison Committee, and Public Works staff. Many staff members are still unfamiliar with the requirements of the ADA.
10. **Full-time ADA Coordinator Position:** The position of the ADA Coordinator should be made into a full-time permanent position, and an ADA Section should be created, with additional staff. Based on the wide scope and impact of Public Works, this would serve to fulfill Public Works' obligations under Title II of the ADA and Section 504 and create and maintain a more vigorous level of accessibility compliance.

The findings and recommendations herein are intended to serve as a road map for improvement. They are the result of the cooperative and forthright attitude displayed by everyone at Public Works who made this Self-Evaluation possible.

## 2.0 Background Information

### 2.1 Overview of Los Angeles County Public Works



Public Works is one of the largest municipal public works agencies in the United States, providing vital twenty-first century infrastructure and essential services to more 10 million people in Los Angeles County, of whom an estimated 10 to 22 percent have some type of disability per the U.S. Census Bureau and LA County Public Health Department surveys.

The agency is among 48 County departments and agencies working collaboratively across public, private, and nonprofit sectors to improve the quality of life for the people and communities of Los Angeles County.

With the vision to become the most trusted public agency in the region, Public Works is defined by its responsiveness to the public, customer service excellence, and the drive to build positive community relations, including members of the disability community. Public Works' workforce takes pride in being committed public servants providing essential and critical services for all residents and businesses in Los Angeles County.

Public Works' operations are defined within the following core service areas: Construction Management, Environmental Services, Water Resources, Transportation, Municipal Services, Administrative Services, and Public Contracting and Asset Management. Its annual budget of more than \$3.9 billion is funded by restricted revenues such as gas excise and sales tax, property benefit assessments, water and sewer sales, user fees, and contract cities revenues.

Public Works is strategically focused on economic development through business-friendly contracting opportunities that enhance equity among the County's small businesses and

local worker hiring objectives. In fiscal year 2021-22, Public Works awarded almost \$1.8 billion worth of contracts within Los Angeles County, which helped create nearly 22,000 jobs.

The agency's workforce is comprised of 4,000 employees in more than 500 job classifications, including professional, technical, administrative, and skilled crafts.

Public Works' website is at <https://PW.LACounty.gov>.

## **2.2 Public Works' Core Values**

Public Works' core value and mission of greater inclusion and equal opportunity for its constituency include ensuring that individuals with disabilities have full participation in and access to Public Works programs, services, activities, and facilities, following the guidelines of Title II of the ADA and Section 504 of the Rehabilitation Act.

Public Works recognizes the growing number of people with disabilities in its constituency. The Centers for Disease Control and Prevention (CDC) currently estimates that 61 million Americans, or 26 percent of the national population have disabilities.

As demonstrated by the aging demographics in the population and the increasing number of baby boomers, elderly people including those with disabilities are living longer with the advancement of medical sciences and technology. A higher level of community integration and inclusion into mainstream civic activities for individuals with disabilities has progressed following the enactment and impact of the ADA.

## **2.3 Basis of The Americans with Disabilities Act (ADA)**

In passing the Americans with Disabilities Act in 1990, the U.S. Congress recognized the crucial need for this landmark legislation and made specific findings as follows (*42 U.S. Code Section 12101*):

1. Physical or mental disabilities in no way diminish an individual's right to fully participate in all aspects of society, yet many individuals with physical or mental disabilities have been precluded from doing so because of discrimination; others who have a record of a disability or are regarded as having a disability also have been subjected to discrimination.
2. Historically, society has tended to isolate and segregate individuals with disabilities, and despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem.

3. Discrimination against individuals with disabilities persists in such critical areas as employment, housing, public accommodations, education, transportation, communication, recreation, institutionalization, health services, voting, and access to public services.
4. Unlike individuals who have experienced discrimination on the basis of race, color, sex, national origin, religion, or age, individuals who have experienced discrimination on the basis of a disability often have had no legal recourse to redress such discrimination.
5. Individuals with disabilities continually encounter various forms of discrimination, including outright intentional exclusion, the discriminatory effects of architectural, transportation, and communication barriers, overprotective rules and policies, failure to make modifications to existing facilities and practices, exclusionary qualification standards and criteria, segregation, and relegation to lesser services, programs, activities, benefits, jobs, or other opportunities.
6. Census data, national polls, and other studies have documented that people with disabilities, as a group, occupy an inferior status in our society, and are severely disadvantaged socially, vocationally, economically, and educationally.
7. The nation's proper goals regarding individuals with disabilities are to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals.
8. The continuing existence of unfair and unnecessary discrimination and prejudice denies individuals with disabilities the opportunity to compete on an equal basis and pursue those opportunities for which our free society is justifiably famous and costs the country billions of dollars in unnecessary expenses resulting from dependency and non-productivity.

In 2008, the ADA Amendments Act (ADAAA) was passed. The ADAAA, among others, clarified the definition of disability to construe a broad coverage of individuals with disabilities protected by the Act.

## 2.4 ADA Self-Evaluation Requirements

This Self-Evaluation document primarily addresses the following obligations of State and local governments under Title II of the ADA to:

1. Conduct a Self-Evaluation of Public Works' programs, services, and activities and make modifications necessary to comply with the ADA's Title II regulation, *28 Code of Federal Regulations (CFR) 35.105*;
2. Notify applicants, participants, beneficiaries, and other interested individuals of their rights and of Public Works' obligations under Title II, *28 CFR 35.106*;
3. Designate a responsible employee to coordinate their efforts to comply with and carry out Public Works' obligations under Title II, *28 CFR 35.107 (a)*;
4. Establish a grievance procedure for resolving complaints of violations of Title II, *28 CFR 35.107(b)*;
5. Operate each program, service, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities, *28 CFR 35.150*;
6. Ensure that communications with applicants, participants, and members of the public and companions with disabilities are as effective as communication with others, including furnishing auxiliary aids and services when necessary for effective communication, *28 CFR 35.160*;
7. Provide direct access via TTY (text telephone) or computer-to-telephone services, including 9-1-1 and 2-1-1 services, for individuals who use TTY's and computer modems, *28 CFR 35.162*; and
8. Reasonably modify its policies, practices, or procedures if needed to make Public Works' programs, services, or activities accessible to a person with a disability, termed as "*reasonable modification*" of policies or "*accommodation*," *28 CFR 35.130(b)(7)*.

Public Works is not required to provide an accommodation if it would create a fundamental alteration in the nature of its program or service or create an "undue" financial or administrative burden. However, Public Works must determine whether another reasonable modification or accommodation is available, to ensure that, to the maximum extent possible, individuals with disabilities should be provided with equal opportunity to receive the benefits or services provided by Public Works (*28 CFR 35.164*).

Architectural barriers are beyond the scope of this Self-Evaluation document and are being addressed by Public Works in a separate Transition Plan, a parallel effort that will be published separately.

## 2.5 ADA's Definition of Disability

With respect to an individual, the ADA defines disability as follows:

- (A) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- (B) A record of such an impairment; or
- (C) Being regarded as having such an impairment.



If an individual meets any one of these three definitions, they are considered to be an individual with a disability for coverage under the ADA.

According to the ADA, whether a particular individual is protected by Title II requires a careful analysis, including determining:

- whether an individual is an “individual with a disability,” and then
- if that individual is “qualified.” Title II of the ADA prohibits discrimination against any “qualified individual with a disability.”

The ADA also protects a person who has a relationship or association with an individual with a disability such as a companion, caregiver, attendant relative, or entities who provide services to or are otherwise associated with such an individual i.e., health care providers and others who provide professional services to a person with a disability. For example, if a companion attending to a person with a disability is denied access to a program or facility that the person with a disability is attending, this is considered associational discrimination.

To be qualified, the individual with a disability must meet the essential eligibility requirements for receipt of services or participation in a public entity's programs, activities, or services, with or without reasonable modifications.

An eligibility requirement is essential if its absence from the program would fundamentally alter the nature of the program.

Essential eligibility requirements may include residency, age, income, licenses, and certifications needed to participate in a program or activity. For example, a resident in Los Angeles County must be at least 18 years old to register to vote in local elections, no matter if they have a disability or not.

The "essential eligibility requirements" for participation in many activities of public entities may be minimal or more stringent depending on the program, service, or activity. For example, most public entities provide information about their programs, activities, and services on request. In such situations, the only "eligibility requirement" for receipt of such information would be the request for it.

However, the ADA prohibits a public entity from imposing or applying eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity, unless such criteria can be shown to be essential or necessary for the provision of the service, program, or activity being offered (*28 CFR 35.130 b [8]*).

## 3.0 Self-Evaluation

### 3.1 Scope of the ADA Self-Evaluation

The Self-Evaluation is distinguishable from the Transition Plan. The Transition Plan addresses architectural barriers in existing facilities. The Self-Evaluation, in contrast, examines programmatic issues, including communication concerns, policy concerns, eligibility criteria, and other non-architectural issues, and how they affect individuals with disabilities.

The DOJ's ADA Technical Assistance Manual Title II (TAM-II) 8.2000 notes the following:

Once a public entity has identified its policies and practices, it should analyze whether these policies and practices adversely affect the full participation of individuals with disabilities in its programs, activities, and services. In this regard, a public entity should be mindful that although its policies and practices may appear harmless, they may result in denying individuals with disabilities the full participation of its programs, activities, or services.

The Self-Evaluation findings and recommendations are grouped according to regulatory areas identified in the DOJ's Technical Assistance Manual Title II (TAM II) as scopes of review covering State and local government programs and services requirements. These regulatory areas were used in the development of this Self-Evaluation document:

- Development of a Transition Plan
- Reasonable Modification
- Effective Communication
- Provision of Auxiliary Aids and Services for Effective Communication
- Emergency Management
- Disability Awareness among Public Works' Staff
- Historic Sites
- Determination of Fundamental Alteration
- Accessible Public Meetings and Events
- Nondiscriminatory Employment Policies and Practices
- Building and Construction Policies
- Familiarity of Employees with Public Works' ADA Policies and Procedures
- ADA-Related Drug Policies

### **3.2 Methodology**

Specific and relevant survey questionnaires were developed and distributed to the different divisions of Public Works to learn from staff about key concerns involving programmatic barriers. This effort was made to provide an assessment of how staff members communicate with members of the disability community, what policies, procedures, and practices need to be modified and how well staff understand their obligations to the disability community under Title II of the ADA. Several staff orientation meetings were also conducted to provide clarification about the questions in the survey questionnaires and Title II requirements.

Each of Public Works' divisions cooperated and participated in providing information about how it delivers its programs, services, and activities to individuals with disabilities, recognizing that the process would result in improvements in accessibility for members of the disability community. In addition to the survey questionnaires, staff interviews, and discussions, an analysis of Department information and notices, existing policies, and online materials were conducted.

Input from the disability community and their advocates was an essential feature in the development of the Self-Evaluation. To accomplish this, Public Outreach activities were conducted. An initial letter and a survey were sent to various disability organizations and advocates, requesting their input and concerns, and followed up with emails and telephone calls conducted for several months. Efforts are ongoing to solicit input and feedback from individuals with disabilities about their experiences and interactions with Public Works to identify any accessibility concerns and issues.

Public Works' ADA Coordinator reached out to the Los Angeles County Commission on Disabilities and informed them about the Department's efforts to develop its Self-Evaluation and Transition Plans. The Commission on Disabilities advocates on behalf of individuals with disabilities throughout the five Supervisorial Districts in Los Angeles County. Engaging with the Commission is just one more avenue that Public Works is pursuing to reach out to the disability community and learn about its concerns and needs.

A separate ADA Liaison Committee was formed to provide input and feedback on the Self-Evaluation and Transition Plan drafts, and to assist in monitoring and administering the subsequent implementation of recommendations and action items set forth in these documents. The ADA Liaison Committee also received an orientation about the ADA and their crucial role. They received additional training as the draft documents advanced.

The findings and recommendations set forth in the Self-Evaluation will serve as the basis for implementation of changes, staff training, and improvements in ongoing work with the disability community.

Based on the data gathered from Public Works staff, the ADA Liaison Committee, and the disability community, this first draft of the Self-Evaluation report has been developed. Key findings have been identified, reviewed, and analyzed and recommendations and best practices are being provided to Public Works for consideration.

After this initial draft of the Self-Evaluation is reviewed, any additional Public Works stakeholders' comments, questions, and concerns will be taken into consideration to produce the final draft of the Self-Evaluation. The document will be completed and submitted to Public Works' Administration and County Counsel for review, and then presented to the appropriate body or authorized official for approval and adoption.

The Self-Evaluation will be retained as a living document, to be used by staff and Public Works' Administration as a tool for ongoing updates and improved access to Public Works' programs, services, and activities by the disability community.

### **3.3 Title II Administrative Requirements**

In developing the Self-Evaluation, Public Works is required to evaluate its compliance with general or administrative requirements of Title II of the ADA, examining how it needs to interact with individuals with disabilities. Public Works is required to:

1. Provide an ADA Notice to the public about their rights and Public Works' responsibilities under the ADA.
2. Develop an ADA Grievance Form and procedure to allow individuals with disabilities to bring to the attention of Public Works any alleged violations of the ADA they encounter by Public Works.
3. Appoint someone to oversee ADA compliance and interact with the disability community, commonly referred to as the ADA Coordinator.
4. Develop an ADA Self-Evaluation and Transition Plan.
5. Retain the Self-Evaluation and Transition Plan for 3 years. Public Works will retain the Self-Evaluation and Transition Plan as living documents, and update them on an ongoing basis, especially as new programs, services, and activities are implemented, and as new forms of accessibility and technology are developed.

## 4.0 Self-Evaluation Findings, Recommendations, and Best Practices

### 4.1 **Notice on Nondiscrimination Under the ADA (“ADA Notice”)**

A Title II entity must make available a public notice about the ADA's prohibition against discrimination on the basis of disability. The public agency must provide and disseminate the ADA Notice on an ongoing basis. Public Works' ADA Notice is available online at: <https://PW.LACounty.gov/general/ADA>

#### 4.1.1 **Who is the Target Audience for the ADA Notice?**

The target audience for the ADA Notice includes applicants, beneficiaries, and other individuals interested in the State or local government’s programs, activities, or services. The audience is expansive and includes everyone who interacts with or potentially will interact with the State or local government.

#### **Examples of the Target Audience for the ADA Notice:**

- A customer or recipient of services, business opportunities, or programs provided by the State or local government;
- An applicant for a permit, billing program, or other Public Works programs;
- A public transit user of a Public Works vehicle (i.e., Paratransit);
- A constituent who uses Public Works facilities for programs and activities;
- A member of a citizen’s advisory committee and similar Public Works committees;
- A recipient of a grant or a beneficiary of services from Public Works; and
- A constituent who wants to participate in a Public Works meeting or who visits a Public Works facility.

#### 4.1.2 **What Information Must the ADA Notice Include?**

The ADA Notice is required to include relevant information regarding Title II of the ADA, and how it applies to the programs, services, and activities of Public Works.

An effective notice needs to state the basics of what the ADA requires of the local government without being too lengthy, legalistic, or complicated. It needs to include the name and contact information of the ADA Coordinator.

Appendix A provides an ADA Notice sample, entitled “Notice under the Americans with Disabilities Act” created by DOJ. It is a one-page document in a standard font and includes brief statements about nondiscrimination on the basis of disability in employment, effective communication, making reasonable modifications to policies and programs, not placing surcharges on modifications or auxiliary aids and services, and filing complaints.

### 4.1.3 How and Where Should the ADA Notice be Provided?

It is the obligation of the head of the public entity or their designees (i.e., Public Works Administration) to determine the most effective way of providing notice to the public about their rights and the public entity's responsibilities under the ADA.

Publishing and publicizing the ADA Notice is not a one-time requirement. State and local governments must provide the information on an ongoing basis. The notice also needs to be posted on Public Works' website. If a Title II entity uses print media or newspapers, television, radio, social media, or mailings, it should re-publish and re-broadcast the ADA Notice periodically.

#### Some Ways to Provide the ADA Notice:

- Include with **job applications**.
- Publish on **Public Work's website** (Ensure that the website is accessible).
- Post **at all facilities**.
- Include in **program handbooks**.
- Include in **activity schedules**.
- Announce at **meetings** of programs, services, and activities.
- Publish as a **legal notice** in local newspapers.
- Post in bus shelters or other **public transit stops under Public Works jurisdiction**.
- Publish periodically in **local newspapers**.
- Broadcast in **public service announcements on social media, local radio, and television stations**.

The information must be presented so that it is accessible to individuals with disabilities. Therefore, it must be available in alternative formats on request. Anything posted on Public Works' website, including notices, must be in conformance with WCAG 2.1A/AA. Examples of Alternative Formats include:

- HTML format on an accessible website.
- Printed version in Braille or large print.
- ASCII, HTML, or word processing format on a USB, CD, or similar device.
- Audiotape or other recordings.
- Advertisements in publications with large print versions.
- Open or closed-captioned public service announcements on social media, and television.

### Findings:

1. Public Works has an existing ADA Notice on Public Works' website.
2. A statement declaring that Public Works will not place a surcharge on an individual or individuals with disabilities for requesting an accommodation is not included in the ADA Notice.

### Recommendations:

1. Adopt an ADA Notice modeled after DOJ's sample notice as provided in Appendix A.
2. Create and implement a robust ADA Notice dissemination plan.

#### **4.2 Development of a Grievance Procedure**

The ADA requires developing a Grievance Procedure to identify and address alleged violations of Title II of the ADA (28 CFR 35.107[b]).

An ADA Grievance Procedure is designed to offer the public an opportunity to inform Public Works of alleged violations of the ADA and to allow Public Works to address their concerns expeditiously, fairly, and without the need for an aggrieved individual to resort to litigation in Federal court or file a complaint with the Federal government. It allows Public Works to learn about what it needs to do to better serve the disability community, and to have grievances be addressed by a professional Public Works' ADA Coordinator.

### Findings:

1. Public Works has developed a Grievance Procedure that appears on the Department's website.
2. Public Works' timeline for processing a complaint as currently provided is too lengthy and may prevent a grievant from filing a timely complaint with the Federal government. For example, if a grievant is denied a sign language interpreter and files a grievance with Public Works, Public Works has established a schedule that allows up to 180 days to resolve the dispute, including appeals. If it takes the full 180 days, or longer, the grievant will be unable to file a timely complaint with the Federal government, because the Federal government only allows a maximum of 180 days to file a Title II complaint, absent a showing of good cause. A link is provided below as a reference to this provision:

<https://www.ecfr.gov/current/title-28/chapter-I/part-35/subpart-F/section-35.170>

Subpart F—Compliance Procedures, 28 CFR § 35.170 Complaints:  
“...(b) Time for filing. A complaint must be filed not later than 180 days from the date of the alleged discrimination, unless the time for filing is extended by the designated agency for good cause shown. A complaint is deemed to be filed under this section on the date it is first filed with any Federal agency....”

3. Public Works’ current ADA Grievance or Complaint Form does not provide for an independent assessment beyond that of the ADA Coordinator if a request for an auxiliary aid or service, or a request for a policy modification is denied by the ADA Coordinator. When someone files an ADA grievance, and the ADA Coordinator reaches a decision to deny the request, the grievant has a right to appeal the decision, but the current Public Works grievance procedure does not allow an appeal of the decision above the ADA Coordinator.

### Recommendations:

1. Establish a process where the denial by the ADA Coordinator, if appealed by the grievant, is reviewed, by someone above the ADA Coordinator, such as Public Works Administration, County Counsel, or someone else appointed by Public Works.
2. The grievance procedure timeline for a grievant to file a complaint, receive a written decision from Public Works, and appeal the decision should be changed to be consistent with the DOJ’s timeline for filing Title II complaints. Adopt the DOJ model or Grievance Form (provided in Appendix B) to resolve this concern. Los Angeles County provides 60 days to respond back to complaints, whereas Public Works provides 90 days (based on current online information).

### 4.3 Designation of an ADA Coordinator

The DOJ Technical Assistance Manual Title II (TAM II) states the following:

“Designation of Responsible Employee ....”

(a) *Designation of responsible employee.* A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part...

The ADA Coordinator’s role (designated responsible employee) is to coordinate Public Works’ efforts to comply with the ADA and investigate any complaints alleging that Public Works has violated the ADA, as well as respond to questions and concerns of staff and members of the public.

### **Findings:**

1. Public Works has designated a responsible official to serve as its ADA Coordinator and has published the ADA Coordinator's name and contact information on its website.
2. The ADA Coordinator has attended special training in the ADA and has received a certification.
3. The ADA Coordinator has staff for assistance.
4. The ADA Coordinator has displayed great commitment to compliance by Public Works with the mandates of the ADA.
5. The ADA Coordinator offers training to staff about the ADA.
6. The ADA Coordinator has been involved in the development of the Self-Evaluation and Transition Plan.
7. Public Works has published a Grievance Procedure.

### **Recommendations:**

1. Adopt the DOJ grievance procedure and modify time frames for accepting and resolving complaints.
2. Change the title of the responsible person to ADA Coordinator. Although the law does not require use of the term "ADA Coordinator," it is commonly used by State and local governments and recognized by the disability community across the country.
3. Publicize the name, title, and contact information of the ADA Coordinator at every opportunity and within the various divisions of Public Works.
4. Make the ADA Coordinator's position full-time and create an ADA Section with additional staff. Although the ADA Coordinator has received training on the ADA, the person in this position has many other roles in addition to administering the Department's ADA mandates. Based on the wide scope and impact of Public Works, taking this action would serve to better fulfill Public Works' obligations under Title II of the ADA and Section 504 of the Rehabilitation Act and help achieve a more vigorous level of accessibility compliance.

#### **4.4 Development of a Transition Plan**

(TAM II): A public entity must examine each program to determine whether any physical barriers to access exist. It should identify steps that need to be taken to enable these programs to be made accessible when viewed in their entirety. If structural changes are necessary, they should be included in the Transition Plan.

The Transition Plan shall identify architectural barriers, provide methods and recommendations to remediate those barriers, set a schedule to implement them, and designate a responsible official or employee for its implementation.

The Transition Plan is being developed in a companion report.

#### **Findings:**

1. Public Works is developing a Transition Plan as a separate report. The Transition Plan will be implemented in phases. Phase I focuses on existing facilities used by the public.
2. The Transition Plan will include facilities where Public Works' staff serves the public through other Title II jurisdictions and contract cities. Communication with those jurisdictions addressing architectural barriers in their facilities where Public Works' programs and services are located will continue to be undertaken.

#### **Recommendations:**

1. Notify other jurisdictions where Public Works provides services in their facilities, such as city halls in unincorporated cities in Los Angeles County, to address any architectural barriers within their jurisdiction that affects the accessible route of individuals with disabilities who participate in Public Works' programs and services.
2. Conduct an onsite access survey when leasing or renewing the lease of a Public Works facility to a third party and define in the lease how access issues will be addressed by each party. Under the ADA, the landlord and the tenant are jointly responsible for compliance. This language should be reviewed by the Real Estate office of the Surveying & Mapping Division or Public Works Counsel's office to ensure that the agreements contain language stipulating the obligations of both parties to comply with the ADA.
3. Create a list of accessible sites that may be used for meetings and events. Update this list when the Transition Plan is implemented. Share the list with staff.

4. Ensure that the disability community is kept informed regarding Public Works' progress, by having the ADA Coordinator and staff attend meetings of the Los Angeles County Commission on Disabilities and updating the Commission on the progress of implementation of the Self-Evaluation and Transition Plans.

#### **4.5 Retention of Plan**

Public Works must retain its Self-Evaluation Plan for 3 years. The document should be updated to reflect changes in policy or action items completed to date.

#### **Finding:**

1. Public Works has elected to exceed this requirement and retain its Self-Evaluation as a living document. Thus, the Self-Evaluation will be updated as case law changes, regulations are updated, or when programs, services, and activities are modified or newly created.

#### **Recommendations:**

1. Monitor progress and steps taken to comply with the ADA by using a tracking system. The Self-Evaluation is supported by an internal Implementation Guide -- an Excel chart to track and update implementation of recommendations.
2. Ensure that the ADA Coordinator, staff, and ADA Liaison Committee are trained to use, monitor, and update the Self Evaluation Implementation Guide, and keep documentation of the steps and actions taken to comply with the ADA.

#### **4.6 Reasonable Modification**

(TAM II): A public entity must review its policies and practices to determine whether any exclude or limit the participation of individuals with disabilities in its programs, activities, or services. Such policies or practices must be modified, unless they are necessary for the operation or provision of the program, service, or activity. The Self-Evaluation should identify reasonable modifications or policy modifications to be implemented and include complete justifications for any exclusionary or limiting policies or practices that will not be modified.

Modifications to policies and procedures are to be provided to accommodate access for individuals with disabilities.

### Findings:

1. Public Works has an Accommodations Request Form on its website for requests for modifications and requests for auxiliary aids and services.
2. No documentation exists for reasonable policy modification denials. If a policy modification request is denied, it should be documented.

### Recommendation:

1. Establish a written policy and develop a form for recording the denial of requests for modifications of policy and denials for requests for auxiliary aids and services. Having this form will ensure that denials are documented and reported to the ADA Coordinator.

#### 4.7 Equal Opportunity and Integrated Setting

(TAM II): Equality in participation/ benefits: The ADA provides for equality of opportunity but does not guarantee equality of results. The foundation of many of the specific requirements in ADA regulations is the principle that individuals with disabilities must be provided an equally effective opportunity to participate in or benefit from a public entity's aids, benefits, and services.

As an example, a person who is deaf does not receive an equal opportunity to benefit from what is being discussed at a public meeting, without auxiliary aids or services; or a person in a wheelchair does not have an equal opportunity to apply for a program if that person does not have access to the application form or is unable to physically access the location where the program is being held.

On the other hand, as long as individuals with disabilities are afforded an equally effective opportunity to participate in or benefit from a public entity's aids, benefits, and services, the ADA's guarantee of equal opportunity is not violated.

However, the ADA generally does not require a State or local public entity to provide additional services for individuals with disabilities that are not provided for individuals without disabilities.

A primary goal of the ADA is the equal participation of individuals with disabilities in the mainstream of American society.

- Individuals with disabilities must be integrated to the maximum extent appropriate. Public entities should make every effort to ensure that providing program access do not result in unnecessary or unjustified segregation. Programs, services, and facilities should enable individuals with disabilities to receive services in the greater community and fully interact with individuals without disabilities.
- Separate or modified programs are permitted when necessary to provide individuals with disabilities with an equal opportunity to benefit from the programs. A separate program must be appropriate to the needs of the individual with a disability.
- Regular Program: The right to participate in the regular program even if a separate or modified program for individuals with disabilities is offered by a public entity, cannot be denied to a qualified individual with a disability, even if the public entity reasonably may believe that the individual cannot benefit from the regular program.

If an individual with a disability is qualified for the regular program, he or she cannot be excluded from that program simply because a modified program is available.

