



## Northwest Alabama Council of Local Governments

### **Americans with Disabilities Act Plan**

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Date adopted:

Prepared by the  
Northwest Alabama Council of Local Governments (NACOLG)

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**Northwest Alabama Council of Local Governments**

**Resolution**

**Adopting the  
Americans with Disabilities Act Plan**

**WHEREAS**, the Americans with Disabilities Act of 1990 prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation ; and

**WHEREAS**, the staff of the Northwest Alabama Council of Local Governments developed the Americans with Disabilities Act Plan to document how the Agency will comply with the Act; and

**WHEREAS**, interested parties, including people with disabilities and organizations representing people with disabilities had an opportunity to comment on the plan during the development phase; now

**THEREFORE, BE IT RESOLVED** that the Northwest Alabama Council of Local Governments does hereby adopt the Americans with Disabilities Act Plan.

Adopted this 14<sup>th</sup> day of

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Sandra Burroughs, Chairperson

ATTEST

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Keith Jones, Executive Director

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## **1.0 Introduction**

Northwest Alabama Council of Local Governments (NACOLG) is one of the 12 regional councils in the State of Alabama as provided for by Act No. 584 and Act No. 585 of the Alabama Legislature, 1963. The councils serve local governments and citizens by coordinating region-wide projects and services, promoting cooperation among the local governments, and carrying out state and federal programs on a regional basis. NACOLG encompasses Colbert, Lauderdale, Franklin, Marion, and Winston counties. NACOLG is committed to compliance with the *Americans with Disabilities Act of 1990 (ADA)*.

### **1.1 Purpose**

The purpose of this plan is to record the *Americans with Disabilities Act of 1990 (ADA)* activities of the Northwest Alabama Council of Local Governments (NACOLG) and to schedule improvements to comply with the law. The programs managed by NACOLG affect all citizens of north Alabama, including those with disabilities. NACOLG provides social services to hundreds of senior citizens, writes and manages grants that fund public utilities, and prepares plans that guide federal, state, and local funding. When providing these services, NACOLG ensures the needs of people with disabilities are considered and that people with disabilities are allowed to participate in all program aspects.

### **1.2 Law and Regulations**

The *Americans with Disabilities Act of 1990 (ADA)* prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation ([www.ada.gov](http://www.ada.gov)). Title II of the Act specifically applies to state and local governments. The regulations for Title II were published as 28 CFR Part 35 *Nondiscrimination on the Basis of Disability in State and Local Government Services*.

### **1.3 Public Involvement**

The draft of this plan was available for review from June 20, 2023 through July 20, 2023. Copies of the draft were available at the Northwest Alabama Council of Local Governments (NACOLG) office, on the NACOLG website, and by request (mail and email).

### **1.4 Annual Review**

The Northwest Alabama Council of Local Governments (NACOLG) staff will review this plan every October. The review will determine if any changes to the policy or grievance procedures are warranted. The review will also update the status of the required facilities upgrades in the transition plan.

## **2.0 Notice Under the Americans with Disabilities Act**

In accordance with the requirements of Title II of the *Americans with Disabilities Act of 1990* (“ADA”), Northwest Alabama Council of Local Governments will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

### **2.1 Employment**

The Northwest Alabama Council of Local Governments 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.

### **2.2 Effective Communication**

The Northwest Alabama Council of Local Governments will, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Northwest Alabama Council of Local Governments 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.

### **2.3 Modifications to Policies and Procedures**

The Northwest Alabama Council of Local Governments 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 The Northwest Alabama Council of Local Governments 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 The Northwest Alabama Council of Local Governments should contact Keith Jones, 103 Student Drive, Muscle Shoals, AL 35661; 256-389-0500 or [Kjones@nacolg.org](mailto:Kjones@nacolg.org) as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require The Northwest Alabama Council of Local Governments 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 The Northwest Alabama Council of Local Governments is not accessible to persons with disabilities should be directed to Keith Jones, 103 Student Drive, Muscle Shoals, AL 35661; 256-389-0500 or [Kjones@nacolg.org](mailto:Kjones@nacolg.org).

The Northwest Alabama Council of Local Governments 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.

### **3.0 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 Northwest Alabama Council of Local Governments. The Northwest Alabama Council of Local Governments 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:

Keith Jones, ADA Coordinator  
103 Student Dr,  
Muscle Shoals, Al 35661

Within 30 calendar days after receipt of the complaint, Keith Jones or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 30 calendar days of the meeting, Keith Jones or 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 Northwest Alabama Council of Local Governments and offer options for substantive resolution of the complaint.

If the response by Keith Jones or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 30 calendar days after receipt of the response to the Executive Director or his/her designee.

Within 30 calendar days after receipt of the appeal, the Executive Director or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 30 calendar days after the meeting, the Executive Director 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 Keith Jones or her designee, appeals to the Executive Director or his/her designee, and responses from these two offices will be retained by the Northwest Alabama Council of Local Governments for at least three years.



## **4.0 Transition Plan**

Governments with more than 50 employees are required to develop an *Americans with Disabilities Act* transition plan that lists the physical changes needed to comply with the act. At the adoption of this plan, the Northwest Alabama Council of Local Governments currently has 110 full time/part time employees .

The NACOLG staff conducted a self-evaluation in June 2023, following the *ADA Checklist for Existing Facilities* from the Institute of Human Centered Design 2014. The checklist is based on the *2010 Standards for Accessible Design*. The spreadsheet on the next page serves as the transition plan for the Northwest Alabama Council of Local Governments (NACOLG).

	Known Physical Barriers	Planned Method to Remove Barrier	Schedule	Interim Steps Until Issues Resolved
	<b>Parking lot</b>			
1.10	Accessible spaces identified with a sign	Install Signs	TBT	Employees at NACOLG will assist as needed
1.11	No sign at van accessible spaces	Install Signs	TBT	Employees at NACOLG will assist as needed
1.39	No accessible entrance signs for the building	Install Signs	TBT	Employees at NACOLG will assist as needed
	<b>NACOLG Building</b>			
3.20	Coat hook is great than 48 inches from the ground	Adjust hook or replace with or provide additional accessible hook	TBT	Employees at NACOLG will assist as needed