



Approved as to Form and Legality

Date Adopted

Committee  
Health/ Human Services/  
Education

December 21, 2018

**RESOLUTION APPROVING THE 2019 AMERICANS WITH DISABILITY ACT POLICY FOR THE COUNTY OF SALEM OFFICE ON AGING AND DISABILITIES SENIOR AND DISABLED BUS SERVICE**

**WHEREAS**, the Board of Chosen Freeholders will adopt the Americans with Disability Act Policy to be compliant with the Americans with Disability Act; and

**WHEREAS**, the Salem County Office on Aging and Disabilities will need to have the Americans with Disability Act accepted to be compliant for the senior and disabled transportation program; and

**WHEREAS**, the Salem County Office on Aging and Disabilities will make the 2019 Americans with Disability Act Policy available to the public through the County website as required by NJ TRANSIT.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Salem that:

1. The County of Salem hereby approves the 2019 Americans with Disability Act Policy.
2. The Salem County Office on Aging approves the 2019 Americans with Disability Act to be compliant with the Americans with Disability Act.
3. The Salem County Office on Aging will make the 2019 Americans with Disability Act Policy available to the public through the County website as required by NJ TRANSIT.

BENJAMIN H. LAURY, Freeholder  
Chair, Health/ Human Services, Education Committee

I hereby certify the foregoing to be a true resolution adopted by the Board of Chosen Freeholders of the County of Salem on December 21, 2018.

BRENDA P. BANKS  
Clerk of the Board

RECORD OF VOTE

| FREEHOLDER  | AYE | NAY | ABSTAIN | ABSENT | RESOLUTION MOVED | RESOLUTION SECONDED |
|-------------|-----|-----|---------|--------|------------------|---------------------|
| L. Ware     | ✓   |     |         |        |                  | ✓                   |
| C. Hassler  |     |     |         | ✓      |                  |                     |
| B. Laury    | ✓   |     |         |        | ✓                |                     |
| S. Griscom  | ✓   |     |         |        |                  |                     |
| M. DeCastro | ✓   |     |         |        |                  |                     |

✓ Indicates Vote

# *Salem County Department of Health and Human Services*

## **OFFICE ON AGING & DISABILITIES**

**110 Fifth Street, Suite 900 Salem, NJ 08079  
856-339-8622 856-451-1207 856-358-3857**



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**Office Fax: 856-339-9268      Transportation Scheduling: 856-339-8644**

### **ADA Complaint Policy**

#### **THE AMERICANS WITH DISABILITIES ACT (ADA)**

The Americans with Disabilities Act of 1990 (ADA) is landmark federal legislation that opens up services and employment opportunities to the millions of Americans with disabilities. The ADA affects access to employment; state and local government programs and services; transportation, and access to places of public accommodation such as businesses, non-profit service providers; and telecommunications.

#### **COUNTY OF SALEM ADA COMMITMENT AND COMPLIANCE**

The County of Salem is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis on their disability as provided by the Americans with Disabilities Act.

The County of Salem management, and all supervisors and employees share direct responsibility for carrying out the County of Salem's commitment to the ADA. The Salem County Office on Aging and Disabilities ensures accountability in this commitment, and supports all parts of the organization in meeting their respective ADA obligations. The Salem County Office on Aging and Disabilities coordinates internally with all appropriate offices in the investigation of complaints of discrimination, and takes a lead role in responding to requests for information about the County of Salem civil rights obligations and operations.

#### **ADA COMPLAINTS**

If you wish to file an ADA complaint of discrimination with the County of Salem, please contact the Salem County Office on Aging and Disabilities via 856-339-8644 or 110 Fifth Street/ Suite 900/ Salem, NJ 08079.

#### **WHAT HAPPENS TO MY ADA COMPLAINT OF DISCRIMINATION TO THE COUNTY OF SALEM?**

All ADA complaints of discrimination received by the County of Salem are routed to local area management for prompt investigation and resolution. All complaints received will be investigated, so long as the complaint is received within 180 days from the date of the alleged discrimination. The County of Salem will provide appropriate assistance to complainants who are limited in their ability to communicate in English or require accommodation. Complainants will be requested to leave contact information for follow up about their complaints.

The County of Salem aims to complete investigations into all complaints received, within 90 days of receipt. In instances where additional information is needed to complete an investigation; the investigator will contact the complainant using the contact information provided. Failure of the complainant to provide contact information or any requested additional information may result in a delay in resolution, or the administrative closure of the complaint. The County of Salem has a zero tolerance policy on discrimination and will take appropriate corrective

measures in all instances where a violation of The Salem County Office on Aging and Disabilities non-discrimination policy has been established.

## **COMPLAINT**

Once the complaint investigation is complete, complainants will receive a notice of finding via their preferred/available mode of contact (phone, E-mail, U.S. post, etc.). If no contact information is provided, a note regarding the outcome of the investigation will be saved on file for a minimum of three years. Complainants can contact Salem County Office on Aging and Disabilities at any time to check on the status of their complaint.