The public entity still may have obligations to provide an opportunity for that individual to benefit from the regular program if the individual with a disability chooses to participate in the regular program.

The requirements for providing access to the regular program, including the requirement that the individual be qualified for the program, still apply.

**Finding:**

1. No segregated programs were found.

**Recommendations:**

1. Consider the most integrated settings when planning or offering services to individuals with disabilities.
2. Provide accommodations that are responsive and appropriate to the needs of the individual with a disability, whether they are part of a modified program or a regular program.

#### **4.8 Effective Communication**

(TAM II): A public entity should review its policies to ensure that it communicates with applicants, participants, and members of the public with disabilities in a manner that is as effective as its communications with others.

A public entity should review its policies to ensure that they include provisions for readers, for individuals with visual impairments; interpreters or other alternative communication measures, as appropriate, for individuals with hearing impairments; and accommodation for individuals with manual (or mobility) impairments.

A method for securing these aids and services should be developed, including guidance on when and where these aids and services will be provided. Where equipment is used as part of a public entity's program, activity, or service, an assessment should be made to ensure that the equipment is usable by individuals with disabilities, particularly individuals with hearing, visual, and manual (or mobility) impairments. In addition, a public entity should have policies that ensure that its equipment is maintained in operable working order.

#### **Finding:**

1. Various staff, depending on their functions, need information, training, and consistent guidelines with regards to the provision of auxiliary aids and services.

#### **Recommendation:**

1. Train staff in using the following for effective communication with individuals with various disabilities:
  - Telephone systems – use of California Relay System 7-1-1.
  - Audio-Visual Communications, Social Media - use closed or open captioning, Communication Access Realtime Translation (CART), transcripts, and sign language interpreters.
  - Printed Materials - use large font, at least 12 points; use high contrast in text and background colors with specified ratios for individuals who have low vision or are color blind; use accessible PDFs; and use alternative formats on request such as Braille.

- Document Formatting – use a newer version of Microsoft Office or Adobe Acrobat that has built-in accessibility features to address several common accessibility issues.
- Document Accessibility – review Microsoft Office documents for accessibility, which can be found on the left-most tab: Click “File,” then “Info,” then “Check Issues,” and select “Check Accessibility.”
- PDF Documents – in Adobe PDFs, use the Action Wizards under Tools and select the Accessibility Checker. Alt Text is also a feature to describe images in descriptive words.

#### **4.9 Use of TTYs and Relay System**

(TAM II): If a public entity communicates with applicants and beneficiaries by telephone, it should ensure that TDDs (TTYs) or equally effective telecommunication systems are used to communicate with individuals with impaired hearing or speech. If a public entity provides telephone emergency services, it should review its policies to ensure direct access to individuals who use TDD's (TTYs) and computer modems.

When calling Public Works, individuals with hearing loss or speech impediments must be able to have an equal opportunity to communicate with the staff by telephone. To do so, some individuals with speech or hearing disabilities will communicate by calling California Relay Service (711) and using a telecommunications relay service (TRS).

TRS uses communications assistants (also called relay operators), who serve as intermediaries between individuals with hearing or speech disabilities who use a text telephone (TTY) or text messaging. and individuals who use standard voice telephones. The relay operator reads to the telephone user what the other party is typing and in turn types the response from the telephone user to the other party. The relay service also provides speech-to-speech transliteration for callers who have speech disabilities.

Individuals with speech or hearing disabilities who use video phones, smartphones, or computers with video communication capabilities can call Public Works using the video relay service, (a free service offered by the Federal government). The caller dials (711) and reaches a relay operator who places a call to the intended telephone number and serves as an intermediary between the subscriber and a person who uses a standard voice telephone. If the caller is using a TTY, the relay operator uses a TTY to communicate with the caller, and conveys the information on that person's behalf, by

voice. If the caller uses a video phone, the relay operator communicates with them using a video phone.

State and local governments need to ensure that their staff are trained to take calls from members of the public who are deaf or hard of hearing and who use telecommunication relay services, video phones, and TTYs.

In addition, voicemail systems, messaging systems, and interactive voice response systems now are covered by Title II regulations, because of the amendments to the Title II regulations in 2010. If these systems are used for receiving and directing incoming calls, it is essential that they provide effective real-time communication with callers who are deaf, hard of hearing, or have speech impairments.

When Public Works offers members of the public with the opportunity to make outgoing calls using its equipment on more than an incidental basis, it is required to make public telephones, TTYs, and other telecommunication products and systems available for use by an individual who is deaf or hard of hearing or has a speech impairment. This requirement is triggered when Public Works offers phones for use by the public (e.g., when Public Works routinely allows a member of the public to use its phones to call a cab to pick them up on more than an incidental basis).

### **Findings:**

1. Public Works advertises the availability of the State's relay system (711) on its website and on some of its printed material, to alert the public about how to reach Public Works services.
2. Public Works staff are not trained adequately to receive incoming calls from relay operators. Therefore, staff may be confused when receiving such a call. Also, more time is needed for these calls, because the relay operator has to convey each participant's message. In addition, the relay operator may be a different gender from the caller, resulting in potential confusion.

### **Recommendations:**

1. Train staff periodically to handle incoming TTY calls and 711 calls, particularly staff who receive a high volume of calls from the public. Train them so that when receiving such calls, they will not hang up if a delay occurs at the start of the call or if the call takes longer than a non-relay call.

2. Simplify telephone menus and allow the caller to opt for a live person rather than struggling through a telephone menu. Give staff sufficient time to complete TTY and 711 calls.
3. Do not allow automated systems to cut off a call when a caller fails to respond after a few seconds because the delay may be the result of assistive devices used by the caller.
4. Give callers using TTYs an opportunity to leave messages if others can leave voicemail messages.
5. Train staff on an ongoing basis in these obligations and reinforce their understanding of the role of the ADA Coordinator's office and how to reach that office.
6. Engage in periodic testing to ensure compliance.
7. When dealing with disasters or emergencies, use American Red Cross communication boards, whiteboards, and tablets, as well as interpreters or video remote interpreting (VRI) as necessary. Advertise the use of 711 more broadly, in literature and on the website, and add 711 to the phone numbers of Public Works whenever a number for calling Public Works is posted.

#### **4.10 Provision of Auxiliary Aids and Services**

(TAM II): A public entity shall furnish appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in and enjoy the benefits of, a service, program, or activity of a public entity...

The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place.

In determining what types of auxiliary aids and services are necessary, a public entity shall give primary consideration to the requests of individuals with disabilities. To be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability..."

## **Primary Consideration**

Public Works must give primary consideration to the expressed preference of the person with a disability (i.e., Public Works must honor their request), and supply what is requested unless an equally effective alternative can be shown.

## **Video Remote Interpreting (VRI)**

Sign language interpreter services may be provided either by an in-person interpreter or remotely, using video remote interpreting (VRI) services. If provided remotely, the ADA requires that the following conditions be provided (28 CFR 35.160[d]):

Real-time, full-motion video, and audio over a dedicated high-speed, wide-bandwidth video connection or wireless connection that delivers high-quality video images that do not produce lags, choppy, blurry, or grainy images, or irregular pauses in communication;

A sharply delineated image that is large enough to display the interpreter's face, arms, hands, and fingers, and the participating individual's face, arms, hands, and fingers, regardless of his or her body position;

A clear, audible transmission of voices; and

Adequate training for users of the technology and other involved individuals so that they may quickly and efficiently set up and operate the VRI.

When someone seeks the services of Public Works, situations often occur in which the communication is simple and brief (e.g., when someone wants to pick up a building permit and has some simple questions about deadlines and costs). In such situations, passing notes may be sufficient.

Assess whether the communication is lengthy or more complex and evaluate the consequences of misunderstandings.

If an individual with hearing loss or vision loss needs assistance in filling out a form, the appropriate auxiliary aid or services necessary for effective communication should be provided (e.g., reading a document to them).

### **Findings:**

1. The ADA Coordinator has developed relationships with area providers of sign language services (both in-person and remote), through VRI, as well as in-person and remote CART services, and the provision of printed material in alternative formats, such as Braille.
2. Public Works' website alerts visitors of the availability of auxiliary aids and services, on request, and some notices provide opportunities to make requests for these services. However, not all notices contain this information, and not all staff are aware that these services are available on request, free of charge.
3. Some staff who go into the field to meet with the public are unaware of the need to be able to provide auxiliary aids and services when necessary for effective communication and are unaware of how to obtain these services.
4. Several forms fail to inform the applicant that the document is available in alternative formats on request, free of charge.

### **Recommendations:**

1. Develop language or a statement regarding the availability of auxiliary aids and services, free of charge, on request, and use this language on all material published by Public Works.
2. Consider entering contracts with providers or have a vetted list of several providers to ensure availability during emergencies and at other times when businesses typically are closed, to avoid a last-minute search, and possibly to save money.
3. Educate all staff about the role of the ADA Coordinator and staff and provide them with the ADA Coordinator's name and contact information.
4. Have the ADA Coordinator and staff hold periodic educational meetings with other staff to discuss their roles, answer ADA-related questions, and enhance internal relationships throughout Public Works.
5. Identify the most requested forms, such as building permits. Prepare the most requested Public Works documents in alternative formats, including enlarged print in 16 to 18-point (or larger) Arial font, with a high contrast between background and text, such as black ink on white paper or another strong contrasting color combination. Maintain the page numbering of the original documents in the large

print documents. Provide Braille documents on request. Provide and make accessible the most requested Public Works documents.

6. Post on each document that the document is available in alternative formats, on request, free of charge.

#### **4.11 No Surcharges**

When auxiliary aids and services are required for effective communication, or policy modifications are required, it is unlawful to charge the individual with a disability for these services. Charging for these services would constitute an unlawful surcharge, in violation of the ADA.

#### **Findings:**

1. Public Works has a policy of offering reasonable accommodation. However, a statement that no charge will be incurred for requesting an accommodation is not included in its notices and postings.
2. Some staff are unaware of whether a fee may be imposed for provision of a sign language interpreter or other auxiliary aids or services, or for modification of a policy. Some think it may be appropriate to charge a fee.

#### **Recommendations:**

1. In staff training, highlight that Public Works does not impose a surcharge for the provision of auxiliary aids or services, or for modification of policies.
2. Develop a written policy prohibiting the imposition of surcharges and educate staff about the policy. Post the policy on Public Works' website, on its Notice of Nondiscrimination under the ADA, and in notices for public meetings and events, and include the language, "No charge for the provision of ADA accommodations."

#### **4.12 Protocols for Website Accessibility**

The ADA requires websites to be as effective in communicating with individuals with disabilities as to others. To do so, web designers must provide the correct coding for the information to be accessible. Providing information on the website, in an accessible format, allows visitors to obtain crucial information 24 hours a day, and provides an alternative to calling in for information. This alternate form of contact for receiving the same programs, service, and activities online is highly convenient and useful, but this also means training staff to make sure that they can do basic tasks (e.g., accept relay calls) and not just refer individuals to the website.

Material posted on websites must be compatible with screen readers for individuals with vision loss, have captions for users with hearing loss, and be accessible to those who use keyboards instead of a mouse to navigate the information. Websites must follow current WCAG (Web Content Accessibility Guidelines) 2.1A/AA standards. WCAG was developed by an international set of website accessibility experts and is required in DOJ settlement agreements and consent decrees.

### **Finding:**

1. Public Works has committed to complying with WCAG, which is commendable, but needs to update its website to WCAG 2.1 A/AA.

### **Recommendations:**

1. Develop a more complete website Accessibility Statement.
2. Have the website professionally tested for compliance with WCAG 2.1 A/AA. Automated testing should be followed by manual testing. Include testing of PDFs for accessibility.
3. Ensure that programs, services, and activities information and schedules posted online are in an accessible format (e.g., schedule of facility and service hours, paratransit bus schedule, and route information).

#### **4.13 Web Postings: Written Contents, Audio-Visual Materials, and Social Media**

Information provided online and on social media after being posted, affects large networks of individuals, and remains in perpetuity; therefore, reviewing the content of materials and how they impact individuals with disabilities is important, as well ensuring access by them to Public Works' information and services.

The onset of the Internet and mobile technology has paved the way for the emergence of social media platforms including Instagram, Facebook, and X (formerly known as Twitter), as instantaneous means of communication 24/7. Written and audio-visual content, traditionally in print and on video, are increasingly displayed on social media platforms.

The ability of local government to reach out to its constituents is being affected by these new means of communication because most individuals now spend more time on their mobile devices and go online to obtain information and services, conduct business, and communicate with one other.

## Findings:

1. Public Works uses its website and social media to post valuable information to the public.
2. A review of material online revealed no content that showed disrespect for individuals with disabilities, and Public Works has published a social media policy online that addresses the following:

Postings to social media shall comply with County policies and procedures and shall NOT contain --

Comments that constitute, promote, foster, or perpetuate discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status in regard to national origin, physical or mental disability, sexual orientation, or to any protected category by Federal, State, or local laws.

3. The review of Public Works staff showed their commitment to not knowingly making comments or taking actions that would be offensive to individuals with disabilities. Public Works staff appear to be aware of the value and importance of treating all members of the public with respect. However, some of them were not aware of "Person-First Language," and its impact on individuals with disabilities, and their participation in Department programs, services, and activities.

## Recommendations:

1. A more comprehensive review should be conducted of Public Works' written contents and audio-visual materials to ensure that individuals with disabilities are not portrayed in an offensive or demeaning manner.
2. Continue making sure that front-line personnel have received training in disability etiquette and person-first language. Also, make sure that staff responsible for creating and overseeing written, audio-visual, and social media postings attend ADA training for disability etiquette, person-first language, and accessibility tools.
3. Use the following aids for social media postings to assist in greater accessibility:
  - Use accessibility features or settings in Instagram, Facebook, and X (formerly known as Twitter) including alt text for descriptions of images and visual content.

- If using a link, describe the content of the link such as a (VIDEO), (PIC) (GIF), or (AUDIO).
- Use dashes when using acronyms (i.e., B-S-D, instead of BSD.)
- Capitalize the first letters of multiple words in a hashtag or URL, to make it easier for individuals who are blind or with low vision, using a screen reader (e.g., #PublicMeetingAntelopeValley, or <https://PW.LACounty.gov/volunteer/>)
- Provide videos with on-screen text descriptions, preferably synchronized with the video image or captioning (either closed captioning when the user is enabled to turn it on or off or open captioning).
- Provide transcripts for audio and video content in social media posts or as a link to the webpage to provide access to individuals who are hard of hearing, deaf, or blind.
- Ensure that individuals with disabilities can access information whether by audible means for individuals who are blind or by captioning and sign language for individuals who are deaf and by providing alternatives or multiple formats.
- Ensure that these postings are accessible and comply with WCAG 2.1 A/AA.

#### **4.14 Maintenance of Accessible Features**

Even when Public Works takes the necessary steps to have accessible paths of travel, on occasion, repairs are needed, and temporary interruptions occur in service (e.g., elevators repairs and out of service accessible restrooms). Sometimes these cannot be avoided; however, if the interruptions continue for an extended period, this may constitute a violation of the ADA.

TAM II states that:

- A public entity shall maintain in operable working conditions those features of facilities and equipment that are required to be readily accessible to and usable by individuals with disabilities.



- Mechanical failures in equipment such as elevators or automatic doors will occur from time to time. The obligation to ensure that facilities are readily accessible to and usable by individuals with

disabilities would be violated if repairs are not made promptly or if improper or inadequate maintenance causes repeated and persistent failures.

- Public entities must maintain in working order equipment and features of facilities that are required to provide ready access to individuals with disabilities.
- Where a public entity must provide an accessible route, the route must remain accessible and not blocked by obstacles such as furniture, filing cabinets, or potted plants. An isolated instance of placement of an object on an accessible route, however, would not be a violation, if the object is promptly removed. Similarly, accessible doors must be unlocked when the public entity is open for business.

### Findings:

1. Not all staff are aware of the need to maintain accessible features.
2. ADA concerns need to be addressed in the training of maintenance staff.

### Recommendations:

1. Train all staff, including maintenance staff, in the importance of keeping accessible features and paths clear and in working order, and how failing to do can affect individuals with disabilities.
2. Establish a reporting system so that all staff may report problems, such as elevators that are out of order, door opening force and closing speed that do not meet the required standards, and access to restrooms that do not have clear maneuvering space or are filled with obstructions.

#### **4.15 Contracts with Vendors, Contractors, and Lessees**

Many services provided by Public Works are in fact provided by contractors, vendors, and lessees. It is important for Public Works to ensure that these entities comply with the ADA and that Public Works monitors how these contractors, vendors, and lessees provide services when a modification of a policy or a provision of an auxiliary aid and service is needed. Contractors and lessees need to know what to do to provide these services, be familiar with the role of the Public Works' ADA Coordinator, how to contact the ADA Coordinator, and how to obtain appropriate auxiliary aids and services. They also need to know how to properly assess service animals, to not ask the wrong questions or demand documentation from the service animal handler or owner.

### **Findings:**

1. In contracts with vendors, contractors, and lessees, Public Works states that they must comply with Federal and State laws, but Public Works does not provide adequate monitoring or provide training on the requirements of the ADA. There is no system to report violations or issues, or to adequately monitor compliance.
2. Public Works does not specify that compliance with the ADA and Section 504 is required; this obligation is subsumed in the general language concerning compliance with Federal and State laws.
3. Public Works does not provide training or informational materials to contractors, vendors, or lessees concerning their obligations under the ADA or Section 504.
4. Public Works does not review or monitor compliance with the ADA or Section 504 by vendors, contractors, or lessees; or engage in any oversight.
5. Public Works does not require that vendors, contractors, or lessees report back about complaints received or steps taken when complaints allege a violation of the ADA or Section 504.

### **Recommendations:**

1. Add specific language concerning the obligation to comply with the ADA and Section 504 in contracts and agreements with vendors and contractors, and lessees.
2. Provide all vendors, contractors, and lessees with contact information for the ADA Coordinator and information containing general guidance regarding ADA compliance for facilities, temporary sites, auxiliary aids and services, and reasonable modifications of policy.
3. Provide vendors, contractors, and lessees with an opportunity to participate in ADA training.

#### 4.16 Service Animals

Another example of reasonable modifications of policies arises when a person with a disability seeks to use Public Works services when accompanied by a service animal. It is common to see individuals with disabilities being accompanied by a service animal, but confusion occurs when the animal is not clearly identified as a service animal, resulting in potential discrimination. As part of its obligation to engage in reasonable modifications of policy to avoid discrimination on the basis of disability, Public Works is required to allow individuals with disabilities to be accompanied by a service animal in all parts of facilities where the public is allowed to go.



The ADA states that a service animal is any dog (or miniature horse) that is individually trained to assist a person with a disability or perform tasks for the person with a disability. No paperwork or proof of training is required and requesting documentation or proof of training is a violation of the ADA. Any breed of dog may be a service animal, and no weight or size requirement exists for a dog to be a service animal.

As a matter of policy, Public Works allows individuals with disabilities to be accompanied by a service animal, but problems arise when staff are inadequately trained about the issues involved with service animals.

#### Findings:

1. On its website concerning Paratransit services, Public Works correctly asks about what service the animal is trained to perform for a person with a disability. They do not request proof of training or certification when one applies for Paratransit services and wishes to be accompanied by a service animal.
2. Paratransit services, operated on behalf of Public Works, have a lawful policy concerning service animals – they are allowed to accompany a person with a disability in all areas where the public is allowed entry. However, some staff have a limited understanding about what a service animal is, what is required to comply with the ADA, and what questions may be asked, as shown in the following:
  - Some staff were unaware that service animals can only be dogs and miniature horses. Some thought a service monkey could serve as a service animal.

- Some staff thought the person with a disability who sought to be accompanied by a service animal had to produce paperwork proving the training of the animal, or certification of the animal as a service animal.
- Some staff thought that a weight limit could be placed on a service animal.

### Recommendations:

1. Develop a written service animal policy that details the ADA requirements concerning service animals.
2. Distribute the written service animal policy to all staff and provide training on the policy. Spot-check staff understanding by randomly calling and asking questions of staff about service animals and by periodically sending out a written quiz on service animals to all staff having contact with the public. Post the quiz, the policy, and other material on an internal intranet site.
3. If a service animal is denied access, staff should document the incident in writing and share the documentation with the ADA Coordinator immediately for review. If the denial is upheld, the decision should be justified in writing.
4. If a service animal is denied access because of unruly behavior or the handler's inability to control the animal, offer the handler the opportunity to be admitted without the animal. Document this decision and bring it to the attention of the ADA Coordinator.
5. If a staff member denies access to a service animal, retrain them immediately. Train all staff at least annually, and all new staff should be trained in hiring.
6. Acquaint all staff with the ADA Coordinator's office and how to reach them.
7. Require third-party vendors with frontline responsibilities (e.g., security services) to take training about the ADA and service animals.

#### **4.17 Direct Threat**

The ADA addresses "direct threat" in which a situation or an individual may pose a significant risk to the health or safety of the individual or others.

For example, a public health crisis of an air-transmissible viral disease occurred in recent years identified as the COVID-19 pandemic, and staff were concerned for their health and the health of others. The policy of Public Works was to require anyone seeking to enter a

Public Works facility or ride a Paratransit vehicle to wear a face covering, regardless of whether they were vaccinated. As scientific knowledge about COVID-19 evolved, and as CDC and State health agencies modified their recommendations about COVID-19, Public Works' policies also have evolved.

Because Public Works has no way of knowing if an individual is infected with COVID-19 or is vaccinated against the virus, if someone asserts that they have a disability that prevents them from wearing a face-covering (e.g., someone with autism who asserts they are unable to wear a mask), Public Works staff will need to follow agency policy, which may change as scientific information about the virus changes. Some individuals may resist wearing masks, and the ADA sets forth ways to determine whether a person may be denied access to the program or service.

To determine whether someone should be denied access, staff must determine if the person poses a significant risk to the health or safety of others. Based on this determination, they then may refuse them admission. However, staff must offer the service in another way if they can, such as by bringing a building permit form to a person seeking to pick it up (e.g., by bringing it outside to them, curbside, or emailing the document to them.)

To determine whether an individual poses a direct threat, the DOJ states the following:

A "direct threat" is a significant risk to the health or safety of others that cannot be eliminated or reduced to an acceptable level by the public entity's modification of its policies, practices, or procedures, or by the provision of auxiliary aids or services. The public entity's determination that a person poses a direct threat to the health or safety of themselves or others may not be based on generalizations or stereotypes about the effects of a particular disability. The determination must be based on an individualized assessment that relies on current medical evidence, or on the best available objective evidence, to assess:

- The nature, duration, and severity of the risk;
- The probability that the potential injury will occur; and,
- Whether reasonable modifications of policies, practices, or procedures will mitigate or eliminate the risk.

If an alternative is not available (such as curbside service) or if it constitutes a fundamental alteration of the program (such as offering individualized rides rather than shared rides), they need not do it.

With regards to the public health crisis, Public Works staff may conclude that the nature, duration, and severity of the risk is extremely high, and that without wearing a proper face covering, a very high probability exists that the potential virus will be transmitted. Public Works may determine that this is not the same situation when Public Works can provide a building permit curbside instead of allowing an unmasked person inside the Public Works facility to pick it up, as a reasonable modification of policy. Similarly, there is no reasonable alternative to accessing the Paratransit vehicle because riding in a Paratransit vehicle is a shared service and allowing an unmasked rider to share a ride endangers the other riders and endangers the driver. Providing a cab ride or an Uber ride as an alternative to the Paratransit vehicle fundamentally would change the ride from a shared ride to an individual ride, and Public Works is not required to offer this.

### **Findings:**

1. Public Works appeared to have a lawful policy of requiring anyone seeking to enter a Public Works facility or ride in a Paratransit vehicle to wear a mask, in light of current medical knowledge per CDC directive on the recent pandemic. Determination about the nature, duration, and severity of the risk of transmission and the probability that potential exposure (infection, followed by illness and possibly death), may actually occur are considerations of direct threat to the health and safety of others.
2. Staff are not trained in how to identify whether the direct threat provision of the ADA should be applied.

### **Recommendations:**

1. Provide staff with additional training on the application of the ADA's requirements concerning when a direct threat occurs, or when a situation requires a modification of policy to avoid discrimination on the basis of disability.
2. Create a form to document whether a direct threat exists, and to document the decision to deny access.
3. Have staff document what alternative is offered and have them inform the ADA Coordinator immediately. If the ADA Coordinator denies the request, the decision should be reviewed by someone above the ADA Coordinator, such as Public Works Administration or County Counsel. If the denial is based on a determination that

granting the request would result in a direct threat, then the basis for the conclusion should be stated in writing, and the scientific justification should be cited. The County Counsel's office should be able to provide guidance on an ongoing basis, as in the case of a pandemic, scientific knowledge and public health information evolves.

#### **4.18 Emergency Management**

Emergency Management pertains to all programs, services, and activities related to emergencies and disasters, including pre-, during, and post-emergency activities as follows, per the ADA:

- Preparation – advance planning for emergencies and disasters
- Testing of Preparedness – staging emergency simulations and other approaches to testing the effectiveness of emergency preparedness
- Notification – alerting the public to emergencies and disasters and to available programs, services, and activities
- Community Evacuation and Transportation
- Temporary Lodging and Housing
- Relocation of Programs, Activities, and Services
- Transition and Transportation Back to the Community Following an Emergency or Disaster
- Emergency and Disaster Recovery of Programs, Services, and Activities
- Remediation of Damage Caused by Emergencies and Disasters– repairing and rebuilding damaged facilities, removing debris, relocation, and re-introduction of State and local government programs, services, and activities following an emergency or disaster.

During an emergency or disaster, evacuations may be necessary away from the disaster area. It is vital to be prepared to evacuate individuals with disabilities who may need specific accommodation to place them in safety, along with the rest of the individuals.

The findings and recommendations for emergency evacuation of persons with disabilities for members of the public and Public Works employees are found in 4.19 and 4.20 respectively.

#### **4.19 Evacuation of Individuals with Disabilities (Members of the Public)**

(TAM II): A review should be made of the procedures to evacuate individuals with disabilities during an emergency. This may require the installation of visual and audible warning signals and special procedures for assisting individuals with disabilities from a facility during an emergency.

The County of Los Angeles, Office of Emergency Management (OEM) is responsible for assisting County departments, such as Public Works in its operational area duties during disasters.

In addition, several State and local agencies (e.g., the Disaster Services Branch of the California Department of Social Services, and the American Red Cross) support local emergency agencies to provide temporary shelter, food, and other services for individuals affected by a disaster or emergency. The California Governor's Office of Emergency Services (Cal OES) also has emergency-related programs such as the Office of Access and Functional Needs (OAFN). OAFN supports local government efforts in identifying the needs of individuals with disabilities and others with access or functional needs before, during, and after disasters.

Public Works plays a significant role when emergencies and disasters occur in its facilities and in unincorporated County areas it oversees, operates, or maintains (see link: <https://ready.LACounty.gov/>).

