

Americans with Disabilities Act (ADA) Enforcement/Litigation

The Americans with Disabilities Act (ADA) is a comprehensive civil rights law for people with disabilities. The Department of Justice enforces the ADA's requirements in three areas -

Title I: Employment practices by units of State and local government

Title II: Programs, services, and activities of states and local government (CLR)

Title III: Public accommodations and commercial facilities

Enforcement

Through lawsuits and both formal and informal settlement agreements, the Department has achieved greater access for individuals with disabilities in hundreds of cases. Under general rules governing lawsuits brought by the Federal Government, the Department of Justice may not file a lawsuit unless it has first unsuccessfully attempted to settle the dispute through negotiations.

Litigation

The Department may file lawsuits in Federal court to enforce the ADA and may obtain court orders including compensatory damages and back pay to remedy discrimination. Under title III the Department may also obtain civil penalties of up to \$50, 000 for the first violation and \$100, 000 for any subsequent violation.

Technical Assistance

The ADA requires the Department of Justice to provide technical assistance to entities and individuals with rights and responsibilities under the law. The Department encourages voluntary compliance by providing education and technical assistance to businesses, governments, and members of the general public through a variety of means. Our activities include providing direct technical assistance and guidance to the public through our ADA Information Line, ADA Home Page, and Fax on Demand, developing and disseminating technical assistance materials to the public, undertaking outreach initiatives, operating an ADA technical assistance grant program, and coordinating ADA technical assistance government-wide.

**** Card-sized Self-serve Gas Fact Sheet Now Available** – The Department has printed a new card-sized version of its technical assistance fact sheet on providing assistance at self-serve gas stations. This new version, which is easily stored in a vehicle's glove compartment, may be obtained by calling the ADA Information Line. The ** standard-size fact sheet is also available through the ADA Home Page, ADA Fax on Demand (document #3210) and the ADA Home Page.

ADA Home Page

An ADA home page is operated by the Department on the Internet's World Wide Web (<http://www.usdoj.gov/crt/adi/adahomt.htm>) The home page provides information about

- the **toll-free ADA** Information Line,
- the Department's ADA enforcement activities,
- the ADA technical assistance program,
- certification of State and local building codes,
- proposed changes in ADA regulations and requirements, and
- the ADA mediation program.

The home page also provides direct access to:

- ADA regulations and technical assistance materials (which may be viewed online or downloaded for later use),
- Freedom of Information Act (FOIA) ADA materials, and
- Links to the Department's press releases, ADA Bulletin Board, and Internet home pages of other Federal agencies that contain ADA information.

Justice and SBA Intensify Outreach to Small Business - The Department of Justice and the Small Business Administration (SBA) have begun an outreach initiative to increase the awareness of small businesses of their rights and responsibilities under the ADA. SBA's 53 Business Information Centers and 57 Business Development Centers located in every State will disseminate ADA materials to the existing and new small businesses they serve. Dissemination efforts will also be enhanced by the more than 13,000 representatives of the Service Corps of Retired Executives (SCORE) who work closely with these SBA offices. The first material disseminated by this initiative will be a jointly issued version of the ** ADA Guide for Small Businesses. This edition will include the toll-free number for the SBA information line for small businesses.

ADA Information Line

The Department of Justice operates a toll-free ADA Information Line to provide information and publications to the public about the requirements of the ADA. Automated service, which allows callers to listen to recorded information and to order publications, is available 24 hours a day, seven days a week. ADA specialists are available on Monday, Tuesday, Wednesday, and Friday from 10:00 a.m. until 6:00 p.m. and on Thursday from 1:00 p.m. until 6:00 p.m. (Eastern Time). Spanish language service is also available.

To obtain general ADA information, get answers to technical questions, order free ADA materials, or ask about filing a complaint, call: 800-514-0301 (voice) 800-514-0383 (TDD)

ADA Fax On Demand

The ADA Information Line Fax Delivery Service allows the public to obtain free ADA information by fax 24 hours a day, seven days a week. By calling the number above and following the directions, callers can select from among 32 different ADA technical assistance publications and receive the information, usually within minutes, directly on their fax machines or computer fax/modems. A list of available documents and their code numbers may also be ordered through the ADA Information Line.

Publications and Documents

Copies of the Department's ADA regulations and publications, including the Technical Assistance Manuals for titles 11 and 111, and information about the Department's technical assistance grant program can be obtained by calling the ADA Information Line, visiting the ADA Home Page on the World Wide Web, or writing to the address listed below. All materials are available in standard print as well as large print, Braille, audiotape, or computer disk for persons with disabilities.

