

STAFF TOOLKIT



Guide for the City of Kingsport Employees to Title II of the Americans with Disabilities Act (ADA) *Serving our Customers with Disabilities*

The Americans with Disabilities Act

On July 26, 1990, the Americans with Disabilities Act (“ADA”) was signed into law under the principal that this legislation would “let the shameful wall of exclusion finally come tumbling down.” ADA is one of the most important civil rights laws enacted since the Civil Rights Act of 1964, prohibiting discrimination against persons with disabilities. Under the ADA, city facilities, programs, services, and activities must be accessible to persons with disabilities.

The City of Kingsport is dedicated to ensuring that no qualified person with a disability be excluded from participating in, or denied the benefits of, the programs, services and activities provided by the city based on a disability. There are more than 50 million Americans with disabilities – nearly 18% of our population estimates suggest. City employees are expected to be aware of and respectful of the various types of disabilities individuals may have. Disabilities may include the following: mobility, blindness and vision, deafness and hearing, speech and language, and mental and learning disabilities. Some disabling conditions are not readily apparent and some are invisible.

Accommodations for Individuals with Disabilities

The city is fully committed to providing access for individuals with disabilities and improvements to access have been and continue to be made. While it is not required that every area of every city facility be accessible, it is required that city programs and services be accessible. Periodically, department staff may receive requests for accommodations to allow individuals to participate in and benefit from city services. Staff should contact the ADA coordinator for available resources. When responding to a request or accommodation, city personnel are expected to respond graciously to requestors and to make a good faith effort to meet their needs, in a timely manner. This should include exploration of various alternatives, which may include:

- relocation of a program or activity;
- provision of services at alternative accessible sites;
- delivery of services;
- provision of auxiliary aides (e.g. readers, interpreters, mobility assistants, hearing devices);
- provision of information in an alternative format (e.g. audio tape, large print, braille conversion); and
- structural alterations.

Alternatives that integrate a participant with disabilities with other program participants are preferred. Although some additional costs may be incurred in accommodating the individual, these costs may not be passed on to the individual in the form of surcharges. Ideally, the chosen accommodation will be acceptable to the individual and feasible for the city. However, in some cases it may not be possible to

reasonably accommodate the individual. The city's obligation under Title II of the ADA must not cause undue financial and administrative burdens to the city or fundamental alterations in the nature of the program, service, or activity. These determinations are best made based on the judgment and knowledge of the department staff and the city ADA coordinator.

Any request and the departmental response should be documented using the Request for Accommodation form. Inabilities to provide an accommodation due to a determination of fundamental alteration or undue burden should be made in consultation with the city's ADA coordinator and include a written statement of the reasons for reaching that conclusion.

Disability Etiquette

To ensure full participation by all community members it is imperative that individuals with disabilities feel welcomed and respected. One way to make people with disabilities feel welcomed is by practicing disability etiquette.

- Introduce yourself. Shake hands or touch the person on the arm or shoulder to welcome and acknowledge their presence. Treat people as you would like to be treated!
- Be yourself – everyone will feel more comfortable if you relax. Speak directly to that person – face to face. If the person is in a wheelchair, use a chair, in order to communicate at the person's eye level.
- Be courteous, but not condescending. Offer assistance in a dignified manner with sensitivity and respect and realize that asking first is better than assuming help is needed.
- Words Set the Tone – So use Words with Dignity. Place the individual first – “a person with a disability.” Avoid words such as, “handicapped” or “cripple” which are not only inappropriate and outdated but, demeaning.
- Allow a person with visual impairments to take your shoulder or arm at or about the elbow. This will enable you to guide rather than lead the person.
- Service animals assist persons with various disabilities some of which are apparent and others invisible. Never touch a service animal or the person it assists without permission. Service animals are working hence; do not distract them as loss of their concentration could put their owners in danger. A service animal is not required to have any special certification.
- Remember not all disabilities are apparent. Respect an individual's needs and request whenever possible.

It's About Customer Service

Providing access to city programs and services to individuals with disabilities is not just about complying with the law. It is about providing good customer service and being responsive. It is realizing that a disability does not define the individual, but that each person is unique and deserves respect and consideration, regardless of whether or not that person has a disability.

If you have any questions or need information about available resources, contact the ADA coordinator:

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