In certain local emergency situations, Public Works must provide auxiliary aids and services necessary for effective communication and ensure that third parties with whom they contract during emergencies, are aware of their ADA obligations.

For example, in a recent local disaster, Public Works moved residents from their homes, and paid to place them in hotels. Public Works provided written material in alternate formats, such as large print, and worked with area hotels to ensure that evacuees with disabilities requiring a wheelchair were provided accessible rooms. Evacuees also were provided auxiliary aids and services on request, to receive information and updates regarding the emergency.

During fire disasters, Public Works offers personalized rebuilding support for all property owners affected by wildfires in the unincorporated areas of Los Angeles County, including personalized recovery appointments. A review of Public Works' notices after a series of recent fires offered the following information on its website:

Need Assistance? The Lake Fire and Bobcat Fire Rebuilding One-on-One Appointments are available for all property owners affected by the Lake and Bobcat Fires in the unincorporated areas of Los Angeles County. These virtual appointment sessions will help guide homeowners, developers, and/or contractors through the permitting process for their property rebuild.

### **Findings:**

1. Public Works does not uniformly offer an Accommodation Notice for sign language interpreter services and CART services when setting up appointments and must add this feature to its online Appointment Notice on its website.
2. Paperwork required by Public Works is not uniformly offered in alternate formats, on request, at no cost.
3. In a disaster or other emergency under its jurisdiction, Public Works plays a role in helping to transport individuals, including individuals with disabilities, and is responsible for evacuating staff and members of the public from Public Works facilities in partnership with law enforcement and other agencies.
4. Depending on the type of emergency or disaster, relocating individuals with disabilities, including housing them in hotels, is also a responsibility of Public Works.
5. Public Works offers other services after disasters, such as engineering advice for individuals living near burn areas, as announced online:

Residents living near burn areas can receive free debris flow mitigation advice from Los Angeles County Public Works engineers. Engineers will assess the property and offer guidance on how to protect your home from flood and debris flows. Call (800) 675-HELP (4357) to schedule an appointment.

6. Public Works uses a County-wide alert system, in partnership with the Sheriff's Office and others, that takes the communication needs of individuals with disabilities into consideration.

### Recommendations:

1. Indicate on all forms that the forms will be made available on request in alternative formats, free of charge, and provide the name, title, and contact information of the ADA Coordinator.
2. Provide auxiliary aids and services necessary for effective communication, including sign language interpreters and CART services, when requested; and indicate that these are free of charge in notices and appointments. Provide the name, title, and contact information of the ADA Coordinator.
3. When alerting individuals with hearing loss, train staff to use alternative ways to alert them, and train them about how individuals who are deaf are alerted to someone being at their front door.
4. Provide policy modifications as needed to respond appropriately to the access needs of individuals with disabilities during an emergency event. Other modifications of policy should include allowing a person with a disability to ride the Paratransit system when accompanied by a personal care attendant, without charging the personal care attendant for the cost of the ride.
5. Provide refrigeration of medication and durable medical supplies if needed in a disaster and provide hydration such as bottled water in an evacuation or disaster.

#### **4.20 Evacuation of Employees with Disabilities**

Public Works operates many facilities throughout Los Angeles County. Although thought and planning have been given to emergency evacuations for these sites, the site-specific emergency plan must incorporate an overall set of standards by the Department for addressing the needs of an employee with a disability when evacuating in an emergency.

### Findings:

1. Safe zones are in Public Works' Headquarters for individuals not able to use the stairways to egress during an emergency (other multiple-story buildings under Public Works jurisdiction were not considered in the evaluation).

## Recommendations:

1. Provide procedures and training in place to create an understanding among management and staff that reasonable accommodation may include assistance during an emergency event. The ADA Coordinator should address and discuss with other relevant divisions (such as Human Resources [HR]), how to address emergency management for individuals with disabilities throughout the Department.
2. Provide Department-wide standards to deal with multiple-story evacuations for individuals with disabilities.
3. If evacuation chairs are to be used, consider the following:
  - Number of chairs to be stationed in each facility, when necessary;
  - Training of staff to handle the use of the chairs safely;
  - Viability of chair use in stairwells (consider turning radius); and issues that may be involved in transferring a person with a disability from their existing chair to an evacuation chair.

These recommendations should be followed in general. When the Department engages in problem-solving that comes with the interactive process through reasonable accommodation, individual employee needs may require steps beyond those outlined in this document.

### **4.21 Disability Awareness, Person-First Language**

(TAM II): A review should be conducted of a public entity's written and audio-visual materials to ensure that individuals with disabilities are not portrayed in an offensive or demeaning manner.

Language plays an important part in how individuals with disabilities are portrayed and treated. Thus, portraying individuals with disabilities in an offensive or demeaning manner should be avoided.

The evaluation clearly revealed that Public Works staff would not knowingly make comments or take actions that would be offensive to individuals with disabilities. However, they were not consistently aware of “person-first” language and disability etiquette, in providing service to individuals with disabilities.

### Findings:

1. Public Works conducts periodic training for staff, covering subjects such as providing services to individuals with a disability, disability awareness, person-first language, and disability etiquette.
2. No system exists to ensure that nothing offensive regarding disability is published in Public Works' publications.

### Recommendations:

1. Continue with periodic training of Department staff, especially those with public interactions about the ADA, disability awareness and etiquette for effective change in workplace culture.
2. Create a system to review Public Works' written and online publications and videos, to ensure that disability culture competence is expressed.

#### 4.22 Historic Sites

(TAM II): If a public entity operates historic preservation programs, it should review its policies to ensure that it gives priority to methods that provide physical access to individuals with disabilities.

### Finding:

1. No qualified historic sites were found within the scope of Transition Plan, Phase 1.

### Recommendation:

1. No action is needed.

#### 4.23 Fundamental Alteration in the Nature of a Program or Service and Undue Burden

(TAM II): A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity...or if it creates an undue administrative or financial burden.

A public entity should...ensure that its decisions concerning a fundamental alteration in the nature of a program, activity, or service, or a decision that an undue financial and administrative burden -- imposed by Title II, are made properly and expeditiously.

The decision to deny a request for an auxiliary aid or service, or a modification of policy, may be justified on the grounds that the request results in a fundamental alteration of the program, service, or activity, or constitutes an undue financial or administrative burden. The basis of denial must be made by the head of a public entity or their designee (i.e., Public Works Administration or a high-level official with budgetary authority and responsibility) after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. Nevertheless, the public entity must take any other steps necessary to ensure that individuals with disabilities receive the benefits or services provided by the public entity.

For example, assume that Public Works has an ongoing policy with regards to wearing masks if someone uses the Paratransit service during a pandemic involving a highly transmissible airborne virus such as COVID-19. A Paratransit rider refuses to wear a mask in the vehicle. Public Works does not allow this person to ride on the Paratransit vehicle, asserting that this would endanger other riders and the driver. The person may still insist on being entitled to get rides from Public Works and be provided cab service or Uber service to and from their destination.

Paratransit is a shared ride, but cabs and Uber are not. This arguably would be a fundamental alteration of the program or service to give someone a private ride rather than a shared ride. Public Works may deny the request, asserting that granting the request would be a fundamental alteration of its Paratransit Program. If Public Works takes this stance, documenting the decision and the reason for the decision are required.

### **Finding:**

1. No denials asserting the existence of a fundamental alteration of the nature of a program, service, or activity, or undue financial or administrative burden appeared to have occurred in this evaluation.

### **Recommendations:**

1. If a policy modification request is denied on the basis of an assertion by Public Works that granting the request would result in a fundamental alteration or an undue financial or administrative burden, the justifications for the denial should be documented and the documentation must be made by the head of the public agency or their designee (i.e., Public Works Administration). Public Works should be aware that when the denial is based on an undue financial burden, its finances and budget will be at issue if litigation arises.

2. Report any ADA requests that are denied to the ADA Coordinator and County Counsel. Provide information about the grievance procedure to a person denied accommodation.

#### **4.24 Accessible Public Meetings and Events**

(TAM II): A public entity should review its policies and procedures to ensure that individuals with mobility impairments (and individuals with other types of disabilities) are provided access to public meetings.

#### **Findings:**

1. LA County has existing policies and procedures in place to ensure accessible meetings and events produced by County departments, and/or held at County and Public Works sites and facilities are accessible to individuals with disabilities.
2. Many staff members were not aware of these policies.

#### **Recommendations:**

1. Create a list of accessible sites that are appropriate to use for public gatherings. Update this once per year to add facilities that have been acquired or that have been made accessible because of the implementation of the Transition Plan or alterations to other buildings.
2. Consider a checklist of items and questions similar to the sample list below when conducting a public meeting.

For an excellent discussion about how to address accessibility concerns at public meetings, please see:

[https://www.americanbar.org/groups/diversity/disabilityrights/resources/access\\_in\\_fo/](https://www.americanbar.org/groups/diversity/disabilityrights/resources/access_in_fo/)

**Proposed ADA Checklist in Planning Meetings and Events:**

- Are individuals administering the meeting trained according to Title II of the ADA and Section 504 responsibilities?
- Are meetings held along public transportation routes?
- Are meeting sites reviewed for physical accessibility before the meeting is calendared? (Include arrival points, meeting rooms, supporting restrooms, drinking fountains, public phones, portable restrooms, registration counters.)
- Are service animal relief areas identified before the meeting?
- Are stages, speaking platforms, microphones, and other items to be used by individuals with disabilities accessible? (Consider microphone access, podium elevations, touch screen control systems, goose-neck microphones attached to the center of tables with knee clearance for persons using wheelchairs, and persons who will not be able to handhold any equipment.)
- If video is used, is it captioned?
- If video is used, does it contain audio descriptors?
- Are speakers asked to read aloud all content on PowerPoint presentations?
- Is integrated seating made available, with companion seating for wheelchair users?
- If seating is at tables, is knee clearance space checked for wheelchair users?
- Is high seating available for individuals who have difficulty getting in and out of low chairs? (This is not required but it is best practice.)
- Are staff trained to set up meeting rooms to provide maneuvering space for individuals who use wheelchairs or service animals?
- Are FM Loop systems (Assistive Listening Devices) available for individuals who are hard of hearing? If FM Loop systems are being used, do meeting hosts ensure that all comments made during the meeting go through the PA system?

- If sign language interpreters or real-time captioners are being used, is there sufficient reserved seating at the front of the room for individuals needing these accommodations?
- Are two sign language interpreters retained for meetings or events lasting more than 2 hours? (It is considered best practice to have alternate interpreters for long meeting sessions or seminars.)
- Are sign language interpreters and real-time captioning screens positioned close to the speaker?
- Are sign language interpreters under good lighting?
- Are sign language interpreters and real-time captioners provided information before the meeting or event regarding any unusual terms or difficult to spell names that will be part of the program?
- If forms are to be used or filled out, are staff available to assist individuals with disabilities as needed in completing the forms?
- If public comment time is limited, is the time increased for individuals who have speech impairments?
- If events include displays, are the displays accessible and on an accessible route?
- Are the indoor or outdoor surfaces where individuals with disabilities will travel on smooth, stable, and slip-resistant?
- Have transaction points been reviewed for clear space and elevation?
- If parts of an exhibit are inaccessible because of technical infeasibility, is video with captioning used to display the exhibit?
- Have any complaints regarding access to Department meetings or events? If yes, please document the issue.

For County-wide guidance on accessible meetings and events, see Los Angeles County's policy on Accessible Meetings and Events in link below and provided in Appendix C:

<http://file.lacounty.gov/SDSInter/bos/supdocs/OverviewAccessibleCoEvents.pdf>

#### **4.25 Non-Discriminatory Employment Policies and Practices**

(TAM II): A public entity should review its employment practices to ensure that they comply with other applicable nondiscrimination requirements, including Section 504 of the Rehabilitation Act and the ADA regulation issued by the Equal Employment Opportunity Commission (EEOC).

#### ***Overview of Employment Obligations under the ADA***

Disability discrimination occurs when a covered employer or other entity treats an applicant or employee less favorably because that person has a current disability or a history of a disability (such as a past major depressive episode) or because that person is believed to have a physical or mental impairment (even if the person does not have such an impairment).

According to EEOC, under Title I of the ADA, the law requires an employer to provide reasonable accommodation to an employee or job applicant with a disability unless doing so would cause significant difficulty or expense for the employer (“undue hardship”). An employer may not refuse to provide an accommodation just because it involves some cost. Section 504 also requires public entities receiving Federal financial assistance to provide reasonable accommodation to individuals with disabilities. A reasonable accommodation is a modification or adjustment to a job, the work environment, or the way things are usually done during the hiring and employment process.

#### **Job Reassignment Policy (to a Vacant Position) as a Reasonable Accommodation under the ADA**

As a reasonable accommodation, situations occur when an employee with a disability can no longer perform their essential job functions, and may be entitled to reassignment to a suitable, vacant position for which they are qualified for. Under U.S. Code Title 42, Section 12111(9) [B], the term “reasonable accommodation” may include job restructuring, part-time or modified work schedules, re-assignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

An employee must be "qualified" for the new position. An employee is "qualified" for a position if they satisfy the requisite skill, experience, education, and other job-related requirements of the position, and can perform the essential functions of the new position, with or without

reasonable accommodation. The employee does not need to be the best qualified individual for the position to obtain it as a re-assignment.

The employer is not obligated to assist the individual to become qualified. Thus, the employer does not have to provide training so that the employee acquires the necessary skills to take a job. However, the employer has to provide an employee with a disability who is being reassigned with any training that normally is provided to anyone hired for or transferred to the position.

### ***Nondiscrimination on the Basis of Disability in Hiring and Promotion***

1. EEOC: Enforcement Guidance: Disability-Related Inquiries
2. Medical Examinations Of Employees Under the ADA

Under the ADA, an employer's ability to make disability-related inquiries or require medical examinations is analyzed in three stages: pre-offer, post-offer, and employment:

#### **Pre-Offer of Employment: Disability-Related Inquiries and Medical Exams Before Making a Job Offer are Prohibited**

The ADA prohibits all disability-related inquiries and medical examinations, *even if* they are related to the job. It is especially important to be careful about making any inquiries that may lead to the discovery of a disability or inquiries to identify a disability, before making a job offer. Such inquiries are unlawful.

#### **After An Applicant is Given a Conditional Job Offer, but before the Person Starts Work**

After a job is offered to an applicant, the law allows an employer to make disability-related inquiries and conduct medical examinations, but only if all new entering employees in the same type of job must answer the same questions or take the same medical exams.

#### **After Employment Begins: Only Job-Related and Consistent With Business Necessity Disability-Related Inquiries and Medical Exams are Allowed.**

“An employer may make disability-related inquiries and require medical examinations *only* if they are job-related and consistent with business necessity.”

“...An employer cannot ask for documentation that is unrelated to determining the existence of a disability and the necessity for an accommodation. This means that in most situations an employer cannot request a person's complete medical records because they are likely to contain information unrelated to the disability at issue and the need for

accommodation.” (Source: (EEOC) Enforcement Guidance on Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act).

<https://www.eeoc.gov/laws/guidance/enforcement-guidance-reasonable-accommodation-and-undue-hardship-under-ada>

### **Segregation of Medical Records**

Keeping employee medical records and files separate from personnel files is critically important.

The ADA covers an employee’s disability-related medical information; however, employers must treat all medical records as confidential files, separated, and secured with access strictly limited to specific authorized persons and in certain situations. Limited exemptions to access include a supervisor or manager needing access to medical information to respond to a request for reasonable accommodation; or in case of a medical emergency, to provide first-aid responders and emergency personnel relevant information for an emergency medical treatment at work.

### **Finding:**

1. Public Works’ staff receive training on State and Federal civil rights laws that prohibit discrimination on the basis of race, color, religion, and national origin in various settings. Public Works also provides training on Title II of the ADA.

### **Recommendations:**

1. Ensure that all methods used to advertise openings in communication with the public are accessible. Ensure that advertisements for jobs are made available in alternative formats, such as large print and Braille, on request, and posted on the website, including when staff participate in job fairs. Verify that postings to the website are posted in accessible PDFs. These PDFs should be tested for compliance with WCAG 2.1 A/AA.
2. Assign someone familiar with the ADA Standards and California Building Code to select the sites for interviews. to ensure that they are accessible to candidates with mobility disabilities.
3. Develop coordination of the locations where selection of candidates occurs with the Transition Plan to ensure access. When the Transition Plan is implemented, the sites from which selections may occur can be expanded.

4. Train staff who are responsible for advertising employment applications, interviewing, selecting, and hiring candidates about the obligations set forth in Title I of the ADA and the EEOC guidance.
5. Use captioning (preferably open captioning) and transcripts when providing new-hire orientations on video, training videos, and online materials.
6. Provide training in disability awareness and the obligations imposed by Title I and II of the ADA to HR managers who make decisions on requests for accommodation from employees and applicants with disabilities.
7. Segregate medical information from personnel records.
8. Many jurisdictions have found it useful to have a single budget line item for employee reasonable accommodations. This prevents the situation in which an individual Division rejects or is resistant to an accommodation because of the perceived impact on the Division's budget. Therefore, Public Works should explore the benefits of a single budget line item for reasonable accommodation on a Department-wide basis.

#### **4.26 Building and Construction Policies**

(TAM II): A public entity should review its building and construction policies to ensure that the construction of each new facility or part of a facility, or the alteration of existing facilities after January 26, 1992, conforms to the standards designated under Title II regulation.

The Transition Plan will address the built environment and architectural barriers in existing facilities that are subject to the ADA's Program Access which requires that Public Works' programs, services, and activities, when viewed in their entirety, must be accessible to and usable by individuals with disabilities. Not every existing facility needs to be accessible, if the program, service, or activity conducted in the facility meets the Program Access requirement.



### Finding:

1. Public Works has procedures and practices in place to ensure compliance with accessibility standards including plan checks and design reviews, permitting and approval process, and accessibility inspections.

### Recommendations:

1. Require the participation of certified accessibility plan checkers, project managers, and Certified Access Specialist (CASP) inspectors in performing accessibility reviews throughout the span of a construction project to ensure accountability on the part of Public Works consultants and contractors to adhere to Federal, State and local accessibility standards and code requirements.
2. Encourage inspection staff to take a CASP examination or hire CASP consultants to provide oversight during the construction phase of projects. Public Works' staff responsible for construction-related building inspections may find the California Commission on Disability' Access (CCDA) checklist online entitled "Accessibility Construction Inspection Checklist 2020 Edition, Final Inspection Checklist." The current link is at:

<https://forms.dgs.ca.gov/content/forms/af/dgs/ccda/ccda-accessibility/public/ccda-accessibility-construction-inspection-checklist-2020-edition.html?wcmode=disabled>

The ADA standards are currently available at:

<https://www.ada.gov/law-and-regs/design-standards/2010-stds/>

#### **4.27 Procurement with Accessibility in Mind**

Access considerations apply to products and goods that are used by the public. Public Works should consider how individuals with disabilities are able to access and use the products and goods in its facilities and programs.

As most business operations are increasingly performed and communicated online, adding accessibility as a requirement for procurement of materials and services, is prudent, especially for computer and web-based products, applications, and software that are used for public information and services.

Example of issues to consider regarding accessibility of products include whether individuals who cannot see or hear can use it in a way that works for them, or if the product is able to interface with accessible devices used by a person with a disability.

Products can be assessed on a case-to-case basis. Products with accessibility features, and assistive technology are increasingly available when choosing to purchase hardware, software, mobile and computer apps, multimedia, peripherals, and interface applications.

Usability by individuals with disabilities also should be considered when procuring fixtures, hardware, and architectural elements in areas of facilities open to the public.

The physical accessibility of these products is also important including height placements and reach and approach factors for individuals using wheelchairs.

### **Findings:**

1. Items used by the public need more evaluation to determine whether the product will provide greater access to individuals with disabilities. No system was found to be in place to review standalone purchases of items and equipment in public-facing facilities.
2. A formal procurement guideline for accessibility was not found to procure accessible products, particularly in computer information and technology.

### **Recommendations:**

1. Create procurement guidelines for accessibility requirements that a vendor or product must meet when contracting goods and services used in delivering information and services to the public. Exceptions may exist because not all products and goods may have accessible features. However, having guidance in place will increase the awareness of the procurement staff with regards to accessible choices, and open the possibilities of looking into assistive products, accessible technology, and accessible devices that are increasingly available in the marketplace.
2. Provide training and/or information regarding accessibility guidelines to procurement staff.
3. Consider purchasing products based on “universal design” principles that make them accessible to individuals with disabilities and other members of the public. These products include those having features that do not require grasping, twisting of the wrist to operate, or require more than 5 pounds of pressure to operate for interior doors and hardware, cabinet, and faucet handles.

Other features to consider for accessibility include:

- Dispensers that do not protrude more than 4 inches into walkways

- Recessed garbage bins that avoid encroaching into accessible toilet compartments
- Clear floor spaces
- Toilet paper dispensers that provide a continuous flow
- Automatic flush controls for water closets
- Cleaning products that do not trigger chemical sensitivities.
- Non-slip mats
- Audible, visual, and tactile warning signs, surfaces, and devices.

#### **4.28 Familiarity of Employees with ADA Policies and Procedures**

(TAM II): A review should be made to ascertain whether measures have been taken to ensure that employees of a public entity are familiar with the policies and practices for the full participation of individuals with disabilities. If appropriate, training should be provided to employees.

#### **Findings:**

1. Public Works' staff need information in a variety of areas to ensure they are executing their responsibilities in a manner that is consistent with ADA mandates, as discussed below.
2. Public Works provides periodic staff training on nondiscrimination and civil rights regulations. This includes a proposed continual training on Title II of the ADA and Section 504 of the Rehabilitation Act.
3. In 2022, Public Works conducted ADA training for nearly 500 frontline personnel.
4. Public Works has emphasized Customer Service and Disability Awareness for its public counter staff to provide effective interaction with individuals with disabilities.

#### **Recommendation:**

1. It is recommended that an ADA information system be established on the Department's intranet or internet, if feasible.

## 4.29 **ADA Information and Resources**

### Findings:

1. The County has ADA and accessibility policies and procedures, resources, and information already in place. Many employees are not aware of them or do not know where to find them.
2. Many employees do not know how to reach the ADA Coordinator or know of existing ADA resources within the Department.

### Recommendations:

1. The following information, resource materials, and training should be provided to Department staff as applicable:
  - Service animal policy
  - Furniture placement, guidance, and maintenance of accessible features
  - Guidance on disability etiquette, and person-first language
  - Guidance regarding the determination of fundamental alteration and undue financial or administrative burden
  - Guidance regarding the ADA Grievance Procedure
  - Determination of Public Works materials to disseminate a copy of the ADA Notice of Nondiscrimination
  - Language or statement to be added to public meetings and online notices concerning accessibility accommodation
  - Information about direct threat assessments
2. Include the following proposed training for Public Works' staff (depending on their individual responsibilities):
  - Disability Awareness
  - Service Animals

- Maintenance of Accessible Features
  - Web Access Training (Latest WCAG guidelines 2.1 A/AA)
  - Disability Employment Training
  - Procurement with Accessibility in Mind
  - Emergency Management for Individuals with Disabilities
  - Accessible Meetings and Events
  - Policy Modification Requirements
  - Effective Communication Requirements
  - Annual Continuing Education for the ADA Coordinator and ADA staff, as well as periodic training for the ADA Liaison Committee and public-facing Public Works staff.
3. Consider making guidance documents available to Public Works staff electronically. Such documents can be short, addressing basic guidelines about issues that staff typically encounter. For example, a short document addressing service animals could be developed. This document would include the service animal's handler's rights, what questions may or may not be asked of a service animal owner, the responsibilities of the owner to control the animal, and what to do if the service animal is not properly controlled.

#### **4.30 ADA-Related Drug Policies**

(TAM II): If a public entity limits or denies participation in its programs, activities, or services based on drug usage, it should make sure that such policies do not discriminate against former drug users, as opposed to individuals who are currently engaged in the illegal use of drugs.

#### **Finding:**

1. Public Works has an employment policy that covers prohibition of discrimination, and covers anyone who has a previous conviction, including former drug users with a conviction.

## Recommendations:

1. Review the current drug policy to ensure compliance with the ADA.
2. Train HR staff about the ADA prohibitions concerning former drug users.

### 4.31 Public Outreach

Title II entities are mandated to provide an opportunity for interested individuals in the disability community and the public to participate in the Self-Evaluation and Transition Plan development process by submitting comments and feedback.

The ADA Coordinator at that time, Katie Mac spoke to the Los Angeles County Commission on Disabilities on February 16, 2022, to inform the Commission of Public Works' ongoing efforts in developing its ADA Self-Evaluation and Transition Plan.

The ADA Coordinator's aim is to continue to maintain an excellent ongoing relationship with the Los Angeles County Commission on Disabilities and the various members of the disability community that it represents.

Public Works recognizes the value of soliciting and receiving insights from individuals and organizations that serve the interests of the disability community and their access, participation, and experience with the programs, services, and activities of Public Works.

To engage members of the community that have disabilities and other relevant stakeholders, Public Works conducted a Public Outreach by telephone, email and mail to disability organizations, disability advocacy organizations, and individuals with disabilities in June, July, and August 2022. Public Works distributed a letter and a survey questionnaire requesting the input and feedback from these organizations and individuals with disabilities regarding their interactions with Public Works, its programs and services, and areas that it can improve with regards to accessibility. A summary of the comments is provided below regarding the public outreach activities. Public Works shall also publish the draft Self-Evaluation and Transition Plan on its website for public comments for a period of at least 30 days before finalizing the Plan.

### **Summary of Public Outreach**

Public Works sent a Public Outreach Letter and Survey to 51 disability organizations and individuals with disabilities, including the Los Angeles County Commission on Disabilities Commissioners as well as to the Commission Coordinator, Guillermo Medina.

The main concerns in the public comments and suggestions are the following:

1. Provide disability awareness training to staff including front-line third-party contractors.

*Public Works has provided training of its front-line staff in Disability Awareness and Customer Service to individuals with different disabilities in June and July 2022, as well as continued staff training in other nondiscriminatory practices and regulations.*

2. Involve individuals with disabilities in project planning.

*Public Works has an ongoing Accessibility Appeals Board for the built environment, with members from the disability community included in the Board. Future consideration of a disability advisory group is discussed in Section 4.34 of this document.*

3. Provide effective communication and consistency of customer service to individuals with disabilities, as not all of them have visible disabilities.

*The Self-Evaluation addresses these issues, and its implementation should provide more training in effective communication, provision of auxiliary aids and services, and awareness to Public Works management and staff of various customer service concerns by individuals with disabilities, including those disabilities that are not readily apparent or visible.*

In addition to the initial public outreach, Public Works posted the Self-Evaluation draft report for public comments on its website from September 16 – October 16, 2023 prior to finalizing the document. The posting was extended for another 30 days. More than 50 disability organizations and entities were provided notice of this posting for their feedback.