Disability Rights Section Civil Rights Division

U.S. Department of Justice

P. O. Box 66738

Washington, D.C. 20035-6738

Copies of the legal documents and settlement agreements mentioned in this publication can be obtained by writing to:

Freedom of Information/ Privacy Act Branch

Administrative Management Section

Civil Rights Division

U.S. Department of Justice

P.O. Box 65310

Washington, D.C. 20035-5310

Fax: 202-514-6195

Currently, the FOI/PA Branch maintains approximately 10,000 pages of ADA material. The records are available at a cost of \$0.10 per page (first 100 pages free). Please make your requests as specific as possible in order to minimize your costs.

The FOI/PA Branch also provides access to ADA materials on the World Wide Web at **<http://www.usdoj.gov/crt/foia/records.htm>**. A link to search or visit this website is provided from the ADA Home Page.

Other Source of ADA Information

1. Disability Rights Center
1100 N. University, Suite 201
Little Rock, AR 72207
501-296-1775 V/TTY
501-296-1779 FAX
800-482-1174 V/TTY
E-MAIL: panda@ADVOCACYSERVICES.ORG

2. I-CAN- Increasing capabilities access network
2201 Brookwood Drive, Suite 117
Little Rock, AR 72202
501-666-8868
800-828-2799 (voice/TTD)
<http://www.Arkansas-ican.org>

3. ADA Additional Resources
Telecommunications Access Program (TAP)
4601 West Markham Street
Little Rock, AR 72205
501-686-9693 (voice)
501-686-9694 (TTY)

4. Independent Living Aids, Inc.
www.independentliving.com
800-537-2118 (PHONE)
516-752-3135 (FAX)

5. L S & S
Specialized in Projects for Visually
Impaired, Deaf and Hard of Hearing
800-468-4789
847-498-1482 (FAX)
800-63117-8533 (TT1)
E-mail: LSSGRP@AOL.com

The *Equal Employment Opportunity Commission* offers technical assistance to the public concerning the employment provisions of title I of the ADA.

ADA documents
800-669-3362 (voice)
800-800-3302 (TDD)

ADA questions
800-6694000 (voice)
800-669-6820 (TDD)

<http://www.eeoc.gov>

The Federal Communications Commission offers technical assistance to the public concerning the communication provisions of title IV of the ADA.

ADA documents
202-314-3070 (voice)
202-484-8831 (TDD)

ADA questions
202-418-0976 (voice)
202-418-0484 (TDD)

<http://www.fec.gov/df>

The U.S. Department of Transportation through the *Federal Transit Administration* offers technical assistance concerning the transportation provisions of title II and title III of the ADA.

ADA Assistance Line for information, questions, or complaints

888-446-4511 (voice/relay)
202-366-2285 (voice)
202-366-0153 (TDD)

ADA documents and general questions 202-366-1656 (voice/relay)

ADA legal questions 202-366-4011 (voice/relay)

The U.S. Architectural and Transportation Barriers Compliance Board, or Access Board, offers technical assistance to the public on the ADA Accessibility Guidelines.

ADA documents and questions
800-872-2253 (voice)
800-993-2822 (TDD)

<http://www.access-board.gov>

The Disability Rights Education and Defense Fund ADA Hotline is funded by **the** Department of Justice to provide technical **assistance** to the public on all titles of the ADA.

ADA technical assistance
800-466-4232 (voice & **TDD**)

The Disability and Business Technical Assistance Centers are funded by the U.S. Department of Education through the National Institute on Disability and Rehabilitation Research (NIDRR) in ten regions of the country to provide resources and technical assistance on the ADA.

ADA technical assistance
800-949-4232 (voice & **TDD**)

<http://www.adata.org>

Project ACTION is funded by the U.S. **Department** of Transportation to provide ADA information and publications on making transportation accessible.

The *Job Accommodation Network- (JAN)* is a free telephone consulting service funded by the President's Conunittee on Employment of People with Disabilities. It provides information and advice to employers and people with disabilities on reasonable accommodation in the workplace.

Information on workplace accommodation
800-526-7234 (voice & **TDD**)

<http://janweb.icdi.wvu.edu/english>

How to file Complaints

City of Little Rock- Title II (ONLY)
City of Little Rock Greivence Procedures
ADA Citizen & Grievance Committee

Information on accessible transportation
800-659-6428 (voice/relay)
202-347-3066 (voice)
202-347-7385 (TDD)

Titles II and III

Complaints about violations of title I (employment) by units of State and local government or by private employers should be filed with the Equal Employment Opportunity Commission. Call 800-6694000 (voice) or 800-669-6820 (TDD) to reach the field office in your area.