### **Filing a complaint directory to the Federal Transit Administration:**

A complainant may choose to file a Title VI complaint with the Federal Transit Administration by contacting the Administration at:

Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor – TCR  
1200 New Jersey Avenue, Se  
Washington, DC 20590

### **Further questions about the County of Salem ADA Obligations**

For additional information on the County of Salem non-discrimination obligations and other responsibilities related to ADA, please call 856-339-8644 or write to:

County of Salem  
Attn: Salem County Office on Aging and Disabilities  
110 Fifth Street/ Suite 900  
Salem, NJ 08079

**ADA COMPLAINT FORM**

**Americans with Disabilities Act Complaint Form:**

The County of Salem is committed to ensuring that no person is denied access to its services, programs, or activities on the basis of their disabilities, as provided by the title ii of the Americas with Disabilities Act of 1990 ("ADA"). ADA complaints must be filed within 180 days from the date of the alleged incident.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, or if you would like to make a verbal complaint, please contact the Salem County Office on Aging.

Complainant: \_\_\_\_\_

Phone: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Alt. Phone: \_\_\_\_\_

Person Preparing Complaint (if different from complainant): \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Date of Incident: \_\_\_\_\_

Please describe the alleged discriminatory incident, including the location(s), if applicable. Provide the names and titles of the County of Salem employees involved, if available.

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

Have you filed a complaint with any other federal, state, or local agencies? Yes or No (circle one).

If so, list agency/agencies and contact information below:

\_\_\_\_\_

Agency Contact Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code & Phone: \_\_\_\_\_

I affirm that I have read the above charge and that it is true to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name of Complainant

\_\_\_\_\_  
Date Received

\_\_\_\_\_  
Received By

## **REASONABLE MODIFICATION**

The Salem County Office on Aging and Disabilities recognizes that disabilities are as diverse as the individuals they serve and recognizes the need to make reasonable modifications to its policies regarding assistance offered to passengers who may require additional assistance to use its services.

Under Title II of the ADA, state and local governments are required to make reasonable modifications to policies, practices and procedures where necessary to avoid discrimination.

For those riders who require additional assistance, the Salem County Office on Aging and Disabilities will endeavor to accommodate all reasonable modification requests for such assistance by following procedures outlined below:

1. Riders must inform the Salem County Office on Aging and Disabilities of the need and specific type of additional assistance requested at the time ride reservation is made.
2. Reservationist will advise dispatcher of the specific rider need/request. Dispatcher will log the information within the client information system and determine the resources required to accommodate rider.
3. The dispatcher will evaluate the request and report to the Director of Transportation whether the request is reasonable to perform.
4. If the Director of Transportation deems the service requested to be unreasonable to perform or to repeat on a regular basis, he/she must cite specific reasoning to support the finding and inform the Director of the Office on Aging and Disabilities.
5. If the Director concurs with the finding of the Director of Transportation, the rider must be so informed via phone call at least 48 hours before the request/scheduled trip. The finding must also be communicated to the rider expeditiously by written correspondence.
6. Riders may appeal any such decisions by following established ADA grievance proceeds. Complaints that County program, service or activity is not accessible to persons with disabilities should be directed to the County of Salem/ 110 Fifth Street/ Salem, NJ 08079.

A Complainant may also file a complaint with the US Department of Transportation by contacting the Department at:

US Department of Transportation, Office of Civil Rights,  
Federal Transit Administration  
Office of Civil Rights  
Attention: Complaint Team  
East Building, 5th Floor – TCR  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Philip D. Murphy, Governor  
Sheila Y. Oliver, Lieutenant Governor  
Diane Gutierrez-Scaccetti, Commissioner  
Kevin S. Corbett, Executive Director



One Penn Plaza East  
Newark, NJ 07105-2246  
973-491-7000

November 8, 2018

**RE: Subrecipient Compliance with the Americans with Disabilities Act**

Dear Subrecipients:

Thank you for your commitment to providing safe, reliable and accessible transportation services to the residents in New Jersey. We appreciate all the hard work and dedication you put into the services you provide daily. NJ TRANSIT's Local Program/ Community Mobility staff will be working with all subrecipients to ensure that all agencies are in compliance with the Americans with Disability Act (ADA). As per federal regulation all agencies must have policies and procedures in place that assist customers in filing ADA Complaints and Reasonable Modification Request. **These procedures must be available to the public via your agency website and marketing materials. All agencies must comply with this request by no later than December 31, 2018.**

To assist you in identifying the kind of information that should be in your policy, website, and marketing materials, we have attached the following documents and samples:

For informational purpose:

- ADA compliance Power point (ADA website & marketing materials requirements)
- FTA ADA questions and Guidance

Samples for your websites and policies:

- Sample ADA policy and procedure for website
- Sample Reasonable Modification Policy

If you have any questions or concerns regarding complying by December 31, 2018 or need any additional assistance, please feel free to contact me at 973-491-8346 or your assigned Regional Program Administrator (see attached Local Program Contact List).

Sincerely,

*Janelle Rivera*

Janelle Rivera  
Manager, Local Programs