Appendix E provides a list of disability organizations and interested individuals who were consulted during the Self-Evaluation and Transition Plan process to address accessibility issues or concerns.

#### **4.32 Training Recommendations**

During this review, several areas were identified by staff for training and guidance that could be productive. Proposed subjects include the following:

- **DISABILITY AWARENESS TRAINING** for all staff having public contact. This training should cover disability etiquette, “person-first language,” service animal policies, tips for interacting with individuals who have vision loss, for interacting with individuals who are deaf or hard of hearing, and for interacting with individuals who are wheelchair users, as well as individuals with other disabilities, including speech impairments, psychiatric disabilities, autism, dyslexia, and PTSD, among others.
- **MAINTENANCE OF ACCESSIBLE FEATURES** for staff who have responsibility for maintenance of Public Works facilities and properties. This training should cover identifying and maintaining accessible features and repairing them immediately. Repairs should be reported to management for priority service. Maintenance personnel also should be advised about the Transition Plan and possess a working knowledge of how to report repairs that they have made, so that these may be added to the Transition Plan implementation database as appropriate. Similar training has been successful in many jurisdictions because in-house maintenance personnel are the best people to readily identify access and safety issues, which then mitigate legal risk and enhance access.
- **WEB ACCESS TRAINING** for all authors of material posted on the Public Works website. This training should cover current access regulations under the Web Content Accessibility Guidelines (WCAG 2.1 A/AA), the impact violations have on web access and the importance of web access for individuals with disabilities who use the website to access Public Works' services and information.
- **DISABILITY EMPLOYMENT TRAINING** for all managers, supervisors, and personnel analysts. This training should cover ADA Title I under EEOC guidance, the ADAAA, the Genetic Information Nondiscrimination Act, the California Fair Employment and Housing Act, and California laws governing nondiscriminatory employment practices and policies. Relevant employment-related ADA topics should include determination of essential functions, ADA-compliant hiring, reasonable accommodation mandates (including the interactive process), determination of undue hardship, determination of direct threat, and management of disability-related inquiries and medical examinations.
- **EMERGENCY MANAGEMENT** and individuals with disabilities training sessions should be offered to the emergency response team and emergency management personnel. Frequently, local disability

organizations are willing to participate in this type of training, providing information valuable to first responders regarding disability issues.

- **ACCESSIBLE MEETINGS AND EVENTS TRAINING** for all Public Works staff who have a role in producing, setting up, or planning public events or meetings.
- **PUBLIC RIGHT-OF-WAY ACCESSIBILITY GUIDELINES and ACCESSIBILITY STANDARDS TRAINING** for engineers and designers. This training should include the design standards regarding public rights-of-way, common accessibility issues in design and construction, and the impact of poor design on individuals with disabilities.
- The need for **ACCESSIBLE COMMUNICATIONS TRAINING** was indicated by many Public Works employees who responded to the Self-Evaluation communication survey questionnaires.
- **ANNUAL TRAINING for the ADA COORDINATOR'S OFFICE** should be conducted so that current information covering ADA's Title II mandates and State law mandates regarding disability discrimination can be obtained and disseminated as is appropriate.

#### **4.33 The Implementation Guide and The Role of the ADA Liaison Committee**

The ADA Self-Evaluation Implementation Guide is an Excel chart designed to serve as a blueprint for the timeline of action items to implement the recommendations.

The ADA Liaison Committee should address the action items in this document. The Committee should receive ongoing training regarding Title II of the ADA.

The ADA Coordinator's role should be to act as a resource to the Committee and to track the progress made in implementation efforts. This approach should build on existing expertise and address a variety of accessibility concerns. This action also should support documentation of Public Works' good faith efforts in complying with disabilities civil rights mandates pursuant to both State and Federal law.

Critical tasks include the following:

- Implementing the Self-Evaluation and Transition Plan.

- Tracking the progress of implementation of the recommendations set forth in the ADA Self-Evaluation and Transition Plans.
- Setting up systems to ensure Web accessibility compliance.
- Providing staff guidance regarding placement of furniture and equipment.
- Addressing issues such as service animals and direct threat.
- Providing input on behalf of individuals with disabilities regarding the emergency management systems.
- Maintaining a list of vendor resources to provide auxiliary aids and services expeditiously and as needed.
- Creating monitoring systems to ensure that new construction and alterations are accessible.
- Ensuring that key ADA mandates are in place and functioning appropriately including procedures for accessible meetings, policy modification requests, the determination of direct threat, and the service animal policy.

#### **4.34 Proposed External Disability Advisory Group**

Currently, there is a recommendation for the ADA Coordinator to become a full-time position, and to head an ADA Section of Public Works. At that time, there will be adequate resources for Public Works to form an external ADA advisory group also known as the Disability Advisory Group.

Many jurisdictions have established external disability advisory groups (DAGs) or committees. These committees are charged with providing input on an advisory basis. The gains for the jurisdiction are insights into the needs of individuals with disabilities, efficiency in planning and creating the built environment, as well as development of policies that are responsive to the disability community.

Input from DAGs has proven to serve design professionals during the planning stages of projects. Documentation of interactions with stakeholders has been used as a defense when jurisdictions are responding to questions or complaints concerning decisions made related to the priorities established in the Self-Evaluation and Transition Plan. The DAGs also have been useful in helping the ADA Coordinator identify emerging issues related to accessibility concerns. This is especially helpful in addressing issues before they become grievances or litigation.

If Public Works moves forward and creates a DAG, several factors will need to be addressed. Public Works should establish criteria for membership qualifications, a selection process, and membership responsibilities. Notices and meetings will need to be accessible to individual members with disabilities. It also will be critical for DAG members to:

- understand that their role is advisory only;
- receive ADA training; and
- represent a variety of disabilities.

Public Works has successfully formed public/private partnerships such as Citizen Advisory Commissions, Ad Hoc Committees and Task Forces which could be studied on how the Disability Advisory Group can initially be structured and patterned after a similar successful partnership, when Public Works is ready to take on the responsibility of forming an external Disability Advisory Group.

#### **4.35 Title II of the ADA and its Relationship to Other Laws**

**Section 504 of the Rehabilitation Act:** “Title II provides protections to individuals with disabilities that are at least equal to those provided by the nondiscrimination provisions of Section 504 (*DOJ TAM II*).

**Other Federal and State Laws:** “Title II does not invalidate other Federal laws or any State laws that provide protection for individuals with disabilities at a level greater or equal to that provided by the ADA. It does, however, prevail over any conflicting State laws” (*DOJ TAM II*).

When comparing State and Federal law, TAM II 4200 and [ada.gov](http://ada.gov) Information and Technical Assistance states, in pertinent part, that:

“...This part does not invalidate or limit the remedies, rights, and procedures of any other Federal laws, or State or local laws...that provide greater or equal protection for the rights of individuals with disabilities and greater or equal protection for the rights of individuals (and entities) associated with them.”

In other words, the ADA is the floor, not the ceiling. States are free to provide greater protections than provided by the ADA and enforce their building codes, and the Federal government and private litigants are free to enforce the ADA in Federal court.

“The enforcement of State codes is the responsibility of State or local officials – usually through plan reviews and building inspections. The ADA relies on the traditional method of civil rights enforcement through

litigation in Federal courts. Local officials do not have the authority to enforce the ADA on behalf of the Federal government. The ADA authorizes the DOJ on request by State or local officials, to certify that State or local accessibility laws meet or exceed the requirements of the ADA. Certification bridges the gap between the Federal and State enforcement processes. The certification process neither delegates ADA enforcement authority to the States nor eliminates an individual's right to seek relief through the Federal courts." (*ada.gov Information and Technical Assistance*)

#### **4.36 Use of this Self-Evaluation as a Living Document**

The Self-Evaluation is intended to be used as a living document - to be monitored, reviewed, and updated regularly as Public Works programs, services and activities evolve; as policy, communications, and access barriers are removed; and as accessibility regulations are updated. This document provides the framework for Public Works' ongoing efforts and commitment to provide equal or equivalent access to its programs, services, and activities to individuals with disabilities and should be updated continuously.

#### **4.37 Conclusion**

Public Works is committed to an ongoing effort to serve all constituents including individuals with disabilities. Public Works has shown a commitment to learning, implementing changes, and training its staff to enhance its services to - as well as a desire to learn from - members of the disability community.

The assessment of how Public Works complies with mandates to ensure nondiscrimination on the basis of disability is a responsibility taken seriously by Public Works. The Self-Evaluation and Transition Plan are documents designed to serve as ongoing guidance and should be updated as needed.

# APPENDICES

## APPENDICES

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## Appendix A: Notice of Nondiscrimination on the Basis Of Disability (DOJ Model)

This document is provided as a model for Public Works' ADA Notice in compliance with ADA/DOJ requirements.



### NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the **[name of public entity]** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** **[name of public entity]** 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:** **[Name of public entity]** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **[name of public entity'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:** **[Name of public entity]** 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 **[name of public entity]** 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 **[name of public entity]**, should contact the office of **[name and contact information for ADA Coordinator]** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **[name of public entity]** 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 **[name of public entity]** is not accessible to persons with disabilities should be directed to **[name and contact information for ADA Coordinator]**.

**[Name of public entity]** 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.

## Appendix B: Grievance Procedures (DOJ Model)

### B-1: TITLE II Grievance Procedure (DOJ Model)

This document is provided as a model for Public Works' Grievance Procedure in compliance with ADA/DOJ requirements.

**[Name of public entity]  
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 **[name of public entity]**. The **[e.g. State, City, County, Town]**'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:

**[Insert ADA Coordinator's name]  
ADA Coordinator [and other title if appropriate]  
[Insert ADA Coordinator's mailing address]**

Within 15 calendar days after receipt of the complaint, **[ADA Coordinator's name]** or **[his/her]** designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, **[ADA Coordinator's name]** 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 **[name of public entity]** and offer options for substantive resolution of the complaint.

If the response by **[ADA Coordinator's name]** 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 **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee.

Within 15 calendar days after receipt of the appeal, the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **[City Manager/County Commissioner/ other appropriate high-level official]** 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 **[name of ADA Coordinator]** or **[his/her]** designee, appeals to the **[City Manager/County Commissioner/ other appropriate high-level official]** or **[his/her]** designee, and responses from these two offices will be retained by the **[public entity]** for at least three years.

## Appendix B2: Title II Grievance Complaint Form (DOJ Model)

**This document is provided as a model for Public Works' Grievance Procedure in compliance with ADA/DOJ requirements.**

**U.S. Department of Justice**  
Civil Rights Division  
*Disability Rights Section*

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OMB Control No. 1190-0009. Form Expiration Date: September 30, 2021

**Americans with Disabilities Act Discrimination Complaint Form**

Instructions: Please fill out this form completely, in black ink or type. Sign and return to the address on page 3.

Complainant:

---

Address:

---

City, State and Zip Code:

---

Telephone: Home:

Business:

Person Discriminated Against:

(if other than the complainant)

---

Address:

---

City, State, and Zip Code:

---

Telephone: Home:

Business:

Government, or organization, or institution which you believe has discriminated:

Name:

---

Address:

---

County:

---

City:

---

## B-2: Title II Grievance Complaint Form (DOJ Model)

State and Zip Code:

---

Telephone Number:

---

When did the discrimination occur? Date:

---

Describe the acts of discrimination providing the name(s) where possible of the individuals who discriminated (use space on page 3 if necessary):

---

Have efforts been made to resolve this complaint through the internal grievance procedure of the government, organization, or institution?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes: what is the status of the grievance?

Has the complaint been filed with another bureau of the Department of Justice or any other Federal, State, or local civil rights agency or court?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes:

Agency or Court:

---

Contact Person:

---

Address:

---

City, State, and Zip Code:

---

Telephone Number:

---

Date Filed:

---

Do you intend to file with another agency or court?

Yes \_\_\_\_\_ No \_\_\_\_\_

Agency or Court:

---

Address:

---

## B-2: Title II Grievance Complaint Form (DOJ Model)

City, State and Zip Code:

---

Telephone Number:

---

Additional space for  
answers:

---

---

---

---

---

---

Signature: \_\_\_\_\_

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

To file an ADA complaint by mail, send this completed form to:

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Civil Rights Division  
Disability Rights Section  
Washington, D.C. 20530

To file an ADA complaint by facsimile, fax this completed form to: (202) 307-1197

### Paperwork Reduction Act Statement

This request is in accordance with the Paperwork Reduction Act of 1995, 44 U.S.C. § 3507. This information collection is for the purpose of allowing the Department of Justice's Disability Rights Section (DRS) to engage in authorized civil rights compliance and enforcement activities. Providing the information is voluntary, except that failure to provide such information may result in DRS being unable to process your complaint. The estimated average burden associated with this collection is 45 minutes per response, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden may be sent to DRS by email at: [DRS.PRA@crt.usdoj.gov](mailto:DRS.PRA@crt.usdoj.gov). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

## B-2: Title II Grievance Complaint Form (DOJ Model)

City, State and Zip Code:

---

Telephone Number:

---

Additional space for  
answers:

---

---

---

---

---

Signature: \_\_\_\_\_

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

To file an ADA complaint by mail, send this completed form to:

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Civil Rights Division  
Disability Rights Section  
Washington, D.C. 20530

To file an ADA complaint by facsimile, fax this completed form to: (202) 307-1197

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DRS.PRA@crt.usdoj.gov. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

## B-2: Title II Grievance Complaint Form (DOJ Model)

### **Privacy Act Statement**

The Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131-12134, and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, authorize the solicitation of the information for this form. Providing the information is voluntary, except that failure to provide such information may result in the Department of Justice's Disability Rights Section (DRS) being unable to process your complaint. The principal purpose of collecting information from you is for DRS's authorized civil rights compliance and enforcement activities. DRS will not disclose your name or other identifying information about you unless it is necessary for enforcement activities against an entity alleged to have violated federal law, required to be disclosed under the Freedom of Information Act, 5 U.S.C. § 552, disclosure is permitted pursuant to the Privacy Act or is otherwise required by law. The records that you provide to DRS may be disclosed in accordance with the provisions of the Privacy Act, including to appropriate Federal, State, or local agencies; Members of Congress or staff; volunteer student workers within the Department of Justice so that they may perform their duties; the news media and the public pursuant to 28 C.F.R. § 50.2, unless it is determined that release of the specific information in the context of a particular case would constitute an unwarranted invasion of personal privacy; the National Archives and Records Administration and General Services Administration to perform records management inspection functions in accordance with their legal responsibilities, or; for other routine uses indicated in the JUSTICE/CRT-001 "Central Civil Rights Division Index File and Associated Records" system of records notice. To view the routine uses applicable to this system of records, please consult the system of records notice, as amended, at the following links:

68 Fed. Reg. 47610,611 at <https://www.gpo.gov/fdsys/pkg/FR-2003-08-11/pdf/03-20342.pdf>

70 Fed. Reg. 43904 at <https://www.gpo.gov/fdsys/pkg/FR-2005-07-29/pdf/05-14944.pdf>

82 Fed. Reg. 24147 at <https://www.gpo.gov/fdsys/pkg/FR-2017-05-25/pdf/2017-10780.pdf>

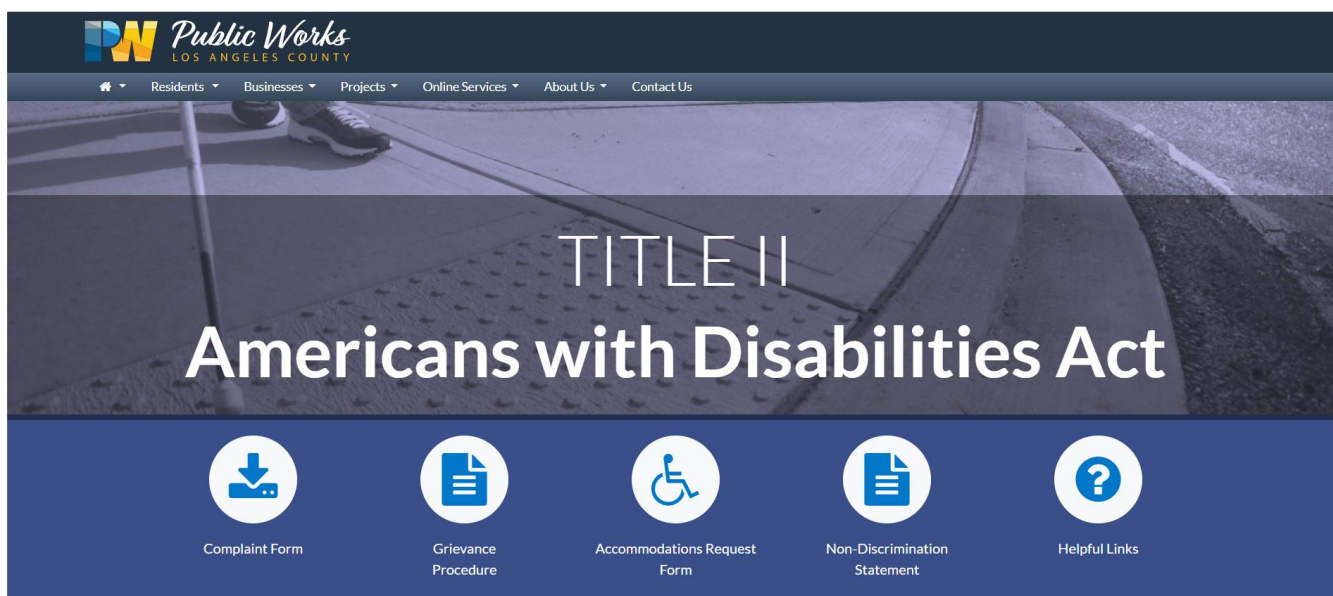
Last updated May 2019

## Appendix C: Public Works and LA County ADA Policies and Programs

### C-1: Public Works ADA Website Page

The following is a partial list of Public Works and LA County ADA Policies and Programs:

<https://PW.LACounty.gov/general/ADA/>



### [Public Works ADA Website Resource Link](#)

Citizen application program for accessible parking zone, called “Blue Curb.”

- [Disability Language Style Guide](#)
- [Discrimination Laws Regarding People with Disabilities](#)
- [Frequently Asked Questions about Service Animals and the ADA](#)
- [State of California Disabled Person Parking Placards](#)
- [A Guide to Interacting with People who have Disabilities](#)
- [Metro Riders with Disabilities](#)

If you would like to apply for a Blue Curb (Accessible Parking Zone) and your residential property is located in unincorporated Los Angeles County, you may contact our Traffic Safety and Mobility Division at (626) 300-4708.

## C-2: Public Works and LA County ADA Policies and Programs

### Public Works Accessibility Appeals Board with Participation from the Disability Community



BUILDING CODE MANUAL  
COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
BUILDING AND SAFETY DIVISION  
Based on the 2011 LACBC

#23  
105  
Article 1  
01-31-12  
Page 1 of 4

#### APPEALS BOARDS

Section 105 of the Los Angeles County Building Code (LACBC) outlines the membership and duties of the Building Board of Appeals, **Accessibility Appeals Board**, Building Rehabilitation Appeals Board, and the Code Enforcement Appeals Board. Section 9906 of the LACBC outlines the membership and duties of the Building Rehabilitation Appeals Board.

Contract cities may use the services of the Building Board of Appeals and the Accessibility Appeals Board if their City Council adopts an appropriate resolution or their existing Municipal Code so provides.

#### Building Board of Appeals

The duties of the Building Board of Appeals are as follows:

1. Conduct the hearings provided for in Chapters 1, 94, 95 and 96 of the LACBC.
2. Determine the suitability of alternate materials and types of construction.
3. Provide reasonable interpretation of the provisions of the LACBC.
4. Adopt reasonable rules and regulations for conducting its investigations.
5. Review modifications and/or alternate methods of construction to ensure equivalency to that prescribed in the LACBC in terms of quality, strength, effectiveness, fire resistance, durability, safety and sanitation and do not lessen any fire-protection requirements or any degree of structural integrity.
6. Document all decisions and findings in writing to the Building Official and the applicant.
7. Recommend new legislation to the Board of Supervisors.
8. Make written findings of fact as to whether or not a building or structure is unsafe and order such building or structure repaired, vacated, demolished or removed.
9. Hold hearings to determine the reasonableness and correctness of costs for demolition or repair of unsafe buildings by the County.

The five members of the Building Board of Appeals are appointed by the Board of Supervisors and consist of: one practicing architect, one competent builder, one lawyer, and two structural engineers, each member is qualified by at least ten years experience and training to pass upon matters pertaining to building construction. The Building Official shall be an ex officio member and act as secretary to the Board.

The Board of Appeals cannot waive requirements of the LACBC, but may approve a request as an equivalent to the LACBC. The Board has no authority relative to interpretations of the administrative portions of the LACBC, other than Section 102 of the LACBC, Unsafe Buildings.

An application for a Building Board of Appeals hearing shall be submitted to the Building Plan Check Section, which serves as the liaison to that Board.

## C-2: Public Works and LA County ADA Policies and Programs

### Public Works Accessibility Appeals Board with Participation from the Disability Community

#### **Accessibility Appeals Board**

The duties of the Accessibility Appeals Board in enforcing the accessibility requirements of Chapters 11A, 11B and 11C of the LACBC are:

1. Conduct hearings on written appeals regarding action taken by the Building Official.
2. Ratify certain exempting actions of the Building Official in enforcing the accessibility requirements for privately-funded construction.
3. Serve as advisor to the Building Official on disabled access matters.
4. Make recommendations to the Board of Supervisors on appeals of decisions made by the Building Official on County-funded buildings.
5. Adopt regulations establishing procedural rules and criteria for carrying out its duties.

The Accessibility Appeals Board is appointed by the Board of Supervisors and consists of five members: two physically disabled persons, two persons experienced in construction, and one from the general public. The Building Official shall be an ex officio member and act as the secretary of the Board.

The Accessibility Appeals Board may approve or disapprove interpretations and enforcement actions taken by the Building Official. All such approvals or disapprovals for privately-funded construction shall be final and conclusive.

To request a Board hearing, the applicant is required to submit their request in writing. The letter must clearly state the reasons and justifications for the proposal to be considered as a LACBC equivalent. Data, drawings or photographs to assist in the interpretation may be submitted to clarify the proposal. The person submitting the request may be present at the hearing and the Board will allow them the opportunity to address the Board and respond to pertinent questions. Meetings will be scheduled and the applicant will be notified of the hearing date after payment of the current Accessibility Appeals Board hearing fee is received. The Building Plan Check Section serves as the liaison to the Accessibility Appeals Board and will receive any appeals related to disabled accessibility.

#### **Building Rehabilitation Appeals Board**

The duties of the Building Rehabilitation Appeals Board are as follows:

1. Hear and consider all competent evidence offered by any person pertaining to matters set forth in the report of the Building Official.
2. Make written findings of facts as to whether or not the building or property is substandard
3. Make written orders for barricading, demolition, repairing or vacating buildings and/or clean up and removal of inoperative vehicles on private property.
4. Hold hearings to determine the reasonableness and correctness of costs for buildings secured or demolished or other work performed by the County.
5. Recommend new legislation as deemed necessary to the Board of Supervisors
6. Adopt reasonable rules and regulations for conducting its investigations.

The Building Rehabilitation Appeals Board is appointed by the Board of Supervisors and consists of five members qualified to pass on matters pertaining to substandard buildings and property as

### **C-3: Public Works and LA County ADA Policies and Programs**

#### **Los Angeles County ADA & 504 Requirements: An Overview for Planning Accessible County Events and Meetings**

# **LOS ANGELES COUNTY ADA & 504 REQUIREMENTS AN OVERVIEW FOR PLANNING ACCESSIBLE COUNTY EVENTS AND MEETINGS**



Chief Executive Office (CEO)

Disability Civil Rights Section (OCR)

Kenneth Hahn Hall of Administration  
500 W. Temple Street  
Los Angeles, CA 90012

Adapted from Material Developed by the ADA Compliance Office of the  
University of California, Los Angeles and the Governor's Committee on Employment of Disabled Persons

This material is available in alternate format by contacting (213) 202-6944 (Voice) or (855) 872-0443 (TTY).

### C-3: Public Works and LA County ADA Policies and Programs

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## C-3: Public Works and LA County ADA Policies and Programs

### Los Angeles County ADA & 504 Requirements: An Overview for Planning Accessible County Events and Meetings

#### **Executive Summary**

In accordance with the Americans with Disabilities Act, it is the policy of the County of Los Angeles not to discriminate on the basis of disability in employment or in the admission and access to its services, programs, and activities. To comply with this policy, County departments, in delivering services, programs, and activities to the public - including events, must be attentive to the broad aspect of ADA Title II regulations including the 2010 ADA Standards for Accessible Design, Program Access, Effective Communication, contract relationships, and policy modifications. This booklet contains guidelines and reference materials to enable County departments to effectively implement and fully comply with ADA and County policies and procedures for nondiscrimination on the basis of disability in the admission and access to its services, programs, and activities. Listed below are the primary issues referenced in this booklet. The Table of Contents provides guidance where to locate details regarding application and implementation.

#### **Program Access**

These requirements mandate "Program Access", directing that each Department must operate each service, program, or activity so that it is readily accessible to and usable by persons with disabilities when viewed in its entirety. The ADA requires the County to identify barriers in County owned facilities offering Departmental services, programs, and/or activities that prevent ready access or use by persons with disabilities. Through ADA mandated Transition Plans, the County sets forth time frames when those barriers will be removed.

However, County Departments also sometimes hold County-sponsored public events at non-County facilities. Departments must establish procedures to ensure Program Access is achieved for these events and activities held at non-County facilities. The Program Access requirement also applies when County Departments co-sponsor an event organized by another entity.

#### **Effective Communication**

The County Nondiscrimination Policy requires County Departments to ensure "Effective Communication." This means that Departments must take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To achieve effective communication, Departments must, as necessary, provide auxiliary aids and services, such as large print, sign language interpreters, Braille, and/or assistive listening devices. Departments shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity sponsored by the Department. Departments may not charge participants with disabilities for provision of the auxiliary aids or service.

#### **Reasonable Modification in Policies, Practices or Procedures**

The County Nondiscrimination Policy requires County Departments to make "Reasonable Modification in Policies, Practices, Or Procedures" when the modifications are necessary to avoid discrimination on the basis of disability.

### C-3: Public Works and LA County ADA Policies and Programs

#### Los Angeles County ADA & 504 Requirements: An Overview for Planning Accessible County Events and Meetings

Policies such as a rule of no pets in a County program must be modified to allow participation by an individual with a disability who has a service animal.

Similarly, County Departments sponsoring public events in private facilities not owned by the County would have to ensure these private entities modify their policies, practices, or procedures when necessary, to allow persons with disabilities to equally participate in the County sponsored event.

##### **Public Complaint Process and Grievance Procedure**

As required by the ADA, the County has adopted an informal complaint procedure that provides an internal grievance process for persons who believe they have been discriminated against based on disability. This internal grievance procedure provides a process by which individuals with disabilities or individuals acting on their behalf can file an informal complaint alleging the County has violated the ADA.