Title I

Complaints about violations of title 11 by units of State and local government or violations of title III by public accommodations and commercial facilities should be filed with --

Disability Rights Section
Civil Rights Division
U.S. Department of Justice
Post Office Box 66738
Washington, D.C. 20035-6738

CITY OF LITTLE ROCK ADA GRIEVANCE PROCEDURE

July 1, 1999

The City of Little Rock, Arkansas has instituted the following procedures for the prompt and equitable resolution of complaints alleging any action prohibited by the U. S. Department of Justice regulations implementing Title U of the Americans with Disabilities Act. Title U states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination: in programs or activities sponsored by a public entity.

Complaints should be addressed to the City's ADA Coordinator: Mr. Odies Wilson, III,, City Hall, 500 W. Markham, Little Rock, AR 72201 or call him at 371-4510.

1. Complaints must be in writing or another "equally effective" form of communication, containing the name and address of the complainant, and shall state the facts upon which the allegations are based. City staff will assist in drafting the complaint, if requested, and will ensure the complaint is documented in written form.
2. Complaints must be filed with fifteen (15) business days after the complainant becomes aware of the alleged violation.
3. Upon the filing of a complaint, the ADA Coordinator shall initiate a prompt investigation of the alleged violation, affording all interested persons and their representatives, if any an opportunity to submit evidence relevant to the complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the ADA Coordinator and a copy forwarded to the complainant no later than thirty (30) business days after its filing. The ADA Coordinator will ensure "Equally Effective Communication", if necessary.
5. The ADA Coordinator shall maintain the files and records of the City relating to the complaint filed.

6. The complainant can request a hearing of the case before the ADA Grievance Committee in instances where he or she is dissatisfied with the determination or proposed resolution of the ADA Coordinator. The request for reconsideration must be made in writing or other "Equally Effective Communication" and provided to the ADA Coordinator within ten (10) business days following the Complainant's receipt of the ADA Coordinator's determination and proposed resolution, if any, and communicate the reasons for dissatisfaction. All members of the ADA Grievance Committee will be sent the request for reconsideration within ten (10) business days of receipt of the request for hearing. Each Committee member will review all prior documents and will participate in a determination whether or not to grant or deny the request for reconsideration within: Fifteen (15) business days from his/her receipt of the request.

Such meeting may be held via conference call or telephone poll. If the request for reconsideration is granted by a majority of the Committee, the Committee will schedule a hearing at its first available opportunity, but within thirty (30) days of the meeting date where the request for reconsideration was granted. Upon hearing, the matter will be determined by the Grievance Committee within fifteen (15) business days and submitted in writing or other "Equally Effective Communication" to the complainant.

7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the appropriate state or federal agency. Use of this procedure is not a prerequisite to the pursuit of other

8. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the City of Little Rock complies with Title 11 of the ADA and implementing regulations.

AMERICANS WITH DISABILITIES ACT CITIZENS GRIEVANCE COMMITTEE

Committee Members

Cindy Aidenberg
(Service Provider)
3000 Kavanaugh Blvd., #203 Little Rock, AR 72205
PHONE: 644-7254 (w)
LRICM@AOL.COM

Dr. Thomas Eans (Service Provider)
2400 Silver Maple St. Little Rock, AR 72209 PHONE:
455-0475 (h)
565-3805 (w)

Michael Triplett
(Disabled Rep.) @
10434 W. 36" St., Apt. #26A Little Rock, AR 72204
PHONE: 224-8546
ROCKdot@Yahoo.com

Barry Vuletich
(Disabled Rep.)
4023 S. Shackelford Rd. , Lt. # 1 41 Little Rock, AR
72204 PHONE: 296-1626 (w)

Ron Woods (Architect)
#5 Dover Dr.
Little Rock, AR 72204 PHONE: 372-2230 (w)
ronbene@swbell.net

Revised 11-03-99

City of Little Rock Staff

Melinda Raley, Deputy City Attorney City Hall, Suite
#3 1 0 500 W. Markham St.
Little Rock, AR 72201 PHONE: 371-6877 (w)
Mraley@littlerock.state.ar.us

Odies Wilson, 111, ADA Coordinator City Hall, Suite
500 W. Markham St., #203
Little Rock, AR 72201
PHONE: 371-4890 (w) Owilson@littlerock.state.ar.us