Individuals are entitled to file informal complaints of discrimination regarding any County service, program, or activity. To ensure persons are aware of their rights, all County Departments must display public notices in conspicuous places frequented by the public and/or employees to ensure maximum opportunity for review.

The obligation to inform individuals of their rights through display of notices carries over to County-sponsored events in non-County owned private facilities. This means that specific information must be included on all promotional literature announcing such events and literature distributed at the event. At the event, there should also be a County staff person assigned to answer questions regarding disability inquiries. This individual should be aware of ADA and County nondiscrimination procedures and be available in a prominent location.

## C-3: Public Works and LA County ADA Policies and Programs

### Los Angeles County ADA & 504 Requirements: An Overview for Planning Accessible County Events and Meetings

#### 1. COUNTY POLICY OF NONDISCRIMINATION ON THE BASIS OF DISABILITY

On January 4, 1994 the County Board of Supervisors approved a policy of Nondiscrimination on the Basis of Disability. This policy required all Departments to ensure non-discrimination of people with disabilities in accordance with the Americans with Disabilities Act (ADA). It further required Departments to designate an ADA Coordinator within the Department who would be charged with the responsibility of ensuring compliance with the non-discrimination requirements of the ADA and implementing the Department's ADA compliance activities. This policy stipulates that:

The County of Los Angeles does not discriminate on the basis of disability in employment or in the admission and access to its services, programs or activities. Pursuant the Americans with Disabilities Act the Department (s) has designated an ADA Coordinator to carry out this Department's compliance with the non-discrimination requirements of the ADA.

According to the County Grievance Procedure (See Section VI), adopted with the County Policy of Non-Discrimination on the Basis of Disability, the designated ADA Coordinator "should hold a position high enough to advise Department management on County ADA Policy, render decisions regarding ADA complaints and interact with the disability community." The ADA Coordinator designated by each Department should have thorough knowledge of all five Titles of the ADA and current disability issues as well as the background, skills and experience necessary to direct Department ADA compliance (See ADA.gov for recommended qualifications and rationale).

#### II. COUNTY POLICY OF EVENT ADA COMPLIANCE

On July 14, 1998 the County Board of Supervisors approved a motion instructing County Departments and Commissions (hereinafter "Departments") to adhere to the County Policy of Non-Discrimination on the Basis of Disability and, when holding County sponsored public events, including County sponsored events at privately owned facilities, to comply with Title II mandates of the ADA (County events are considered a service, program or activity of the County). The motion stipulates that:

When holding County-sponsored events at non-County owned facilities, to select facilities that are accessible to and usable by persons with disabilities as mandated by Title II of the Americans with Disabilities Act and the State of California Unruh Civil Rights Act.

To comply with this motion and to adhere to the County Policy of Non-Discrimination on the Basis of Disability, Departments, in delivering services, programs or activities to the public, including events, must be attentive to the broad aspect of Title II regulations including the 2010 ADA Standards for Accessible Design, Program Access, Effective Communication, contract relationships, and policy modifications

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(i.e. Reasonable Modification of Policy or Procedure). For more information regarding ADA Title II Guidelines and Regulations, please refer to the ADA Title II Technical Assistance Manual.

#### 111. ADA & 504 REQUIREMENTS

##### Legal Mandates

The Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination on the basis of disability. Under Title II of the ADA, public entities, such as the County of Los Angeles, are mandated to prohibit discrimination by ensuring physical access to services, programs and activities through a mandate known as "Program Accessibility" (see Section V, Part A) and by providing auxiliary aids and services to ensure equal participation through a mandate known as "Effective Communication" (see Section V, Part B). There is additional responsibility to ensure "Reasonable Modification in Policies, Practices and Procedures" (see Section V, Part C).

Further requirements under Title II of the ADA are explained in the Americans with Disabilities Act Title II Technical Assistance Manual at ADA.gov (e.g. Eligibility Criteria, Licensing, and Maintenance of Accessible Features, etc).

#### IV. UNRUH CIVIL RIGHTS ACT

Under state law, known as the Unruh Civil Rights Act, persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, or disability are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.

A violation of the right of any individual under the Americans with Disabilities Act of 1990 shall also constitute a violation of this state law.

#### V. COUNTY COMPLIANCE AND IMPLEMENTATION

##### A. Physical Access

The Program Access mandate dictates that public entities must operate each service, program, or activity so that ... it is readily accessible to and usable by individuals with disabilities when viewed in its entirety.

- ▶ Methods of providing Program Accessibility may include, but are not limited to: reassignment of activities to accessible buildings, assign\_ment of aides to

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beneficiaries, alteration of existing facilities, and use of accessible rolling stock or other conveyances.

**NOTE:** Carrying individuals is not permitted as a means of providing access (e.g. entrance to a facility, use of a restroom).

- ▶ Services, programs, and activities shall be administered in the most integrated setting appropriate to encourage interaction among all users, including individuals with disabilities.
- ▶ When events are held, sponsored, or co-sponsored (i.e. County Department lends its name or support to another entity which is the event sponsor) the event location must be in compliance with the current, most stringent access code standard [2010 ADA Standards for Accessible Design or California Building Code Title 24].

##### Physical Access Implementation

To achieve Program Access, the County is obligated to assess the physical accessibility of owned or leased facilities within its building inventory and to develop plans for removal of barriers, as necessary. Departments are also obligated to establish procedures to ensure that Program Access is achieved when non-County facilities are used. Listed below are the methods of implementation used by the County to meet ADA Program Access mandates.

##### 1. County Events at County Facilities

County Departments are obligated to develop Transition Plans, with time lines, for renovation of existing facilities to remove physical barriers that render their services, programs, or activities inaccessible to or unusable by individuals with disabilities. Department Transition Plans identify public facilities within their inventory which are physically accessible according to current access building code standards. Departments should maintain a listing of these public facilities.

There is a County-approved document which is to be used for Transition Plan development (Available Upon Request from the CEO's Disability Civil Rights Staff. ).

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#### 2. County Events at Non-County Facilities

Departments must establish procedures to ensure Program Access is achieved for events and activities held at non-County facilities.

A method to meet this mandate would require the assessment of the site location at the time the Department becomes involved with an event, schedules a meeting location, or negotiates a contract with a third party (i.e. hotel, conference center, community hall, etc.) Verbal commitments of access by a non-County entity are insufficient. Departments must make an individual assessment on a case-by-case basis of each portion of an event site that affects Program Access. The responsibility to achieve Program Access remains with the Department that is organizing sponsoring, or holding the event at a non-County facility.

NOTE: Title III of the ADA pertains only to private businesses and requires them to eliminate barriers that can be removed without much difficulty or expense. The County does not make a legal assessment whether a private facility has met its ADA Title III requirement. Even if a private business has met its Title III requirements, the private facility may not meet the County's Title II Program Access obligation.

Departments must determine whether the private facility's built environment meets the required Title 11 State and Local Government access standard for Program Access. Each determination of Program Access must be made on a case-by-case basis. Departments may choose to accomplish this in the manner most effective for their operations (e.g. assign the Department ADA Coordinator to perform this task, designate Department facilities staff to assess the site, hire an access consultant, or contact a fee-for-service with another County Department).

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NOTE: "When contracting with a provider of a non-County facility, Departments should stipulate through contract the barriers that must be removed prior to the County event and the party responsible for removing the barriers. Likewise, a timeline should be stipulated for barrier removal that is necessary to achieve Program Access. This timeframe should be stipulated in contract with an indication that failure to meet the timeframe by the non-County entity provider would be a breach of contract.

3. Third Party Events Co-sponsored by County or Department

When a County Department agrees to co-sponsor an event organized by another entity, they are indicating that the event is a County associated program; therefore, Departments must establish a procedure for ensuring the co-sponsored event is in compliance with ADA Title II Program Access requirements as explained above (Section V, Part A, Number 2).

Verbal commitments of access by a non-County entity are insufficient; therefore, a method for achieving this would require, at the minimum, a written assurance that the event is in compliance with ADA Architectural Guidelines and that Effective Communication will be achieved. This assurance must include documentation of the manner in which these determinations were made or achieved. The County Department which is co-sponsoring the event must assess the documentation submitted by the non-County entity to determine whether it is sufficient to enable the Department to comply with Title II mandates.

B. Auxiliary Aids and Services (Effective Communication)

The Effective Communication mandate dictates that public entities must:

... take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. A public entity shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of a service, program, or activity conducted by a public entity.

There are many types of auxiliary aids and services that mitigate disability-related communication barriers. These include a wide range of services and devices that promote Effective Communication, including but not limited to: sign language interpreters, assistive listening devices, and printed materials in alternate format (See ADA.gov for descriptions).

NOTE: Each Department is responsible for obtaining and purchasing auxiliary aids and services for their program participants.

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- ▶ Each communication element of a service, program, or activity (i.e., video or film presentation, printed literature or publications, amplified speeches or announcements, etc.) must ensure Effective Communications (e.g. captioning, large print, Braille, etc.)
- ▶ Departments may require advance notice for the request of auxiliary aids and services. When advance notice is not requested by Departments, Departments may have a requirement to provide auxiliary aids and services upon demand.

NOTE: Assistive Listening Devices are an exception to the advance notice requirement. When amplified sound is provided, assistive listening devices must be provided. They must be obtained and available in proportion to the number of people attending the event.

- ▶ In determining what type of auxiliary aid and service is necessary, a Department must give primary consideration to the requests of individuals with disabilities. "Primary consideration" means that the Department must honor the choice, unless it can demonstrate that another equally effective means of communication is available, or that use of the means chosen would result in a fundamental alteration in the service, program, or activity or in undue financial or administrative burdens.
- ▶ The determination of what auxiliary aid or service achieves Effective Communication is dependent on the length and complexity of the communication.
- ▶ Although ADA compliance may result in some additional cost, a public entity may not place a surcharge only on particular individuals with disabilities or groups of individuals with disabilities to cover these expenses.

##### **Effective Communication Implementation**

Effective Communication is required for both County and non-County venues. It is part of the program. Departments are obligated to establish procedures to ensure that Effective Communication is achieved. Listed below are the methods of implementation used by the County to meet ADA Effective Communication mandates.

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#### Events at County and Non-County Facilities

Effective Communication is not site specific. It is program, service, or activity specific (i.e. event specific). Each Department is obligated to ensure every public event sponsored by the Department is in compliance with ADA Effective Communication mandates, whether holding the event in a County facility or non-County facility. A method to meet this mandate would require a three step process, as follows:

The first step would be assuring the availability of Assistive Listening Systems (ALS) at the event venue prior to announcement of the event.

NOTE: When contracting with a provider of a non-County facility, the Department may stipulate through contract that the provider entity be responsible for providing Assistive Listening Systems. Agreements or contracts should clearly specify the entity responsible for provisions of auxiliary aids and services such as sign language interpreters, assistive listening systems, transcription services, etc.).

The next step would be to advise potential participants that auxiliary aids and services are available on request. This advisory should be included on all materials, press releases, and promotional materials. Information should be forwarded with enough advance time to allow for requests for auxiliary aids and services to be processed.

The final step would be to coordinate the availability of the requested auxiliary aids or services. If there is no agreement between the Department and the provider of a non-County facility stipulating who provides auxiliary aids and services and the Department receives a request for a sign language interpreter, assistive listening device, transcription service, etc., then the Department is responsible for paying for the aid or service. At no time may the Department charge a participant with a disability for the cost of providing auxiliary aid or service.

It is important that Departments specify on all printed material publicizing the event that requests for auxiliary aids and services must be received within a certain time frame. This date must be early enough for the Department to arrange Braille, large print, sign language interpreters, etc., but it cannot require an unreasonably long advance notice. Also, if an individual requests accommodation(s) after the cut-off-date, the Department still must make a good faith effort to provide them with the auxiliary aid or service.

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NOTE: The ADA only allows employers to request documentation of disability in an employment setting. Therefore, the ADA prohibits Title II entities from requesting documentation of a disability before providing requested auxiliary aids or services for a person with a disability to receive or participate in a Department service, program, or activity.

C. Reasonable Modification in Policies, Practices or Procedures

The ADA Title II regulations state:

A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

- ▶ The ADA requires the County to reasonably modify its policies and/or procedures to allow equal participation in services, programs, and activities by persons with disabilities.

NOTE: For example, if an entity has a policy of not allowing pets; the policy would have to be modified under the ADA to allow persons with disabilities who require service animals to participate in the County sponsored service, program, or activity (see ADA.gov for Service Animal Guidance).

- » The County cannot require the person with a disability to provide proof of having a disability as a condition for modifying the policy.

##### **Reasonable Modification Implementation**

The Reasonable Modification provision of the ADA affects all County policies and procedures involving programs, services and activities available to the public. This includes County contracts and Department contracts with non-County providers as the County may not discriminate through contract. Therefore, all County operations involving public service must have procedures which ensure non-discrimination on the basis of disability as mandated by the ADA Reasonable Modification provision. Listed below are the methods of implementation used by the County to meet the Reasonable Modification mandate.

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#### Los Angeles County ADA & 504 Requirements: An Overview for Planning Accessible County Events and Meetings

1. County Policies and Procedures

County Departments are obligated to assess their policies and procedures, and produce a Self-Evaluation Plan to ensure that their services, programs, or activities do not discriminate on the basis of disability and that equal opportunity is achieved.

There is a County-approved document which is to be used to assess Department policies and procedures (Available Upon Request from the CEO's Disability Civil Rights Staff).

2. Non-County Policies and Procedures

The County's Reasonable Modification obligation under Title II of the ADA is similar to a private entities' Reasonable Modification obligation under Title III of the ADA. Therefore, private entities, like hotels, conference centers, or meeting halls are required to reasonably modify their policies and procedures to allow equal participation by persons with disabilities. When scheduling a County-sponsored public event at a non-County facility, Departments need to obtain contractual assurances that the private entity will abide by the applicable regulations of the ADA nondiscrimination on the basis of disability provisions, including Reasonable Modification requirements.

However, just because a private entity meets its Title III obligation does not necessarily mean that the facility meets the County's Title II Program Access obligation. A separate analysis must be performed to ensure that a County-sponsored event held at a private facility meets Program Access Standards required of the County by Title II of the ADA (see Section Y, Page 4, Part A). Likewise, there remains a County Title II obligation to ensure Effective Communication (see Section V, Page 7, Part B).

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NOTE: Departments must ensure the contract includes written assurance the private entity will comply with applicable County, State, and Federal non-discrimination on the basis of disability provisions. The Department must also stipulate in writing, as part of the contract, who will be responsible for what ADA necessary actions prior to and during the County event. If barriers are to be removed prior to the event, a time line for barrier removal must be included in the contract.

#### VI. PUBLIC COMPLAINT PROCESS AND GRIEVANCE PROCEDURE

In January 1994, the Board of Supervisors adopted an Informal Complaint Procedure ("Procedure") to comply with the Americans with Disabilities Act of 1990 (see Attachment XI for complete procedure and requirements for implementation). The Procedure provides a process by which individuals with disabilities or individuals acting on their behalf may file an informal complaint alleging that the County has not complied with the ADA. Complaints may be filed regarding any County program, activity, service or event available to the public including those sponsored or contracted by the County.

##### **Informal Complaint Procedure Implementation**

Individuals are entitled to file informal complaints of discrimination regarding any County program, activity or service. It does not matter whether the County Program is held in a County facility or a private facility under contract with the County or a County provider. To ensure individuals are aware of the opportunity to file informal complaints, Departments are obligated to display public notices which outline the County's ADA policy on non-discrimination. Once complaints are filed, Departments are required to comply with the County's Informal Complaint Procedure (see Board Policy 3.060). Listed below are the methods of implementation used by the County to meet ADA mandates to display public notices.

##### **1. Events at County Facilities**

All County Departments must display public notices (see Board Policy 3.060 for appropriate wording on notice) in conspicuous places frequented by the public and/or employees to ensure maximum opportunity for review. Notices should be placed near each of the primary entrances to facilities, on public notice bulletin boards and in conspicuous places near the event or program taking place.

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#### 2. Events at Non-County Facilities

The obligation to display notices and to inform individuals of their rights to file an informal complaint can be achieved through a three-step approach as follows:

The first step would be to include a statement on all promotional literature which announces the event. The statement should contain the International Symbol of Accessibility and read as follows:

This event is accessible to and usable by people with disabilities.

The second step would be assuring the notification of non-discrimination and the availability of an ADA Coordinator on literature to be distributed during the event. This can be achieved by placing the International Symbol of Accessibility on event literature or prominently displaying it on a sign near the entrance to the event and adding the following statement:

The County of Los Angeles Department of \_\_\_\_\_ does not discriminate on the basis of disability. For more information, contact staff located at the Access Information Sign.

The third step would be to assign a staff person to answer any questions regarding disability inquiries and to place an Access Information Table Tent or Sign in a conspicuous location near the assigned staff person (e.g. on the Registration Table).

NOTE: When assigning staff to answer queries regarding disability issues, please ensure that they are aware of applicable ADA regulations and County Codes.

#### VII COUNTY RESOURCES

OCR monitors compliance by Departments with the County Policy of Nondiscrimination on the Basis of Disability and compliance with applicable State and Federal disability civil rights laws. The OCR Section of the CEO's Office has been charged with this monitoring responsibility. Based on policy adopted by the Board of Supervisors, each Department has designated a Department ADA Coordinator to carry out its Department's ADA compliance activities. Individuals within Departments should contact their Department ADA Coordinator for guidance on this memo, provisions of the Americans with Disabilities Act, Title 24 of the California State Building Code, or other aspects of disability civil rights law. While Department ADA Coordinators are the responsible person within each Department for Department ADA Compliance, for ADA Technical Assistance, access assessments, policy modifications, and related ADA Title II implementation and compliance, individuals may also contact the OCR Section for questions or clarification.

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NOTE: Departments should notify the DCR Section when there is a Department ADA Coordinator change..

#### VIII. OTHER RESOURCES

There is an abundance of information available regarding disability civil rights laws and methods for complying with the provisions of these laws at [ADA.gov](http://ADA.gov)

For further information regarding this document or any portion thereof, contact:



Chief Executive Office, Disability Civil Rights Section  
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## Appendix D: Contributors

### D-1: Self-Evaluation Contributors

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Kari Eskridge	<a href="mailto:KESKRIDGE@dpw.lacounty.gov">KESKRIDGE@dpw.lacounty.gov</a>	Sterling Klippel	<a href="mailto:SKLIPPEL@dpw.lacounty.gov">SKLIPPEL@dpw.lacounty.gov</a>
Ciara Barnett	<a href="mailto:CBarnett@dpw.lacounty.gov">CBarnett@dpw.lacounty.gov</a>	Armond Ghazarian	<a href="mailto:AGHAZAR@dpw.lacounty.gov">AGHAZAR@dpw.lacounty.gov</a>
Jose Melgar	<a href="mailto:JMELGAR@dpw.lacounty.gov">JMELGAR@dpw.lacounty.gov</a>	Matthew Frary	<a href="mailto:MFRARY@dpw.lacounty.gov">MFRARY@dpw.lacounty.gov</a>
Robinson Siagian	<a href="mailto:RSIAGIAN@dpw.lacounty.gov">RSIAGIAN@dpw.lacounty.gov</a>	Ramy Gindi	<a href="mailto:RGINDI@dpw.lacounty.gov">RGINDI@dpw.lacounty.gov</a>
Brian Smith	<a href="mailto:BSMITH@dpw.lacounty.gov">BSMITH@dpw.lacounty.gov</a>	Jalaine Q. Verdiner	<a href="mailto:JQUINTR@dpw.lacounty.gov">JQUINTR@dpw.lacounty.gov</a>
Carlos Ruiz	<a href="mailto:CARUIZ@dpw.lacounty.gov">CARUIZ@dpw.lacounty.gov</a>	Crystal Franco	<a href="mailto:CFRANCO@dpw.lacounty.gov">CFRANCO@dpw.lacounty.gov</a>
Patrick Holland	<a href="mailto:PHOLLAND@dpw.lacounty.gov">PHOLLAND@dpw.lacounty.gov</a>	Mark Greninger	<a href="mailto:MGreninger@dpw.lacounty.gov">MGreninger@dpw.lacounty.gov</a>
Scott Schales	<a href="mailto:SSCHALES@dpw.lacounty.gov">SSCHALES@dpw.lacounty.gov</a>	Daniel Quintana	<a href="mailto:DQUINTAN@dpw.lacounty.gov">DQUINTAN@dpw.lacounty.gov</a>
Yonah Halpern	<a href="mailto:YHALPERN@dpw.lacounty.gov">YHALPERN@dpw.lacounty.gov</a>	Mario Rodriguez	<a href="mailto:MRDRIGU@dpw.lacounty.gov">MRDRIGU@dpw.lacounty.gov</a>
Ricardo Castaneda	<a href="mailto:RiCastaneda@dpw.lacounty.gov">RiCastaneda@dpw.lacounty.gov</a>	Masashi Tsujii	<a href="mailto:MTSUJII@dpw.lacounty.gov">MTSUJII@dpw.lacounty.gov</a>
Barbara Childers	<a href="mailto:BCCHILDERS@dpw.lacounty.gov">BCCHILDERS@dpw.lacounty.gov</a>	David Rydman	<a href="mailto:DRYDMAN@dpw.lacounty.gov">DRYDMAN@dpw.lacounty.gov</a>
Sam Chinn	<a href="mailto:SCHINN@dpw.lacounty.gov">SCHINN@dpw.lacounty.gov</a>	Bruce Hamamoto	<a href="mailto:BHAMAMO@dpw.lacounty.gov">BHAMAMO@dpw.lacounty.gov</a>
Gil Garcia	<a href="mailto:GGARCIA@dpw.lacounty.gov">GGARCIA@dpw.lacounty.gov</a>	Katie Mac	<a href="mailto:KMAC@dpw.lacounty.gov">KMAC@dpw.lacounty.gov</a>
Soheila Kalhor	<a href="mailto:SKALHOR@dpw.lacounty.gov">SKALHOR@dpw.lacounty.gov</a>	Sam Assoum	<a href="mailto:SASSOUM@dpw.lacounty.gov">SASSOUM@dpw.lacounty.gov</a>
Keegan Fahey	<a href="mailto:KFAHEY@dpw.lacounty.gov">KFAHEY@dpw.lacounty.gov</a>	Emily Tuan	<a href="mailto:ETuan@dpw.lacounty.gov">ETuan@dpw.lacounty.gov</a>
Mark Caddick	<a href="mailto:MCADDICK@dpw.lacounty.gov">MCADDICK@dpw.lacounty.gov</a>	Edwin Markar	<a href="mailto:emarkar@dpw.lacounty.gov">emarkar@dpw.lacounty.gov</a>

 **AECOM**

Corinne Stewart	<a href="mailto:Corinne.Stewart@aecom.com">Corinne.Stewart@aecom.com</a>	Mandeep Bajwa	<a href="mailto:Mandeep.Bajwa@aecom.com">Mandeep.Bajwa@aecom.com</a>
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 **The G Crew**

Genevieve Pacana	<a href="mailto:genevieve@thegcrew.com">genevieve@thegcrew.com</a>	James McGrath	<a href="mailto:jamesm@tcada.com">jamesm@tcada.com</a>
Eric Contreras	<a href="mailto:econtreras@tcada.com">econtreras@tcada.com</a>	H. Alex Motamedi	<a href="mailto:alexm@tcada.com">alexm@tcada.com</a>
Michael Paravagna	<a href="mailto:michaelp@tcada.com">michaelp@tcada.com</a>	Teresa Jones	<a href="mailto:tjones@tcada.com">tjones@tcada.com</a>
Larry Kaltman	<a href="mailto:larryk@tcada.com">larryk@tcada.com</a>	Matthew Hansen	<a href="mailto:matthewh@tcada.com">matthewh@tcada.com</a>
Ted Nakasuji	<a href="mailto:tedn@tcada.com">tedn@tcada.com</a>	Marc Dubin	<a href="mailto:mdubin@adaexpertise.com">mdubin@adaexpertise.com</a>
Robert Patsiga	<a href="mailto:robertp@tcada.com">robertp@tcada.com</a>	Bill Hecker	<a href="mailto:bill@heckerdesign.info">bill@heckerdesign.info</a>

## D-2: Public Works ADA Liaison Committee



Representatives from the Core Service Areas of Public Works:

- **Administrative Services:**  
Emma Ayala ([EAyala@dpw.lacounty.gov](mailto:EAyala@dpw.lacounty.gov))  
Katie Mac ([KMac@dpw.lacounty.gov](mailto:KMac@dpw.lacounty.gov)), ADA & Section 504 Policy Manager  
Claudia Perez ([CPerez@dpw.lacounty.gov](mailto:CPerez@dpw.lacounty.gov)), ADA Coordinator  
Emily Tuan ([ETuan@dpw.lacounty.gov](mailto:ETuan@dpw.lacounty.gov))  
Robert Arroyo ([RArroyo@dpw.lacounty.gov](mailto:RArroyo@dpw.lacounty.gov))
- **Construction Management:**  
Rene Gochez ([RGochez@dpw.lacounty.gov](mailto:RGochez@dpw.lacounty.gov))
- **Municipal Services:**  
Peter Carmona ([PCarmona@dpw.lacounty.gov](mailto:PCarmona@dpw.lacounty.gov))
- **Environmental Services:**  
Tranette Sanders ([TSanders@dpw.lacounty.gov](mailto:TSanders@dpw.lacounty.gov))
- **Public Contracting and Asset Management:**  
Sam Assoum ([SAssoum@dpw.lacounty.gov](mailto:SAssoum@dpw.lacounty.gov)), Transition Plan Implementation Manager  
Adriana Flores ([AFlores@dpw.lacounty.gov](mailto:AFlores@dpw.lacounty.gov))
- **Water Resources:**  
Alan Nino ([ANino@dpw.lacounty.gov](mailto:ANino@dpw.lacounty.gov))
- **Transportation:**  
Fady Khalil ([FaKhalil@dpw.lacounty.gov](mailto:FaKhalil@dpw.lacounty.gov))

### Acknowledgment

This report was prepared by The “G” Crew (TGC), P.O. Box 10606, Glendale, CA 91205, [info@thegcrew.com](mailto:info@thegcrew.com), [www.thegcrew.com](http://www.thegcrew.com), a subconsultant of AECOM. TGC thanks the staff and management of Public Works and AECOM who gave their time and knowledge, without which this project would not have been possible. We especially want to thank Public Works Director, Mark Pestrella, and his staff, Public Works’ ADA / Section 504 Policy Manager, Katie Mac, and her staff, Adriana Flores, Project Manager, and her team, and the ADA Liaison Committee members who lent their time, efforts, and commitment to share, learn and work together to make this Self-Evaluation possible.

## Appendix E: Public Outreach Documentation

### E-1: Public Works Outreach Letter and Survey

Public Works Letter and Survey to the Disability Community in June, July, and August 2022



MARK PESTRELLA, Director

## COUNTY OF LOS ANGELES

### DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

June 21, 2022

IN REPLY PLEASE  
REFER TO FILE: WS-0

#### **LOS ANGELES COUNTY PUBLIC WORKS AMERICANS WITH DISABILITIES ACT SELF-EVALUATION AND TRANSITION PLAN**

Los Angeles County Public Works is pleased to invite the local disability community to provide comments on the Los Angeles County Public Works Americans with Disabilities Act (ADA) 2022 Self-Evaluation and Transition Plan.

The ADA is a civil rights law that provides people with disabilities equal access to State and local government programs, activities, and services. Public Works ensures compliance with the ADA and does not discriminate based on disability in the admission and access to its services, programs, or activities. We are currently working to identify and address any barriers experienced by members of the disability community. The goal is to remove barriers and provide solutions so that, when viewed in its entirety, its programs and services are readily accessible to and usable by individuals with disabilities, and that they can participate in the most integrated setting possible.

The plan will evaluate and provide recommendations to remove barriers to program access to ensure that public areas are accessible to people with disabilities. The plan will also determine if Public Works is communicating effectively with the disability community and whether any policies, procedures, and practices need to be modified to ensure equal opportunity to our services.

Public Works seeks your insight on your experience with our services, programs, or facilities. We value your feedback. *Please complete and return the public survey/questionnaire within **three weeks** of receipt of this letter.*

If you have any questions, responses, or input, please contact Ms. Teresa Jones, TGC Project Coordinator, at (818) 482-0347 or [tjones@tgcada.com](mailto:tjones@tgcada.com). Thank you for your attention, and we look forward to your feedback and participation.

Very truly yours,

MARK PESTRELLA, PE  
Director of Public Works

A handwritten signature in black ink, appearing to read "Emma L. Ayala".

EMMA L. AYALA, Chief  
Workforce Support Division

## APPENDIX E-1: Public Works Outreach Letter and Survey

Public Works Letter and Survey to the Disability Community  
in June, July, and August 2022

### YOUR VOICE COUNTS

*To share your insights, concerns, and experiences with us, please complete the questionnaire and provide us with your contact information or your preferred method of contact. Questionnaires may be submitted in the following formats:*

**Telephone:**

Teresa Jones, Project Coordinator/Contact Person  
Telephone No.: (818) 482-0347, California Relay Service 7-1-1

**E-mail:**

You can complete pages 2-4 of the included survey provided, scan and e-mail it back to [tjones@tqcada.com](mailto:tjones@tqcada.com).

**Mail:**

Katie Mac  
ADA Coordinator  
Los Angeles County Public Works  
P.O. Box 1460  
Alhambra, CA 91802

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Nature of Disability (Optional) (Check all those that apply):

\_\_\_\_ Mobility \_\_\_\_ Vision \_\_\_\_ Hearing \_\_\_\_ Intellectual \_\_\_\_ Developmental (including autism)

\_\_\_\_ Other (Please Specify): \_\_\_\_\_

Contact Information:

Telephone No.: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Mailing address: \_\_\_\_\_

I am an LA County Resident. Area/City/Neighborhood: \_\_\_\_\_

I do not live in LA County

(If you want to remain anonymous, proceed to the Public Survey/Questionnaire below.)

## APPENDIX E-1: Public Works Outreach Letter and Survey

### Public Works Letter and Survey to the Disability Community in June, July, and August 2022

#### Public Survey/Questionnaire:

A. Have you participated in any Public Works programs, services, or meetings?

Yes. If yes, which programs, services, activities, or facilities (addresses):

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No

Unsure, Don't Recall or Don't Know

B. How did you participate in Public Works programs or access its facilities?

1. Communication

Telephone

Website or Online

Mail

In-Person

2. If in person, how did you access the facilities?

By Public Transportation/Bus

By Public Works Paratransit Services

By other Accessible Transportation Services: \_\_\_\_\_

By Private Vehicle

By Foot/Pedestrian

C. What has been your experience in *accessing* or *participating* in Public Works programs, services, activities, or facilities?

---

Identify issues, if any: \_\_\_\_\_

D. Did you request any assistance or auxiliary aids from Public Works?

What kind of response did you get?

Yes. If yes, please identify your request and Public Works' response:

---

---

No

Unsure, Don't Recall or Don't Know

## APPENDIX E-1: Public Works Outreach Letter and Survey

### Public Works Letter and Survey to the Disability Community in June, July, and August 2022

E. What can we do to improve access and participation in Public Works services for you?

- Facility Access (built environment): \_\_\_\_\_
- Communications/Information: \_\_\_\_\_
- Staff Interaction/Customer Service: \_\_\_\_\_
- Other: \_\_\_\_\_

F. What do you suggest are the priorities of the disability community in accessing and participating in Public Works programs, services, and facility activities in general?

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

G. Please provide any additional comments, helpful experiences, or concerns below:

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Your feedback will assist us in developing Public Works' ADA Self-Evaluation and Transition Plan and in addressing access barriers more effectively. Please share with us:

- Your personal experiences with Public Works.
- Important issues and priorities you may want us to know as we develop the plan.
- The disability organization you are involved with.
- Individuals or organizations you recommend we contact for participation or input. Please provide us their contact information and feel free to distribute this letter.

**Please contact Teresa Jones, TGC Project Coordinator, at (818) 482-0347, CA Relay 7-1-1, or [tjones@tqcada.com](mailto:tjones@tqcada.com) if you want this document in an alternative format.**

We may follow up with you after this initial questionnaire. The final plan report will be made available to the public when it is completed.

*Thank you for your time and participation!*

## APPENDIX E-2: Public Outreach Documentation

### Public Outreach to the Disability Community in June, July, and August 2022

Name	Address	Contact
<b>1. NLACRC Self-Advocacy Group</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	9200 Oakdale Ave., Suite 100 Chatsworth, California 91311 (818) 778-1900	Jose Rodriguez Consumer Advocate <a href="mailto:jrodriguez@nlacrc.org">jrodriguez@nlacrc.org</a> (818) 756-6289
<b>2. Autism Speaks</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22, 7/1/22	1060 State Road, 2nd Floor Princeton, NJ 08540	Tracey MacDonald Sr. Area Executive Director (CA & Northwest) <a href="mailto:tracey.macdonald@autismspeaks.org">tracey.macdonald@autismspeaks.org</a> 1 (888) 288-4762  <a href="mailto:southernca@autismspeaks.org">southernca@autismspeaks.org</a>
<b>3. Disability Rights California (DRC)</b> ☒ <b>Email Date:</b> 6/22/22, 7/1/22 ☒ <b>Mail Date:</b> 6/29/22* ☒ <b>Phone:</b> 6/30/22, 7/1/22	*530 B Street, Suite 400, San Diego, CA 92101 Telephone: (619) 239-7861 Direct: (619) 814-8513 Fax: (619) 239-7906 <a href="http://www.disabilityrightsca.org">www.disabilityrightsca.org</a>  350 South Bixel Street, Suite 290 Los Angeles CA 90017	*Lauren Giardina Managing Attorney Advocacy and Community Engagement (She/Her/Hers)  *Leilani Pfeifer Multicultural Affairs Outreach <a href="mailto:Leilani.Pfeifer@disabilityrightsca.org">Leilani.Pfeifer@disabilityrightsca.org</a> (213) 213-8000 Fax: (213) 213-8001  Andrew J. Imperato Executive Director <a href="mailto:andy.imparato@disabilityrightsca.org">andy.imparato@disabilityrightsca.org</a>
<b>4. The State Council on Developmental Disabilities</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	411 N. Central Avenue, Suite 620 Glendale, CA 91203	Christofer Arroyo Manager <a href="mailto:Christofer.Arroyo@scdd.ca.gov">Christofer.Arroyo@scdd.ca.gov</a> (818) 903-1864
<b>5. Team of Advocates for Special Kids (TASK)</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	1000 S. Fremont Ave. Bldg. A-1, Ste. 1110, Unit 54 Alhambra, CA 91803	Suzanne Galindo Project Manager – Region 1 <a href="mailto:suzanneg@taskca.org">suzanneg@taskca.org</a>  Contact: <a href="mailto:task@taskca.org">task@taskca.org</a> Service/ Intake: (626) 300-1043 <a href="http://www.taskca.org">www.taskca.org</a>

## APPENDIX E-2: Public Outreach Documentation (Cont'd.)

### Public Outreach to the Disability Community in June, July, and August 2022

6.	<b>California State Department of Rehabilitation</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input type="checkbox"/> <b>Mail Date:</b> <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22	888 South Figueroa Suite 900 Los Angeles, CA 90017	Sandra Lopez Manager <a href="mailto:Sandra.Lopez@dor.ca.gov">Sandra.Lopez@dor.ca.gov</a> (213) 736-3904
7.	<b>Deaf and Disabled Telecommunications Program</b> <b>Administrator: California Communications Access Foundation (CCAF)</b> <input checked="" type="checkbox"/> <b>Email Date:</b> N/A <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22 <input checked="" type="checkbox"/> <b>Phone:</b> 7/1/22	425 West Broadway Suite 105, Glendale, CA 91204	1 (800) 806-1191 Fax: 1 (800) 889-3974 <a href="http://www.ddtp.org">www.ddtp.org</a> Barry Saudan CCAF Chief Executive Officer (510) 268-4754
8.	<b>Braille Institute, Los Angeles Sight Center</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22 <input checked="" type="checkbox"/> <b>Phone:</b> 7/1/22	741 N. Vermont Avenue Los Angeles, CA 90029	Gabriel Harlan Educational Programs Manager <a href="mailto:gpharlan@brailleinstitute.org">gpharlan@brailleinstitute.org</a> (323) 663-1111 Fax: (323) 663-0867
9.	<b>Disability Community Resource Center</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22 <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22	12901 Venice Blvd. Los Angeles, CA 90066	David Kruskall Community Programs Manager <a href="mailto:David@dcrc.co">David@dcrc.co</a> (310) 390-3611 phone Fax: (310) 390-4906
10.	<b>Wayfinder Family Services</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22 <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22, 7/1/22	5300 Angeles Vista Blvd Los Angeles CA 90043	Allison Burdett Assoc. V.P., Visual Impairment & Developmental Disabilities Services Email: <a href="mailto:ABurdett@WayfinderFamily.org">ABurdett@WayfinderFamily.org</a> (323) 295-4555 x210 <a href="mailto:info@wayfinderfamily.org">info@wayfinderfamily.org</a>
11.	<b>Blind Children's Center</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22 <input checked="" type="checkbox"/> <b>Phone:</b> 7/1/22	4120 Marathon Street Los Angeles, CA 90029	Sarah E. Orth, MPA Chief Executive Officer <a href="mailto:sarah@blindchildrenscenter.org">sarah@blindchildrenscenter.org</a> (323) 664-2153 <a href="http://www.blindchildrenscenter.org">www.blindchildrenscenter.org</a>

**APPENDIX E-2: Public Outreach Documentation (Cont'd.)**

Public Outreach to the Disability Community in June, July, and August 2022

12.	<b>The Epilepsy Foundation of Greater Los Angeles</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	5777 W Century Blvd #820 Los Angeles, CA 90045	Patricia Leyva Program Manager <a href="mailto:PLeyva@EpilepsyLosAngeles.org">PLeyva@EpilepsyLosAngeles.org</a> (310) 670-2870 x 9260
13.	<b>LB Alliance for Children with Asthma</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22, 7/1/22	2651 Elm Avenue, Suite #100 Long Beach, CA 90806	Sylvia Betancourt Director 562-933-5650 <a href="mailto:S.Betancourt@memorialcare.org">S.Betancourt@memorialcare.org</a> <a href="http://www.lbaca.org">www.lbaca.org</a>
14.	<b>Disabled Resource Center</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	2750 East Spring Street Long Beach, CA 90806	Samantha Mam Operations Manager <a href="mailto:Samanthamam@drcinc.org">Samanthamam@drcinc.org</a> (562) 427-1000
15.	<b>Disabled American Veterans of California (DAV)</b> ☒ <b>Email Date:</b> 6/24/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	DAV Federal Building 11000 Wilshire Blvd., Rm. 509 Los Angeles, CA 90024  <b>DAV California HQ</b> 13733 E Rosecrans Ave. Santa Fe Springs, CA 90670  Phone: (562) 404-1266 Fax: (562) 404- 8044	Robert Graves, M.S., MBV Director of Operations at Disabled American Veterans- Department of California (DAV California) <a href="mailto:rgraves@davcal.org">rgraves@davcal.org</a> (310) 235-6472, ext. 6  <b>DAV California HQ</b> Phone: (562) 404-1266 Fax: (562) 404- 8044
16.	<b>South Central Los Angeles Regional Center (SCLARC)</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/29/22* ☒ <b>Phone:</b> 6/30/22	2500 S. Western Avenue Los Angeles, CA 90018  (213) 744-7000	*Dexter Henderson Chief Executive Officer <a href="mailto:DexterH@sclarc.org">DexterH@sclarc.org</a>  CEO Assistant <a href="mailto:DeannaC@sclarc.org">DeannaC@sclarc.org</a>  *Kiara Lopez Community Relations Specialist <a href="mailto:KiaraL@sclarc.org">KiaraL@sclarc.org</a> (213) 744-8420 – Direct

## APPENDIX E-2: Public Outreach Documentation (Cont'd.)

### Public Outreach to the Disability Community in June, July, and August 2022

17.	<b>CSUN Center on Disabilities</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 7/1/22	Bayramian Hall 107 18111 Nordhoff St. Northridge, CA 91330-8340	Julia Santiago Interim Director <a href="mailto:Julia.Santiago@csun.edu">Julia.Santiago@csun.edu</a> (818) 677-2578
18.	<b>ILC - Communities Actively Living Independent &amp; Free (CALIF)</b> ☒ <b>Email Date:</b> 6/22/22, 6/29/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 7/1/22	634 South Spring St Second Floor Los Angeles, CA 90014	Lilibeth Navarro Director <a href="mailto:Lnavarro@Calif-ILC.org">Lnavarro@Calif-ILC.org</a> Cell: 213-840-4199  <b>Office</b> (213) 627-0477
19.	<b>ILC - Disability Community Resource Center (Formerly Westside CIL)</b> ☒ <b>Email Date:</b> 6/22/22, 6/24/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	1527 Fourth Street Santa Monica, CA 90401	TJ Hill Executive Director <a href="mailto:TJhill@DCRC.co">TJhill@DCRC.co</a> (not .com) (310) 390-3611 x 227 310-390-3611
20.	<b>ILC - Disability Community Resource Center (Formerly Westside CIL) - Main Office</b> ☒ <b>Email Date:</b> 6/22/22, 6/24/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	<b>HEADQUARTERS (HQ)</b> 12901 Venice Blvd. Los Angeles, CA 90066	TJ Hill Executive Director <a href="mailto:TJHill@dcrc.co">TJHill@dcrc.co</a> (310) 390-3611 x 227
21.	<b>ILC - Disability Community Resource Center - DCRC Satellite (Formerly Westside CIL)</b> ☒ <b>Email Date:</b> 6/22/22, 6/24/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	1318 Cravens Ave. Torrance, CA 90501	TJ Hill Executive Director <a href="mailto:TJHill@dcrc.co">TJHill@dcrc.co</a> (310) 390-3611 x 227
22.	<b>ILC - Disability Community Resource Center - DCRC Satellite (Formerly Westside CIL)</b> ☒ <b>Email Date:</b> 6/22/22, 6/24/22 ☒ <b>Mail Date:</b> 6/29/22 ☒ <b>Phone:</b> 6/30/22	7362 Santa Monica Blvd. 1st Floor West Hollywood, CA 90046	TJ Hill Executive Director <a href="mailto:TJHill@dcrc.co">TJHill@dcrc.co</a> (310) 390-3611 x 227

**APPENDIX E-2: Public Outreach Documentation (Cont'd.)**

Public Outreach to the Disability Community in June, July, and August 2022

<p>23. <b>IILC - Disabled Resource Center (DRC)</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22  <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22</p>	<p>2750 East Spring Street, Suite 100                  Long Beach, CA 90806</p>	<p>Dolores Nason  <a href="mailto:d.nason@drinc.org">d.nason@drinc.org</a>                  (562) 427-100</p>
<p>24. <b>Independent Living Center of Southern California (ILCSC)</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22  <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22</p>	<p><b>HEADQUARTERS (HQ)</b>                  14354 Haynes St.                  Van Nuys, CA 91401</p>	<p>Norma Jean Vescovo                  Director  <a href="mailto:NVescovo@ilcsc.org">NVescovo@ilcsc.org</a>                  (661) 942-9726</p>
<p>25. <b>ILCSC – Lancaster</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22  <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22</p>	<p>606 East Avenue K4                  Lancaster, CA 93535</p>	<p>Norma Jean Vescovo                  Director  <a href="mailto:NVescovo@ilcsc.org">NVescovo@ilcsc.org</a>                  (661) 942-9726</p>
<p>26. <b>IILC - Service Center for Independent Life (SCIL)</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22  <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22</p>	<p>107 South Spring Street                  Claremont, CA 91711</p>	<p>Larry Grable                  Director  <a href="mailto:larry@scil-ilc.org">larry@scil-ilc.org</a>                  (909) 621-6722</p>
<p>27. <b>IILC - Southern CA Rehabilitation Services (Satellite)</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22  <input checked="" type="checkbox"/> <b>Phone:</b> 7/1/22</p>	<p>11625 Clark St.                  Arcadia, CA 91006</p>	<p>Rudy Contreras                  Director  <a href="mailto:rcontreras@scrs-ilc.org">rcontreras@scrs-ilc.org</a>                  (626) 239-6012</p>
<p>28. <b>IILC - Southern California Resource Services for Independent Living – Downey</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22  <input checked="" type="checkbox"/> <b>Phone:</b> 7/1/22</p>	<p><b>HEADQUARTERS (HQ)</b>                  7830 Quill Drive Suite D                  Downey, CA 90242</p>	<p>Rudy Contreras                  Director  <a href="mailto:rcontreras@scrs-ilc.org">rcontreras@scrs-ilc.org</a>                  (562) 862-6531</p>

**APPENDIX E-2: Public Outreach Documentation (Cont'd.)**

Public Outreach to the Disability Community in June, July, and August 2022

29.	<p><b>ILC - Southern California Resource Services for Independent Living – Pasadena</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22  <input checked="" type="checkbox"/> <b>Phone:</b> 7/1/22</p>	2023 Lincoln Avenue Pasadena, CA 91103	Rudy Contreras Director <a href="mailto:rcontreras@scrs-ilc.org">rcontreras@scrs-ilc.org</a> (626) 587-5010
30.	<p><b>Supervisory District Commissioner First Supervisory District</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/23/22  <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22</p>	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<p><b>Lourdes Caracoza</b> 1<sup>st</sup> Vice President   <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a></p>
31.	<p><b>Supervisory District Commissioner First Supervisory District</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22, 7/14/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/23/22  <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22</p>	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<p><b>Hector Ochoa</b> Commissioner <a href="mailto:hochoa@scrs-ilc.org">hochoa@scrs-ilc.org</a>   <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a></p>
32.	<p><b>Supervisory District Commissioner First Supervisory District</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/23/22  <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22</p>	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<p><b>Peggie Reyna</b> Commissioner, Treasurer   <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a></p>
33.	<p><b>Supervisory District Commissioner Second Supervisory District</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/23/22  <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22</p>	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<p><b>Michael Agyin</b> Commissioner   <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a></p>
34.	<p><b>Supervisory District Commissioner Second Supervisory District</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/24/22  <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22</p>	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<p><b>John B Troost</b> Commissioner   <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a></p>

## APPENDIX E-2: Public Outreach Documentation (Cont'd.)

### Public Outreach to the Disability Community in June, July, and August 2022

35.	<b>Supervisory District Commissioner</b> <b>Second Supervisory District</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 06/24/22 ☒ <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Danielle G. Sheppard</b> Commissioner  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a>
36.	<b>Supervisory District Commissioner</b> <b>Third Supervisory District</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/24/22 ☒ <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Maggie Soleimani</b> Commissioner  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a>
37.	<b>Supervisory District Commissioner</b> <b>Third Supervisory District</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/24/22 ☒ <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Louise Smith</b> Commissioner  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a>
38.	<b>Supervisory District Commissioner</b> <b>Fourth Supervisory District</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/23/22 ☒ <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Carlos Benavides</b> President  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a>
39.	<b>Supervisory District Commissioner</b> <b>Fourth Supervisory District</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/24/22 ☒ <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Deaka Monique McClain</b> Commissioner  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a>
40.	<b>Supervisory District Commissioner</b> <b>Fourth Supervisory District</b> ☒ <b>Email Date:</b> 6/22/22 ☒ <b>Mail Date:</b> 6/24/22 ☒ <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Ramon Pizarro</b> Commissioner  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinair@wdacs.lacounty.gov">gmedinair@wdacs.lacounty.gov</a>

## APPENDIX E-2: Public Outreach Documentation (Cont'd.)

### Public Outreach to the Disability Community in June, July, and August 2022

41.	<b>Supervisory District Commissioner</b> <b>Fifth Supervisory District</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/24/22 <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Cathy Gott</b> Commissioner  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinajr@wdacs.lacounty.gov">gmedinajr@wdacs.lacounty.gov</a>
42.	<b>Supervisory District Commissioner</b> <b>Fifth Supervisory District</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/24/22 <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Jack Darakjian</b> Commissioner  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinajr@wdacs.lacounty.gov">gmedinajr@wdacs.lacounty.gov</a>
43.	<b>Supervisory District Commissioner</b> <b>Fifth Supervisory District</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/24/22 <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Andrea Edoria</b> Commissioner  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinajr@wdacs.lacounty.gov">gmedinajr@wdacs.lacounty.gov</a>
44.	<b>State Department of Rehabilitation</b> <b>State Representative</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/24/22 <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22	Guillermo Medina c/o [Commissioner] Commission on Disabilities 510 S. Vermont Avenue, 11th Floor Los Angeles, CA 90020	<b>Wan Chun Chang</b> State Representative, Commissioner  <b>Commission Liaison</b> Guillermo Medina <a href="mailto:gmedinajr@wdacs.lacounty.gov">gmedinajr@wdacs.lacounty.gov</a>
45.	<b>Luz Padua</b> <input checked="" type="checkbox"/> <b>Email Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/29/22 <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22, 7/1/22	1709 E. Abbottson St. Carson, CA 90746	<a href="mailto:luzpadua@gmail.com">luzpadua@gmail.com</a> (213) 276-7006
46.	<b>Armando Herman*</b> <input type="checkbox"/> <b>Email Date:</b> N/A <input checked="" type="checkbox"/> <b>Mail Date:</b> 6/22/22 <input checked="" type="checkbox"/> <b>Phone:</b> 6/30/22	16310 Ladysmith St. Hacienda Heights, CA 91745	*Cell: (323) 914-4024  Called from #: (626) 269-0849 <i>(Do Not Call: Mr. Herman's neighbor's phone.)</i>

**APPENDIX E-2: Public Outreach Documentation (Cont'd.)**

Public Outreach to the Disability Community in June, July, and August 2022

47	<p><b>The Arc Los Angeles &amp; Orange Counties</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 7/26/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 8/4/22  <input type="checkbox"/> <b>Phone:</b></p>	<p>12049 Woodruff Avenue                  Downey, CA 90241   <b>Phone:</b> 562-803-4606  <b>Fax:</b> 562-803-6550  <a href="http://www.thearcaoc.org">http://www.thearcaoc.org</a></p>	<p><b>Chief Executive Officer</b>                  Donna Lindley  <a href="mailto:donnalindley@thearcaoc.org">donnalindley@thearcaoc.org</a></p>
48.	<p><b>Best Buddies Los Angeles</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 7/26/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 8/4/22  <input type="checkbox"/> <b>Phone:</b></p>	<p><b>State Headquarters</b>                  11500 W Olympic Blvd Suite 430, Los Angeles, CA 90064                   Phone: 323.291.0118                  Fax: 323.291.0782  <a href="mailto:california@bestbuddies.org">california@bestbuddies.org</a>.</p>	<p><b>Statewide staff</b>  <b>State Director</b>                  Katelyn Quintero  <a href="mailto:KatelynQuintero@bestbuddies.org">KatelynQuintero@bestbuddies.org</a></p>
49	<p><b>ICAN (California Disabilities Network)</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 7/26/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 8/4/22  <input type="checkbox"/> <b>Phone:</b></p>	<p><b>ICAN Corporate Office</b>                  2375 Sepulveda Blvd, Torrance, CA 90501                   Phone: 310.374.8295  <a href="mailto:info@ican.org">info@ican.org</a></p>	<p><b>Executive Director</b>                  Scott Elliott  <a href="mailto:scott.elliott@ican.org">scott.elliott@ican.org</a>   <b>Director of Programs &amp; Services</b>                  Lindsey Stone  <a href="mailto:lindsey.stone@ican.org">lindsey.stone@ican.org</a>                   310-374-8295 ext. 111                  (310) 374-8295</p>
50	<p><b>The Campbell Center</b>  <input checked="" type="checkbox"/> <b>Email Date:</b> 7/26/22  <input checked="" type="checkbox"/> <b>Mail Date:</b> 8/4/22  <input type="checkbox"/> <b>Phone:</b></p>	<p>6512 San Fernando Road                  Glendale, CA 91201                   Office (818) 242-2434                  Fax (818) 242-3010   <a href="mailto:TCC@thecampbell.org">TCC@thecampbell.org</a></p>	<p>Nancy Niebrugge                  Executive Director  <a href="mailto:nancyg@thecampbell.org">nancyg@thecampbell.org</a>                   Adela Garcia                  Community Integration Coordinator  <a href="mailto:adelag@thecampbell.org">adelag@thecampbell.org</a></p>
51	<p><b>ETTA: Independence, Inclusion, Growth</b>  <input type="checkbox"/> <b>Email Date:</b> N/A  <input checked="" type="checkbox"/> <b>Mail Date:</b> 8/4/22  <input type="checkbox"/> <b>Phone:</b></p>	<p>13034 Satcoy Street                  North Hollywood, CA 91605                   818-985-3882                  (818-985-ETTA)                  F 818-487-9740  <a href="mailto:info@etta.org">info@etta.org</a></p>	<p>Kambiz Babaoff  <b>President</b></p>

## APPENDIX E-2: Public Outreach Documentation (Cont'd.)

### Public Outreach to the Disability Community in June, July, and August 2022

#### **Supervisory District Commissioners**

##### **First Supervisory District**

- Lourdes Caracoza, *1<sup>st</sup> Vice President*
- Hector Ochoa, *Commissioner*
- Peggie Reyna, *Commissioner Treasurer*

##### **Second Supervisory District**

- Michael Agyin
- John B Troost, *Commissioner*
- Danielle G. Sheppard, *Commissioner*

##### **Third Supervisory District**

- Maggie Soleimani, *Commissioner*
- Louise Smith, *Commissioner*

##### **Fourth Supervisory District**

- Carlos Benavides, *President*
- Deaka Monique McClain, *Commissioner*
- Ramon Pizarro, *Commissioner*

##### **Fifth Supervisory District**

- Cathy Gott, *Commissioner*
- Jack Darakjian, *Commissioner*
- Andrea Edoria, *Commissioner*

##### **State Representative**

- Wan Chun Chang, *Commissioner, State Department of Rehabilitation*

##### **Youth Seat**

- *Vacant*

## APPENDIX E-2: Public Outreach Documentation (Cont'd.)

### Public Outreach to the Disability Community in June, July, and August 2022

#### Contact Commission Office

#### County of Los Angeles Commission on Disability

#### B-50 Kenneth Hahn Hall of Administration

500 West Temple St  
Los Angeles, CA 90012

**Phone:** (213) 974-1053

**Email:** [laccod@bos.lacounty.gov](mailto:laccod@bos.lacounty.gov)

#### NOTES:

- Every organization/ individual on this list has received the Public Works ADA letter + survey via email with read and delivery receipts.
- Commissioners from the Commission on Disabilities will receive the Public Works ADA letter + survey via email and mail.
- Each Public Works ADA letter + survey email was sent with both a *delivery* and *read* receipt.
- If, after 3-4 days we have not received a *read* receipt, we will mail the Public Works ADA letter + survey.
- Follow-up phone calls will take place within \_\_\_\_ days of receiving a read receipt, if warranted.

## APPENDIX E-3: Posting of Self-Evaluation Notice and Report for Public Comments

Public Outreach Posting of Self-Evaluation Draft Report for Public Comments on September 16 – October 16, 2023 (and extended for an additional 30 days)



### Notice of Los Angeles County Public Works Americans with Disabilities Act (ADA) Self-Evaluation Report

In accordance with Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, Los Angeles County Public Works has undertaken a comprehensive evaluation of its policies, programs, and facilities with the aim to remove barriers to access by persons with disabilities.

Public Works' ADA Self-Evaluation Report:

- Examines how Public Works complies with its obligation under Title II of the ADA.
- Determines if Public Works is communicating effectively with the disability community.
- Verifies if Public Works needs to modify its policies, procedures, and/or practices to ensure equal opportunity in its services.

The [Los Angeles County Public Works ADA Self-Evaluation Report](#) (Evaluation of Programs, Services, and Activities) is now available for public review until October 16, 2023.

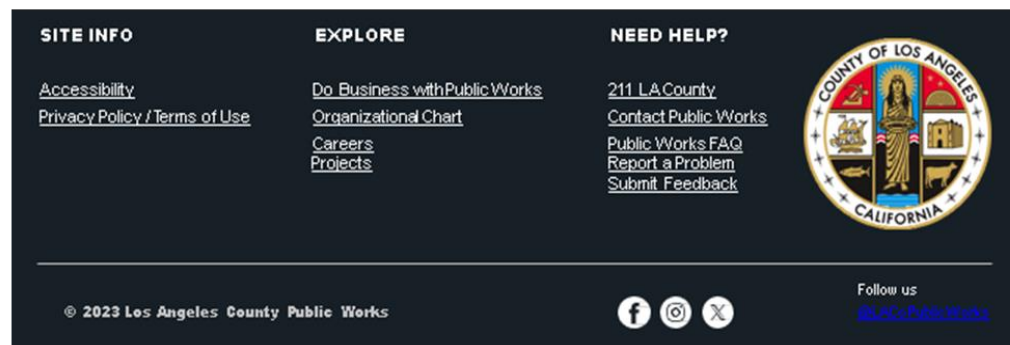
We invite you to read the report and complete the [survey](#).

The Americans with Disabilities Act (ADA) is a civil rights law that provides people with disabilities equal access to state and local government programs, activities, and services.

Los Angeles County Public Works ensures compliance with the ADA and does not discriminate on the basis of disability in the admission and access to its services, programs, or activities. Public Works will provide reasonable accommodations upon request to people with disabilities.

If you have any questions, concerns, complaints, or requests regarding accessibility for people with disabilities, please contact [Claudia Perez](#), ADA Coordinator at (626) 458-5100.

For information on accessibility regulations, please visit the U.S. Department of Justice's [Website](#).



## APPENDIX E-3: Posting of Self-Evaluation Notice and Report for Public Comments

Public Outreach Posting of Self-Evaluation Draft Report for Public Comments on September 16 – October 16, 2023 (and extended for an additional 30 days)

Notice of Los Angeles County Public Works  
Americans with Disabilities Act (ADA)  
**Self-Evaluation Report**

Home / Self-Evaluation Report

In accordance with Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, Los Angeles County Public Works has undertaken a comprehensive evaluation of its policies, programs, and services with the aim to remove barriers to access by persons with disabilities.

Public Works' core value of greater inclusion is aligned with the purposes and intent of the ADA and Section 504 to ensure that all its constituents, including persons with disabilities have equal opportunity and access to its programs, services, activities, and facilities. Public Works' ADA Self-Evaluation Report will provide the framework to take the necessary steps for the modification and removal of those barriers, and to plan for continued access improvements as changes are implemented and conditions evolve.

### Self-Evaluation Report

{Evaluation of Programs, Services, and Activities}

The draft final document of the Self-Evaluation Report was available for public review from September 14, 2023 to October 16, 2023.

- [Los Angeles County Public Works ADA Self-Evaluation Report](#)

For reasonable ADA and Title VI accommodations, interpreting services, and materials in other languages, please contact Public Works at [626\) 458-5100](tel:6264585100).

Para acomodaciones razonables de ADA (Ley de Estadounidenses con Discapacidades) y Adaptación del Título VI, servicios de interprete y materiales en otros idiomas, por favor contactarse con Obras Publicas a [626\) 458-5100](tel:6264585100).

Ms. Claudia Perez  
ADA Coordinator  
Phone: [626\) 458-5100](tel:6264585100), California Relay 7-1-1  
E-mail: [ADAInquiries@dpw.lacounty.gov](mailto:ADAInquiries@dpw.lacounty.gov)  
Address: P.O. Box 1460, Alhambra, CA 91802

### Transition Plan

{Evaluation of the Built Environment}

The Transition Plan draft is in progress and will be available for review at a future date to be announced on this website.

**SITE INFO**  
Accessibility  
Privacy Policy / Terms of Use

**EXPLORE**  
Do Business with Public Works  
Organizational Chart  
Careers  
Projects

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## Appendix F: CFR Title 28, Part 35: Nondiscrimination on the Basis of Disability

### F: CFR Title 28, Part 35: Nondiscrimination on the Basis of Disability in State and Local Government Services

Title 28, up to date as of 8/19/2022. Title 28 was last amended 7/13/2022.

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[Nondiscrimination on the Basis of Disability in State and Local Government Services  
35.101 - 35.999](#)

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§ 35.103	Relationship to other laws.	
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§ 35.105	Self-evaluation.	
§ 35.106	Notice.	
§ 35.107	Designation of responsible employee and adoption of grievance procedures.	
§ 35.108	Definition of “disability.”	
§§ 35.109-35.129	[Reserved]	
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§ 35.132	Smoking.	
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§ 35.140	Employment discrimination prohibited.	
§§ 35.141-35.148	[Reserved]	

**F: CFR Title 28, Part 35: Nondiscrimination on the Basis of Disability in State and Local Government Services**

**Subpart D Program Accessibility** [35.149 – 35.159](#)

§ 35.149 Discrimination prohibited.

§ 35.150 Existing facilities.

§ 35.151 New construction and alterations.

§ 35.152 Jails, detention and correctional facilities, and community correctional facilities.

§§ 35.152-35.159 [Reserved]

**Subpart E Communications** [35.160 – 35.169](#)

§ 35.160 General.

§ 35.161 Telecommunications.

§ 35.162 Telephone emergency services.

§ 35.163 Information and signage.

§ 35.164 Duties.

§§ 35.165-35.169 [Reserved]

**Subpart F Compliance Procedures** [35.170 – 35.189](#)

§ 35.170 Complaints.

§ 35.171 Acceptance of complaints.

§ 35.172 Investigations and compliance reviews.

§ 35.173 Voluntary compliance agreements.

§ 35.174 Referral.

§ 35.175 Attorney's fees.

§ 35.176 Alternative means of dispute resolution.

§ 35.177 Effect of unavailability of technical assistance.

§ 35.178 State immunity.

§§ 35.179-35.189 [Reserved]

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§ 35.190 Designated agencies.

§§ 35.191-35.999 [Reserved]

**Appendix A to Part 35**

Guidance to Revisions to ADA Regulation on Nondiscrimination on the Basis of Disability in State and Local Government Services.

## **F: CFR Title 28, Part 35: Nondiscrimination on the Basis of Disability in State and Local Government Services**

### **Appendix C to Part 35**

Guidance to Revisions to ADA Title II and Title III Regulations Revising the Meaning and Interpretation of the Definition of “Disability” and Other Provisions in Order To Incorporate the Requirements of the ADA Amendments Act

#### **Details**

- **Citation:** 28 CFR Part 35
- **URL:** <https://www.ecfr.gov/current/title-28/chapter-I/part-35>

#### [Part 35](#)

**Authority:** [5 U.S.C. 301](#); [28 U.S.C. 509, 510](#); [42 U.S.C. 12134, 12131](#), and [12205a](#).

This content is from the eCFR and may include recent changes applied to the CFR. The official, published CFR, is updated annually and available below under "Published Edition". You can learn more about the process [here](#).

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## Appendix G

### **G: CFR Title 49, Part 37: Transportation Services for Individuals with Disabilities**

**Authority:** [42 U.S.C. 12101-12213](#); [49 U.S.C. 322](#).

§ 37.1 Purpose.

The purpose of this part is to implement the transportation and related provisions of Titles II and III of the Americans with Disabilities Act of 1990.

#### [Part 37 Transportation Services for Individuals with Disabilities \(ADA\)](#)

<b>Subpart A</b>	<b>General</b>	<a href="#">37.1 – 37.19</a>
§ 37.1	Purpose.	
§ 37.3	Definitions.	
§ 37.5	Nondiscrimination.	
§ 37.7	Standards for accessible vehicles.	
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§37.11	Administrative enforcement.	
§37.13	Effective date for certain vehicle specifications.	
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§37.16	[Reserved]	
§37.17	<u>Designation of responsible employee and adoption of complaint procedures.</u>	
§§ 37.18-37.19	[Reserved]	
<b>Subpart B</b>	<b>Applicability</b>	<a href="#">37.21 – 37.39</a>
§ 37.21	Applicability: General.	
§ 37.23	Service under contract.	
§ 37.25	University transportation systems.	
§ 37.27	Transportation for elementary and secondary education systems.	
§ 37.29	Private entities providing taxi service.	
§ 37.31	Vanpools.	
§ 37.33	Airport transportation systems.	
§ 37.35	Supplemental service for other transportation modes.	
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§ 37.39	[Reserved]	

## **G: CFR Title 49, Part 37: Transportation Services for Individuals with Disabilities**

### **Subpart C Transportation Facilities**

**37.41 – 37.69**

- § 37.41 Construction of transportation facilities by public entities.
- § 37.42 Service in an Integrated Setting to Passengers at Intercity, Commuter, and High-Speed Rail Station Platforms Constructed or Altered After February 1, 2012.
- § 37.43 Alteration of transportation facilities by public entities.
- § 37.45 Construction and alteration of transportation facilities by private entities.
- § 37.47 Key stations in light and rapid rail systems.
- § 37.49 Designation of responsible person(s) for intercity and commuter rail stations.
- § 37.51 Key stations in commuter rail systems.
- § 37.53 Exception for New York and Philadelphia.
- § 37.55 Intercity rail station accessibility.
- § 37.57 Required cooperation.
- § 37.59 Differences in accessibility completion dates.
- § 37.61 Public transportation programs and activities in existing facilities.
- §§ 37.63-37.69 [Reserved]

### **Subpart D Acquisition of Accessible Vehicles by Public Entities**

**37.71 – 37.99**

- § 37.71 Purchase or lease of new non-rail vehicles by public entities operating fixed route systems.
- § 37.73 Purchase or lease of used non-rail vehicles by public entities operating fixed route systems.
- § 37.75 Remanufacture of non-rail vehicles and purchase or lease of remanufactured non-rail vehicles by public entities operating fixed route systems.
- § 37.77 Purchase or lease of new non-rail vehicles by public entities operating a demand responsive system for the general public.
- § 37.79 Purchase or lease of new rail vehicles by public entities operating rapid or light rail systems.
- § 37.81 Purchase or lease of used rail vehicles by public entities operating rapid or light rail systems.
- § 37.83 Remanufacture of rail vehicles and purchase or lease of remanufactured rail vehicles by public entities operating rapid or light rail systems.
- § 37.85 Purchase or lease of new intercity and commuter rail cars.
- § 37.87 Purchase or lease of used intercity and commuter rail cars.

**G: CFR Title 49, Part 37: Transportation Services for Individuals with Disabilities**

§37.89 Remanufacture of intercity and commuter rail cars and purchase or lease of remanufactured intercity and commuter rail cars.

§ 37.91 Wheelchair locations and food service on intercity rail trains.

§ 37.93 One car per train rule.

§ 37.95 Ferries and other passenger vessels operated by public entities. [Reserved]

§§ 37.97-37.99 [Reserved]

**Subpart E Acquisition of Accessible Vehicles by [37.101 – 37.119](#)  
Private Entities**

§ 37.101 Purchase or lease of vehicles by private entities not primarily engaged in the business of transporting individuals.

§ 37.103 Purchase or lease of new non-rail vehicles by private entities primarily engaged in the business of transporting individuals.

§ 37.105 Equivalent service standard.

§ 37.107 Acquisition of passenger rail cars by private entities primarily engaged in the business of transporting individuals.

§ 37.109 Ferries and other passenger vessels operated by private entities. [Reserved]

§§ 37.111-37.119 [Reserved]

**Subpart F Paratransit as a Complement to [37.121– 37.159](#)  
Fixed Route Service**

§ 37.121 Requirement for comparable complementary paratransit service.

§ 37.123 ADA paratransit eligibility: Standards.

§ 37.125 ADA paratransit eligibility: Process.

§ 37.127 Complementary paratransit service for visitors.

§ 37.129 Types of service.

§ 37.131 Service criteria for complementary paratransit.

§ 37.133 Subscription service.

§ 37.135 Submission of paratransit plan.

§ 37.137 Paratransit plan development.

§ 37.139 Plan contents.

§ 37.141 Requirements for a joint paratransit plan.

§ 37.143 Paratransit plan implementation.

§ 37.145 State comment on plans.

§ 37.147 Considerations during FTA review.

§ 37.149 Disapproved plans.

**G: CFR Title 49, Part 37: Transportation Services for Individuals with Disabilities**

§ 37.151 Waiver for undue financial burden.

§ 37.153 FTA waiver determination.

§ 37.155 Factors in decision to grant an undue financial burden waiver.

§§ 37.157-37.159 [Reserved]

**Subpart G Provision of Service**

[37.161 – 37.173](#)

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§ 37.163 Keeping vehicle lifts in operative condition: Public entities.

§ 37.165 Lift and securement use.

§ 37.167 Other service requirements.

§ 37.169 Process to be used by public entities providing designated public transportation service in considering requests for reasonable modification.

§ 37.171 Equivalency requirement for demand responsive service operated by private entities not primarily engaged in the business of transporting individuals.

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§37.183 Purchase or lease of new OTRBs by operators of fixed-route systems.

§ 37.185 Fleet accessibility requirement for OTRB fixed-route systems of large operators.

§ 37.187 Interline service.

§ 37.189 Service requirement for OTRB demand-responsive systems.

§ 37.191 Special provision for small mixed-service operators.

§ 37.193 Interim service requirements.

§ 37.195 Purchase or lease of OTRBs by private entities not primarily in the business of transporting individuals.

§ 37.197 Remanufactured OTRBs.

**G: CFR Title 49, Part 37: Transportation Services for Individuals with Disabilities**

- §37.201 Intermediate and rest stops.
- §37.203 Lift maintenance.
- § 37.205 Additional passengers who use wheelchairs.
- § 37.207 Discriminatory practices.
- § 37.209 Training and other requirements.
- § 37.211 Effect of NHTSA and FHWA safety rules.

Appendix A to Subpart H of Part 37

[Service Request Form](#)

Appendix A to Part 37

[Modifications to Standards for Accessible Transportation Facilities](#)

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[FTA Regional Offices](#)

Appendix C to Part 37

[Certifications](#)

Appendix D to Part 37

[Construction and Interpretation of Provisions of 49 CFR Part 37](#)

## Appendix H

### H: Transportation Information

(Source: Northeast ADA Center)

The Americans with Disabilities Act (ADA) applies to both public and private ground transportation providers. The ADA rules that apply to transportation are regulated by the U.S. Department of Transportation (US DOT). Since Public Works provides Paratransit services, it must comply with accessibility requirements. Paratransit is a service where individuals who are unable to use the regular transit system independently (because of a physical or mental impairment) are picked up and dropped off at their destinations. When purchasing new vehicles, or leasing through a third party, accessibility of new or used buses, and providing services to individuals with disabilities must be met with the requirements of Title II of the ADA under US DOT.

#### Overview of Requirements

**Both public and private organizations must meet ADA requirements:** A public entity entering into a contract or agreement with a private entity to operate transportation services must ensure that the private entity meets all ADA requirements for the public entity. Specific requirements for private transportation providers like airport shuttles, hotel shuttles, private buses, and taxis are reviewed later in this document.

**Rider information:** A public transportation system must provide adequate information on services in accessible formats for individuals with different types of disabilities (e.g., information in large print, braille, or alternative, and electronic format).

**Assistance equipment and accessible features:** Equipment and facilities such as lifts, ramps, securement devices (straps for securing wheelchairs onboard), signage, and communication devices must be in good operating condition. If a feature is out of order, it must be repaired promptly. In the interim, an alternative accessible vehicle or option must be available.

**Adequate time to board:** Public transit operators must allow adequate time for individuals with disabilities to board and exit from vehicles.

**Service animals allowed:** Service animals may accompany individuals with disabilities in vehicles and facilities. The DOT ADA regulations define a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability, regardless of whether the animal has been licensed or certified by a State or local government.

## H: Transportation Information

(Source: Northeast ADA Center)

**Priority seating and signs:** Fixed-route systems (those operating along a prescribed route) must have signs designating seating for passengers with disabilities. At least one set of forward-facing seats must be marked as priority seating (for individuals with disabilities).

**Operator training:** Each public and private transportation operator must ensure that personnel are trained to operate vehicles and equipment safely; properly assist individuals with disabilities in a respectful, courteous way; and recognize that individuals with disabilities have different abilities and needs requiring different types of assistance.

### Architectural Requirements

*Note: A fixed route transportation system is one that operates along a prescribed route according to a fixed schedule. Public transportation systems primarily consist of fixed-route systems, such as city bus systems, commuter, and over-the-road bus systems, subways, light rail systems, and intercity rail transportation. A demand responsive system is any other transportation system. Demand responsive transportation typically includes taxis, limousine services, van services, and shuttle bus systems.*

### Fixed-route service requirements include

**Stop announcements:** Stops must be announced at transfer points, major intersections, destination points, and other points so that individuals with visual impairments understand their location. In addition, the operator must announce any stop at the request of a rider with a disability.

**Destination information on vehicles:** Vehicles must have destination and route information on the front and boarding side of a vehicle. There are size requirements for the numbers and letters on the route information signs. Destination and route information must be announced.

**Lifts and Ramps:** Vehicles need a boarding device (e.g., lift or ramp) so that a passenger who uses a wheelchair or mobility device can reach a securement location onboard. Lifts must have a minimum design load of pounds and lift platforms must accommodate a wheelchair measuring inches by inches.

**Illumination, contrast, and slip-resistant surfaces:** Stepwells and doorways of vehicles must be illuminated. Doors and steps need slip-resistant surfaces.

## H: Transportation Information

(Source: Northeast ADA Center)

**Farebox:** Fareboxes must be located so they do not obstruct passenger flow for boarding the bus.

**Turning room, handrails, and pull cords:** There must be sufficient turning and maneuvering space for wheelchairs. Handrails and stanchions (vertical rails) in the vehicle must be accessible. A stop control, such as a pull cord or button, should be within reach of wheelchair securement locations.

**Complementary Paratransit Service:** ADA complementary paratransit service provides origin-to-destination service and must be available where fixed-route service exists. Transit agencies can establish a policy to provide door-to-door service or curb-to-curb service. For door-to-door service, a driver offers assistance from the customer's door to the vehicle and from the vehicle to the door at the destination. For curb-to-curb service, assistance is provided to the customer to enter and exit the vehicle at the curb. However, if a customer needs assistance due to disability, physical barriers in the walkway, or adverse weather conditions, the driver may need to offer assistance beyond the curb to the door.

### ADA Paratransit Service Minimum Requirements

**Service area:** Generally, within a three-quarter mile on either side of a fixed route.

**Hours and days of service:** Same hours and days as a fixed route.

**Fare:** Fares may not exceed twice the fare that would be charged to an individual paying the full fare for a fixed-route trip of similar length, at a similar time of day. A personal care attendant shall not be charged.

**Response time:** Paratransit service must be provided at any requested time on a particular day in response to a request for service made the previous day. Real-time scheduling, in which a call to the transit provider would result in pickup the same day, is allowed but not mandated.

**Trip purpose restrictions:** No restrictions or priorities based on trip purpose are allowed. The following are not allowed:

- Restrictions on the number of trips per eligible individual
- Waiting lists for access to the service
- Substantial numbers of significantly untimely pickups for initial or return trips
- Substantial numbers of trip denials or missed trips
- Substantial numbers of trips with excessive trip lengths

## **H: Transportation Information**

(Source: Northeast ADA Center)

### **Private Transportation Entities**

Private entities that provide transportation services to the public are required by law to be accessible to individuals with disabilities. Private entities covered by the ADA include but are not limited to, airport shuttles, hotel shuttles, private buses, taxis, and Over the Road Bus (OTRB) companies (motor-coach buses that are characterized by an elevated passenger deck located over a baggage compartment).

If an OTRB company operates a fixed route service, they must provide accessible vehicles. Demand-responsive OTRB companies (i.e., charter/tour buses) must provide service in an accessible bus to passengers with disabilities on a -hour advance notice basis.

Private transportation providers that use vehicles that are not accessible must provide equivalent service (e.g., a different accessible vehicle is used to provide service to the same traveling points for the same cost within the same time frame as a regularly scheduled trip) in the most integrated setting appropriate to the needs of the individual, with respect to the following service characteristics:

- Schedules/headways (for fixed-route service)
- Response time (for demand responsive service)
- Fares
- Geographic area of service
- Hours and days of service
- Availability of information
- Reservation's capability (demand responsive service)
- Any constraints on capacity or service availability
- Restrictions/priorities based on trip purpose (demand responsive service)

Private entities providing taxi service are not required to purchase or lease accessible automobiles. However, when a provider of taxi service purchases or leases a vehicle other than an automobile, the vehicle is required to be accessible unless the provider demonstrates equivalency. A provider of taxi service is not required to purchase vehicles other than automobiles in order to have a number of accessible vehicles in its fleet.

Additionally, private entities providing taxi service cannot discriminate against persons with persons by refusing to provide service to individuals with disabilities who can use taxi vehicles and/or use service animals, refusing to assist with the stowing of mobility devices, or charging higher fares or fees for carrying persons with disabilities and their equipment than are charged to other persons.

## H: Transportation Information

(Source: Northeast ADA Center)

### Transit Facilities

Transit facilities, intermodal centers, rail stations, and platforms must meet accessibility standards established by the U.S. DOT. The requirements apply to new construction as well as alterations made to existing facilities and include the following:

- Accessible paths of travel
- Boarding ramps and bridge plates
- Bus stops and shelters
- Curb ramps, doors, elevators, escalators, emergency alarms
- Fare collection, gates and turnstiles, grade crossings, parking
- Passenger drop-off areas, platforms edges, rescue assistance areas
- Restrooms, signs, stairs, public telephones, water fountains, wheelchair spaces

**Accessible paths:** The accessible path of travel should be as close to the general circulation path as possible. Minimize any additional distance, individuals with disabilities must travel to use ramps, elevators, and other accessible features of the path.

**Level boarding:** Train doorways and station platforms must be at the same level, and gaps between them must be narrow enough for an ambulatory passenger to step across a wheelchair user to roll across without difficulty. Span gaps using a short bridge plate when necessary for individuals with disabilities.

### U.S. Department of Transportation and the ADA

The following U.S. DOT administrations also have a role in ensuring ADA compliance:

- Federal Highway Administration (FHWA) – ensures ADA compliance in the public right-of-way (roadway travel lanes, medians, planting strips, sidewalks) and on projects using Federal surface transportation planning.
- Federal Railroad Administration (FRA) – administers intercity and commuter rail compliance with ADA and Title VI Civil Rights requirements.
- Federal Transit Administration (FTA) – FTA’s Office of Civil Rights administers Title II public transportation laws related to public transportation services and facilities for individuals with disabilities.

## H: Transportation Information

(Source: Northeast ADA Center)

- Federal Motor Carrier Safety Administration (FMCSA) – FMCSA administers DOT's ADA regulations requiring accessible, timely OTRB service for passengers with disabilities, including individuals who use wheelchairs for mobility.

### How to File a Complaint

#### [Public Transportation Complaint \(link is external\)](#)

If you believe you have been discriminated against based on disability by a public transit agency, you may file an administrative complaint with the FTA Office of Civil Rights.

Complaints should be filed within 180 days of the alleged act of discrimination.

If you have questions about filing a complaint, you can [email the FTA's Office of Civil Rights \(link sends e-mail\)](#) or call 1-888-446-4511.

#### [Private Transportation Complaint \(link is external\)](#)

The U.S. Department of Justice enforces Title III of the ADA which applies to private transportation providers. Complaints can be directed to the U.S. Department of Justice, Office of Civil Rights. You can call the ADA Information Line at 1-800-514-0301 (voice); 1-800-514-0383 (TTY), to learn about the complaint process.

#### [Motorcoach Transportation Complaint \(link is external\)](#)

Direct complaints related to Motor Coach Accessibility to the Federal Motor Carrier Safety Administration at 1-888-DOT-SAFT (1-888-368-7238) or [online \(link is external\)](#).

#### [Public Intercity and High-Speed Rail Transportation Complaint \(link is external\)](#)

The Federal Railroad Administration (FRA) Office of Civil Rights is responsible for civil rights compliance and monitoring, which includes ensuring that providers of public intercity and high-speed rail transportation properly abide by Title II of the ADA, the DOT's ADA regulations, and Section 504 of the Rehabilitation Act of 1973. Complaints can be emailed to [civil.rights@dot.gov](mailto:civil.rights@dot.gov) (link sends e-mail).

#### Resource:

- [Department of Transportation \(DOT\)](#)

For more information on the ADA and Transportation contact the ADA National Network:

[www.adata.org](http://www.adata.org)

## Appendix I

### I: California Government Code

- **California Government Code Sections 11135 through 11139.8** provides protection from discrimination from any program or activity that is conducted, funded directly by, or receives any financial assistance from the State. This section brings into State law the protection of [Title II of the ADA](#) which ensures accessibility to government programs and also requires State government to follow accessibility requirements standards of [Section 508 of the Rehabilitation Act](#), which ensures the accessibility of electronic and information technology.
- **California Government Code Section 12926**  
Under the California Fair Employment and Housing Act (FEHA), employers (both private and public) that regularly employ five (5) or more people, are subject to the FEHA, which provides greater protections to most California employees with disabilities.

Below are specific definitions of physical disability, mental disability, and medical condition as outlined in the FEHA:

#### **Physical Disability**

Having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss that affects one or more of several body systems and limits a major life activity.

The body systems listed include the neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic, and lymphatic, skin and endocrine systems. A physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss limits a major life activity, such as working, if it makes the achievement of the major life activity difficult.

When determining whether a person has a disability, an employer cannot take into consideration any medication or assistive device, such as wheelchairs, eyeglasses, or hearing aids, that an employee may use to accommodate the disability. However, if these devices or mitigating measures “limit a major life activity,” they should be taken into consideration.

## **I: California Government Code**

Physical disability also includes any other health impairment that requires special education or related services; having a record or history of a disease, disorder, condition, cosmetic disfigurement, anatomical loss, or health impairment which is known to the employer; and being perceived or treated by the employer as having any of the aforementioned conditions.

### **Mental Disability**

Having any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities, which limits a major life activity, or having any other mental or psychological disorder or condition that requires special education or related services.

An employee who has a record or history of a mental or psychological disorder or condition which is known to the employer, or who is regarded or treated by the employer as having a mental disorder or condition, is also protected.

Under both physical and mental disability, sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current unlawful use of controlled substances or other drugs, are specifically excluded, and are not protected under the FEHA.

### **Medical Condition**

Any health impairment related to or associated with a diagnosis of cancer or a record or history of cancer, or a genetic characteristic.

A “genetic characteristic” can be a scientifically or medically identifiable gene or chromosome or an inherited characteristic that could statistically lead to increased development of a disease or disorder. However, Government Code section 12940 (o) makes it an unlawful employment practice for an employer to subject, directly or indirectly, any applicant or employee, to a test for the presence of a genetic characteristic.

In determining a disability, an employer may only request medical records directly related to the disability and the need for reasonable accommodation. However, an applicant or an employee may submit a report from an independent medical examination before disqualification from employment occurs.

## **I: California Government Code**

The report must be kept separately and confidentially like any other medical records, except when a supervisor or manager needs to be informed of restrictions for accommodation purposes or for safety reasons when emergency treatment might be required. *(Source: California Department of Fair Employment & Housing).*

## Appendix J

### J: Resources

#### **Los Angeles County Commission On Disabilities**

(Source: <https://laccod.lacounty.gov>)

Guillermo Medina, Commission Liaison

[GMedina@WDACS.LACounty.gov](mailto:GMedina@WDACS.LACounty.gov)

*See also, LA County's newest department, created in July, 2022*

Aging and Disabilities Department ([www.AD.LACounty.gov](http://www.AD.LACounty.gov))

Members of the Commission on Disabilities (Commission) are appointed by the Los Angeles County Board of Supervisors (Board) and represent each District for a nonconsecutive two-year term. The Commission is charged by the Board to advise on a range of issues affecting the lives of individuals with disabilities and of actions that can be taken to achieve a barrier-free County where individuals with disabilities have equal access to programs and services. The Commission and Committees focus on issues of health, employment, education, transportation, access, and recreation. It also monitors the quality of municipal services, evaluates policy, and recommends improvements to existing laws.

Its Mission Statement is “to advocate and represent the best interest of individuals with disabilities, promote equal access to all County resources and services, and lead a barrier free environment to an independent community life and activities. The Commission works to promote inclusion, provides educational opportunities, and champions the needs of all.”

The Commission on Disabilities meets every third Wednesday of the month at 1:00 p.m. The public is welcome to attend.

#### **State of California, Department of Rehabilitation**

<https://www.DOR.ca.gov/Home/DAS>

#### **Disability Access Services**

The Department of Rehabilitation (DOR) was designated by the Office of the Governor to serve as the lead state agency in California's efforts to implement the Americans with Disabilities Act (ADA) in state government. It established Disability Access Services (DAS) in 1992 to promote disability rights in state government and DOR partnerships in the community, as described in the following services:

## J: Resources

- Serves as a resource that provides public information, consultation, training, and technical assistance to State and local government, consumers, employers and businesses to help prevent accessibility issues.
- Provides physical, digital and communication accessibility expertise for employers, businesses, architects, design professionals, and building officials.
- Guides public organizations on their responsibilities and the requirements of accessibility for individuals with disabilities. However, DAS is not involved in the enforcement of these laws.
- Provides the following services at little to no cost for state and local government and DOR-affiliated partners: Furnish specific information and links on the major laws, regulations, resources, and referrals regarding disability access and rights in California for public entities, citizens, and businesses. The information provided is intended solely as informational guidance and not a substitute for legal counsel. For specific legal advice concerning disability laws please contact an attorney.

### Online Resources

- [Digital Access](#)
- [Employment Today](#)
- [Trainings](#)

### **California Commission on Disability Access (CCDA)**

<https://www.DGS.ca.gov/CCDA?search=ccda>

The mission of the California Commission on Disability Access (CCDA) is to promote disability access in California through dialogue and collaboration with stakeholders including, but not limited to, the disability and business communities as well as all levels of government.

In order to achieve this mission, the CCDA is authorized by California Government Code Sections 14985-14985.11 to act as an information resource; research and prepare advisory reports of findings to the Legislature on issues related to disability access; conduct compliance inspections and continuing education; increase coordination between stakeholders; make recommendations to promote compliance with Federal, and State laws and regulations; and provide uniform information about programmatic and architectural disability access requirements to stakeholders.

## **J: Resources**

### **Office of Access and Functional Needs (OAFN)**

#### **State of California Office of Emergency Services (CAL OES)**

[www.CalOES.ca.gov/office-of-the-director/policy-administration/access-functional-needs](http://www.CalOES.ca.gov/office-of-the-director/policy-administration/access-functional-needs)

#### **Access & Functional Needs Before, During and After Disasters**

In 2008 California established the Office of Access and Functional Needs (OAFN) within the Governor's Office of Emergency Services (Cal OES).

The purpose of OAFN is to identify the needs of individuals with disabilities, older adults, children, limited English proficiency, the transportation-disadvantaged, and others with access or functional needs before, during, and after disasters and to integrate them into the State's emergency management systems.

OAFN utilizes a whole community approach by offering training and guidance to emergency managers and planners, disability advocates and other service providers responsible for planning; and respond to and help communities recover from disasters. In short, OAFN plans for the realities of disasters by integrating access and functional needs into everything Cal OES does, including partnership development, outreach, training, guidance and providing technical assistance.

- OAFN has responded to every major incident to support local efforts and assist as needed;
- Worked with the American Red Cross and local jurisdictions to ensure shelters are accessible;
- Assisted in securing accessible showers, porta-potties, and hand washing stations for use at shelters;
- Helped utilize American Sign Language (ASL) interpreters at town halls, press events, and Recovery Centers; and
- Collaborated with local agencies to provide accessible transportation to shelters and Local Assistance Centers.

OAFN has a resource page for disability-related agencies and organizations.

## **J: Resources**

### **Pacific ADA Center**

**[www.ADAPacific.org](http://www.ADAPacific.org)**

**1.800.949.4232 (Voice/TTY)**

The purpose of the Pacific ADA Center is to build a partnership between the disability community and the public by enhancing understanding of the Americans with Disabilities Act (ADA) through education and technical assistance.

The Pacific ADA Center is one of ten Regional Centers in the ADA National Network set up across the United States to provide information and referral, training, consultation, and technical assistance to the business, state and local governments, and disability communities about their responsibilities and rights under the Americans with Disabilities Act.

The Center includes numerous consultants, a small staff, and subcontracts with more than 20 entities regionwide. The Center participates in nationwide training projects and the development of materials for broad-based distribution. Pacific ADA Center receives direct and current information from the Departments of Justice, Transportation, Education, the Equal Employment Opportunity Commission, and the Federal Communications Commission to implement the Americans with Disabilities Act.

## Appendix K

### K: Glossary of Terms

#### ***Glossary of Terms and Basic Information***

*The following glossary of terms is designed to give a basic overview of common elements of access within the Americans with Disabilities Act, Title II, and California State law. For more specific information concerning the terms described below please review the Code of Federal Regulations (CFR) and the California Government Code.*

#### **Accessible**

Refers to the ability of individuals with disabilities to easily use, operate, approach, participate, and/or access a site, facility work environment, service, program, or activity in public places with equal opportunities as those individuals without disabilities, as required by the Americans with Disabilities Act (ADA).

Accessible means, with respect to vehicles and transportation facilities, complying with the accessibility requirements of Parts 37 and 38 of Title 49 of the Code of Federal Regulations. ADA (Americans with Disabilities Act)

#### **ADA (Americans with Disabilities Act)**

ADA is a comprehensive civil rights law enacted in 1990, prohibiting discrimination on the basis of disability. It consists of five sections (titles), with Title II pertaining to State and local government programs, services, and activities.

The Act or ADA means the Americans with Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat. 327, 42 U.S.C. 12101-12213 and 47 U.S.C. 225 and 611), as it may be amended from time to time.

#### **ADAAA (Americans with Disabilities Amendments Act or "ADA Amendments Act") of 2008**

The Act emphasizes that the definition of disability should be construed in favor of a broad coverage of individuals to the maximum extent permitted by the terms of the ADA, and generally should not require extensive analysis.

## **K: Glossary of Terms**

### **ADA Coordinator**

This position is required for State and local government entities that have 50 or more employees. Initially, the position was envisioned to coordinate the grievance process. The national trend is that this position is now used to coordinate a variety of matters relative to ADA implementation and administration. Caution must be exercised concerning an appropriate separation of duties. It is inappropriate to have the ADA Coordinator engaged in both providing reasonable accommodation through the interactive process and investigating issues concerning accommodations that have been provided or denied.

### **ADA Standards**

Provides accessible design minimum requirements, both scoping and technical, for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities so that they are readily accessible to and usable by individuals with disabilities.

1991 Standards means the requirements set forth in the ADA Standards for Accessible Design, originally published on July 26, 1991, and republished as Appendix D to 28 CFR part 36.

2010 Standards means the 2010 ADA Standards for Accessible Design, which consist of the 2004 ADAAG and the requirements contained in § 35.151.

### **ADA Grievance Procedure**

A grievance procedure that is published and capable of addressing issues that may arise from access policies and concerns that impact the delivery of programs, services, and activities. The ADA Grievance Procedure must be widely disseminated, provide a second-level review, notify the grievant of the timeline and outcome of the grievance process, state the ADA Coordinator's name and contact information, and offer assistance to a person with a disability who may not be able to complete the grievance document independently due to their disability.

### **Alteration**

A change to an existing facility that affects usability, including, but not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, changes or rearrangement in structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions. Normal maintenance, reroofing, painting, or wallpapering, asbestos removal, or changes to mechanical or electrical systems are not alterations unless they affect the usability of the building or facility.

## **K: Glossary of Terms**

### **Architectural Barriers**

Physical features or elements that limit or prevent individuals with disabilities from obtaining the goods or services of a public agency, business, or an establishment.

### **Auxiliary Aids and Services**

These are measures provided to individuals with disabilities to ensure that appropriate access to programs, services, and activities are in place upon request, and to ensure effective communication with individuals who have hearing, visual, and speech disabilities. Auxiliary aids and services include, but are not limited to, providing documents in an alternative format such as large print or Braille, using sign language interpreting services, note takers, real-time captioning services, telephones compatible with hearing aids, closed and open captioning (particularly in lobby televisions or video monitors), text telephones (also known as telephone devices for the deaf, or TDDs), assistive listening devices, and other similar services or actions.

### **Board**

Los Angeles County Board of Supervisors

### **California Relay Service**

The California Relay Service (CRS) was created by ADA Title IV. It is a free service to facilitate effective telephone communication between deaf, hard-of-hearing, and hearing individuals. This is done via a relay operator who uses both a teletype device and a telephone. Dial 711 to reach the California Relay Service (CRS).

Note: Some entities have chosen to include “California Relay Service” on public telephone lines.

### **CART (Communication Access Realtime Translation)**

CART refers to real time captions or live captions. CART service provides instantaneous translation of what is being said into visual print display so that it can be read (instead of heard). CART can be onsite or remote.

### **County**

The County of Los Angeles

### **Department**

Public Works

## **K: Glossary of Terms**

### **Direct Threat**

A significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services as provided in CFR 28, Part 35.139. The danger must be real, not speculative, and based on scientific or medical facts.

### **Disability**

The ADA definition of disability can be found at CFR 28, Part 35.108.

Under California Government code, a person with a disability is:

1. A person having a physical or mental impairment that limits a major life activity (whereas the ADA defines it as “substantially” limits a major life activity). This limitation must be considered in the unmitigated status. This means that the determination of whether the limitation exists would be considered in terms of how the individual would function without the use of medication, personal devices, or habits that have been formed to mitigate the disability.
2. A person who has a record of a disability, such as described in number one; or
3. A person who is regarded as having a disability, such as described in number one.

Note: This is an abridged definition of disability under California State law. California definition of disability is more stringent than the definition found under the Americans with Disabilities Act or the Americans with Disabilities Amendments Act of 2008.

### **Drug-Related ADA Regulation**

A former drug user who is not currently using drugs and who has been rehabilitated is protected under the ADA as a person with a disability.

This precludes someone who is currently using illegal drugs, the possession or distribution of which is unlawful under the Controlled Substances Act (21 U.S.C. 812). The term illegal use of drugs does not include the use of a drug taken under supervision by a licensed health care professional, or other uses authorized by the Controlled Substances Act or other provisions of Federal law.

### **EEOC (Equal Employment Opportunity Commission)**

The U.S. EEOC is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information.

## **K: Glossary of Terms**

### **Effective Communication**

Under ADA Title II, a public entity must provide auxiliary aids to ensure that communication with individuals with disabilities (such as individuals with hearing-, visual-, or speech-related disabilities, identified as “communications disabilities”) is just as effective as communication with individuals without disabilities.

To achieve effective communication a public entity may provide an auxiliary aid or service, such as an alternate format of a document (large print or Braille), or a sign language interpreter, or by allowing extra time to accommodate a person using a communication board or device.

Two factors come into play when deciding what aid or service to use: 1) the preference of the person with a disability; and 2) the nature, complexity, length, and importance of the communication.

### **Eligibility Criteria**

Eligibility determinations and qualifications to participate in local government programs and services must not arbitrarily screen out individuals with disabilities or be based on speculation.

### **Essential Eligibility Requirement**

“Essential” means that the absence of that requirement will fundamentally change the nature of the program, service, or activity.

### **Existing Facility**

A facility in existence on any given date, without regard to whether the facility may also be considered newly constructed or altered under this part. Generally, refers to facilities built or altered before January 26, 1992.

### **Facility**

All or any portion of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property; including the site where the building, property, structure, or equipment is located.

### **Fiscal Year**

Annual accounting period, beginning in July and lasting through June of the next year, to which the annual operating and capital projects budgets apply.

## **K: Glossary of Terms**

### **Historic Preservation Programs**

Programs conducted by a public entity that have preservation of historic properties as a primary purpose.

### **Historic Property**

A property that is listed or eligible for listing in the National Register of Historic Places or a property designated as historic under State or local law. (A building with exterior and/or interior historical significance, may prevent a portion, portions, or the entirety of the building from being altered to achieve physical accessibility for individuals with disabilities. If this is the case, an alternative method must be used for a person with a disability to be able to participate, such as providing an immersive, virtual experience by the historic site.)

### **Integrated Setting**

The ADA integration mandate requires that Title II entities provide a setting for programs, services and activities that enable individuals with disabilities to fully interact with individuals without disabilities. This is to provide individuals with disabilities the opportunity to live, work, and receive services in the greater community.

### **Interactive Process**

Means timely, good faith communication between the employer and the applicant or employee, because of a disability or other circumstances, to explore whether the applicant or employee needs reasonable accommodation for the applicant's or employee's disability to perform the essential functions of the job; and, if so, how the person can be reasonably accommodated. (See California Code of Regulations, Title 2, Section 11069.)

### **Maintenance of Accessible Features**

The care and upkeep of elements in a facility that are used by individuals with disabilities to access and obtain goods and services, such as doors and elevators, an unobstructed accessible route, the use of accessible restrooms and drinking fountains, etc.

### **Mobility Device**

A wheelchair, scooter, or any other manual or motor-driven device that allows an individual with a disability to move from place to place.

### **Notice of Nondiscrimination Under the ADA (“ADA Notice”)**

An ADA Notice is a widely disseminated document that provides public information on nondiscrimination on the basis of disability and the obligations that a public entity has under Title II of the ADA. It is recommended that the Notice of ADA Compliance be accompanied by a dissemination plan.

## **K: Glossary of Terms**

### **Operating Budget**

A budget that identifies expenditures and supporting revenue sources for ongoing services and operations. The operating budget is used to keep track of salaries and benefits, services and supplies, and fixed assets.

### **Origin-to-Destination Service**

Providing service from a passenger's origin to the passenger's destination. A provider may provide ADA complementary paratransit in a curb-to-curb or door-to-door mode. When an ADA paratransit operator chooses curb-to-curb as its primary means of providing service, it must aid those passengers who need assistance beyond the curb to use the service, unless such assistance would result in a fundamental alteration or direct threat.

### **Other Power-Driven Mobility Device**

Any mobility device powered by batteries, fuel, or other engines, whether designed primarily for use by individuals with mobility disabilities - that is used by individuals with mobility disabilities for the purpose of locomotion. Devices include golf cars, electronic personal assistance mobility devices (EPAMDs), such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but which is not a wheelchair. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in section 508(c)(2) of the ADA, 42 U.S.C. 12207(c)(2).

### **Paratransit**

Comparable transportation service required by the ADA for individuals with disabilities who are unable to use fixed route transportation systems.

### **Person-First Language**

Person-first language emphasizes the person before the disability, for example a “person who is blind” (instead of a blind person) or a “person with diabetes” (instead of a diabetic). It describes what condition a person has rather than attesting what a person “is” to avoid dehumanizing or marginalizing a person with a disability.

## **K: Glossary of Terms**

### **Policy Modification Request and Fundamental Alteration**

Fundamental alteration is a change in the nature of a program, service, or activity such as the operations or delivery of programs and services to accommodate the needs of one individual. A qualified person with a disability may request that an entity modify its policies to create an appropriate level of access. A system must be in place for accommodating these requests and determining whether said request would result in a fundamental alteration of the nature of the programs, services, and activities impacted. Should there be an inability to grant the initial request, other measures must be considered, if available, to address the access issue in question. Should it be determined that the request results in a fundamental alteration, a senior Department official should expeditiously sign off on the determination.

### **Primary Consideration**

Means that the public entity must honor the choice of the individual with a disability, with certain exceptions. The individual with a disability is in the best position to determine what type of aid or service will be effective. An exception would be if that chosen method causes a fundamental alteration in the entity's service, program, or activity; or a significant expense or administrative difficulty called an "undue burden."

### **Program Access**

Under Title II of the ADA, State and local government programs, services and activities are viewed in its entirety to enable access by structural (physical) or non-structural means and allow such alternative methods to ensure appropriate access to those programs, services, and activities without requiring every facility to be accessible.

### **Public Works**

Los Angeles County Public Works

## **K: Glossary of Terms**

### **Qualified Individual with a Disability**

An individual with a disability who, (with or without reasonable modification to rules, policies, or practices; the removal of architectural, communication, or transportation barriers; or the provision of auxiliary aids and services) meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

Under ADA Title I (Employment) an individual is qualified for a particular job if they possess the skills, experience, and education requisite for the position. Consideration shall be given to the employer's judgment as to what functions of a job are essential for a person to be qualified, and if an employer has prepared a written description before advertising or interviewing applicants for the job, this description shall be considered evidence of the essential functions of the job.

Under ADA Title II (Access to Programs, Services and Activities), an individual is qualified for a particular program, service, or activity if they meet the required eligibility criteria.

### **Qualified Interpreter**

An interpreter who, via a video remote interpreting (VRI) service or an on-site appearance, can interpret effectively, accurately, and impartially, using any necessary specialized vocabulary. Qualified interpreters include, for example, sign language interpreters, oral transliterators, and cued-language transliterators.

### **Reasonable Accommodation**

Any change or adjustment to the job, the work environment or the way work is customarily done which allows a qualified applicant or employee with a disability to perform his/her job functions.

### **Reasonable Modification**

A public entity must reasonably modify any policy, practice, or procedure when necessary to enable individuals with disabilities to participate in any of its programs, services, and activities.

### **Section 504**

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability for entities or programs receiving federal financial assistance. (Pub. L. 93-112, 87 Stat. 394 (29 U.S.C. 794)), as amended.

## **K: Glossary of Terms**

### **Self-Evaluation**

A comprehensive evaluation of all programs, services, and activities of a State or local government to ensure that they are accessible and usable by individuals with disabilities. The Self-Evaluation must be vetted with interested stakeholders.

### **Service Animal**

Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Examples of service dog tasks include guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items. (A miniature horse may also function as a service animal, where appropriate to the environment and the task.)

### **Transition Plan**

An evaluation of the physical access of all sites from which programs, services, and activities are provided. The Transition Plan contains four parts: 1) A list of physical or architectural barriers; 2) A statement of methods to be utilized for mitigation of barriers; 3) A statement regarding the schedule of barrier mitigation; and the 4) Designation of an official who is responsible for the administration of the Transition Plan. The Transition Plan must be vetted with interested stakeholders, particularly the disability community.

Note: The intent of a Transition Plan was to create access within facilities that were constructed before January 26, 1992; and that new construction and remodels would be accessible.

### **Undue Burden**

An undue burden is a requirement of Title II of the ADA that would cause a significant difficulty or expense if carried out. This means that a State or local government or its agencies covered by the ADA does not have to provide an auxiliary aid or service, or a modification, if it would cause a significant administrative or financial difficulty; or that providing the accommodation would be unduly expensive, extensive and substantial, or some combination of these factors. Undue burden is similar to undue hardship under Title I (employment).

When deciding whether something is an undue burden, there are several factors to consider. These factors include the overall budget and resources of the entire organization and any parent organization; and the operation and nature of the organization. If an auxiliary aid or service is an undue burden, the organization must look for an effective alternative.

## **K: Glossary of Terms**

### **U.S. Access Board**

The ADA requires the U.S. Access Board (Access Board) to issue “minimum guidelines that shall supplement the existing Minimum Guidelines and Requirements for Accessible Design...to ensure that buildings, facilities, rail passenger cars, and vehicles are accessible, in terms of architecture and design, transportation, and communication, to individuals with disabilities.”

### **U.S. Department of Justice (DOJ)**

DOJ wrote the regulations for implementing Titles II and III of the ADA and enforces the ADA through lawsuits in Federal court and settlement agreements. Under general rules governing lawsuits brought by the Federal government, the DOJ may not sue a party unless negotiations to settle the dispute have failed.

### **U.S. Department of Transportation (DOT)**

Accessibility requirements of programs, services, and regulatory activities relating to transportation, including highways, public transportation, traffic management (non-law enforcement), automobile licensing and inspection, and driver licensing fall under the jurisdiction of the DOT.

### **Video Remote Interpreting (VRI)**

An interpreting service that uses video conference technology over dedicated lines or wireless technology offering high-speed, wide-bandwidth video connection that delivers high-quality video images as provided in 28 CFR § 35.160(d). It provides a system in which sign language interpreting can be conducted via video with the interpreter offsite. Caution needs to be exercised to ensure that the technical quality of the system is sufficient to appropriately transmit the information being communicated.

### **WCAG (Website Content Accessibility Guidelines)**


Considered to be the benchmark for international website accessibility, its standards have been required in DOJ settlement agreements and consent decrees.

### **Wheelchair**

A manually operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor and outdoor locomotion. This definition does not apply to Federal wilderness areas; wheelchairs in such areas are defined in Section 508[c] [2] of the ADA, 42 U.S.C. 12207[c] [2].

## Appendix L

### L: Los Angeles County Public Works Divisions Acronyms

 <b>Los Angeles County Public Works</b> <b>Departmental Divisions</b>	
Administration	ADM
Aviation Division	AVI
Building & Safety Division	BSD
Business Relations and Contracts Division (Architectural Engineering Division) (Contracts & Business Affairs Division)	BRCD (AED) (CBAD)
CIO Branch <ul style="list-style-type: none"> <li>Information Technology Division Systems &amp; Applications</li> <li>Information Technology Division Operations &amp; Infrastructure</li> </ul>	CIO ITDSA ITDOI
Community Services and Government Relations Group (Community Services Group) (Community and Government Relations Group) (Public Relations Group) (Government Relations Group)	CSGRG (CSG) (CGRG) (PRG) (GRG)
Design Division	DES
Emergency Management Group (Disaster Services Group)	EMG (DSG)
Environmental Programs Division	EPD
Financial Management Branch <ul style="list-style-type: none"> <li>Budget/Fund Management Division</li> <li>Fiscal Division</li> <li>Internal Audit Group</li> </ul>	FMB BFMD FIS IAG
Fleet Management Division	FLT
Geotechnical & Materials Engineering Division	GMED
Human Resources Division	HRD
Land Development Division	LDD
Operational Services Division	OSD
Project Management Division I	PMDI
Project Management Division II	PMDII
Project Management Division III (Construction Division)	PMDIII (CON)
Risk Management Office	RMO
Road Maintenance Division	RMD
Sewer Maintenance Division	SMD
Stormwater Engineering Division (Water Resources Division)	SWED (WRD)

## L: Los Angeles County Public Works Divisions Acronyms

Stormwater Maintenance Division (Flood Maintenance Division)	SWMD (FMD)
Stormwater Planning Division (Watershed Management Division)	SWPD (WMD)
Stormwater Quality Division (Stormwater Compliance Division)	SWQD (SWCD)
Strategic Planning & Sustainability Office	SPSO
Survey/Mapping & Property Management Division	SMPM
Traffic Safety and Mobility Division (Traffic & Lighting Division)	TSM (TNL)
Transportation Planning and Programs Division (Programs Development Division)	TPP (PDD)
Waterworks Division	WWD
Workforce Support Division (Administrative Services Division)	WSD (ASD)

**Note:** Former names of divisions are in parentheses. The divisions, as referenced above, may merge and are therefore subject to change.

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