

**JONES COUNTY
VETERANS' TRANSPORTATION PROGRAM
AMERICANS WITH DISABILITIES ACT
AND ANTI-DISCRIMINATION POLICY**

A. Legal Authority

The Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990 (ADA) provide individuals with broad rights to equal opportunity and nondiscrimination in employment, services provided by public entities, public services provided by private businesses, and communications. The goals of these laws are to assure that persons who are members of legal-protected classes do not encounter barriers when attempting to participate fully in society and can live independently and can be economically self-sufficient.

Jones County Veterans' Transportation Services incorporates certain regulatory requirements and definitions throughout this policy (ADA Regulations – Part IV Department of Transportation 49 CFR Parts 27, 37 and 38 Transportation for Individuals with Disabilities); however, such compliance is voluntary and in no way indicates that said service is subject to those regulations. The definition of *disability* is:

Disability means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

1. The phrase *physical or mental impairment* means –
 - (i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, hemi and lymphatic skin, and endocrine;
 - (ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities;
 - (iii) the term *physical or mental* impairment includes, but is not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease, tuberculosis, drug addiction and alcoholism;
 - (iv) The phrase physical or mental impairment does not include homosexuality or bisexuality.
2. The phrase *major life activities* means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

3. The phrase *has a record of such an impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
4. The phrase is **regarded as having such an impairment** means –
 - (i) Has a physical or mental impairment that does not substantially limit major life activities, but which is treated by a public or private entity as constituting such a limitation;
 - (ii) Has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others toward such an impairment; or
 - (iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by a public or private entity as having such an impairment

B. Non-Discrimination Statement

It is the policy of Jones County to ensure compliance with Title VI of the Civil Rights Act of 1964 and related statutes and regulations that ensure no person in the United States shall, on the grounds of race, color, sex, age, national origin, or disability, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any program or activity.

C. Reasonable Modification of Policy

Individuals with disabilities may ask Jones County to modify a policy or procedure if they feel the policy or procedure is discriminatory or prevents them from fully utilizing Jones County services. Jones County will review these requests and will modify policies unless it finds that:

- The person can fully utilize the service without the requested modification (i.e., it is for convenience only).
- The change would create a direct threat to the safety of others.
- The change would fundamentally alter the nature of the service.
- The change would cause an undue financial or administrative burden.

Jones County encourages people to request such modifications in advance when possible. To request a modification of a policy or procedure in advance, complete the **Reasonable Modification Request Form**, which is available online at www.jonescountync.gov or by calling 252-448-1121. Forms may be submitted by email to veterans@jonescountync.gov; or by mail or personally at the Jones County Veterans Services Office facility located at 145 Francks Field Rd. Trenton, NC 28585 .

Jones County will be guided by examples in Appendix E of 49 CFR Part 37 ([TEXT OF REGULATION HERE](#)) when making decisions on requests for modifications of policies. If Jones

County denies a request, it will consider other reasonable actions or approaches that might be able to meet the person's needs.

Jones County has designated its County Manager to coordinate the acceptance and review of requests for reasonable modifications of policies. This policy will be communicated to the public on the Jones County webpage and in any program documentation distributed to program participants.

D. Staff Training to Proficiency

Jones County Veterans' Transportation Service employees are trained on the processes outlined in this Policy. Refresher training is held annually. Documentation of all training is found in the driver's training record.

Jones County vehicles in this program meet ADA standards, and employees who operate such vehicles and any who assist riders shall be trained on all aspects of safe assistance and operation and testing of all equipment associated with such vehicle. Jones County employees are trained to proficiency in accordance with ADA.

E. Service Animal Policy

Jones County seeks to accommodate persons with disabilities who need the assistance of service animals. Jones County is simultaneously mindful of health and safety interests of its general public community. These guidelines are aimed at meeting these concerns. Jones County is responsible for implementing this policy. Success requires the cooperation of drivers, staff and the general public.

1. Definitions:

"Service Animal" means any dog guide, signal dog, or other animal individually trained to perform tasks for an individual with a disability. Examples of such work or tasks include guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, pulling a wheelchair, providing minimal protection or rescue work, a health impairment, a seizure disorder or persons with psychiatric disabilities, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. Animals whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA regulations.

2. Responsibility of Persons Who Have Service Animals:

The care and supervision of a service animal is the responsibility of the individual who uses the animal's service. The person must always maintain control of the animal. The person is responsible for ensuring the clean-up of all animal waste.

Vaccination: Each service animal must be immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies, distemper, and parvovirus. Dogs must wear a current rabies vaccination tag and license.

Leashing: Service animals must always be on a leash.

3. Service Animals Riding Jones County Veterans' Transportation Service

A person with a disability who utilizes a service animal must register with Jones County.

4. Jones County Veterans' Transportation Service drivers and staff are expected to abide by the following practices:

- a. always allow a service animal to accompany the handler
- b. not touch or feed a service animal unless invited to do so;
- c. not deliberately startle a service animal, and,
- d. not separate or attempt to separate a service animal from its handler.

5. Removal of Service Animals from Jones County Veterans' Transportation Service Vehicles

A service animal may be removed from Jones County Veterans' Transportation Service vehicles if its behavior is disruptive (e.g. barking, running around, displaying aggressive behavior). If such behaviors persist, the handler may be directed not to bring the animal on the van until the problem is remedied. Unclean service animals are not permitted on the vans. The handler for such an animal may be required to remove the animal.

F. Oxygen Bottle Procedures

Jones County will take the following precautions to assure that medical oxygen being transported for passengers' personnel use is handled and transported safely.

1. Oxygen should be transported on a bus/van or train only when medically necessary.
2. Oxygen should be transported in a cylinder maintained in accordance with the manufacturer's instructions. The manufacturer's instructions and precautions are usually printed on the label attached to the cylinder.
3. Before boarding, inspect each cylinder to assure that it is free of cracks or leaks, including around the valve area and pressure relief device. Listen for leaks; do not load leaking cylinders on the vehicle. Visually inspect the cylinders for dents, gouges, or pits. A cylinder that is dented, gouged, or pitted should not be transported.
4. Limit the number of cylinders to be transported on board the vehicle to the extent practical. If possible, transportation in the passenger compartment should be limited to one cylinder per person.

5. Cylinders used for medical oxygen are susceptible to valve damage if dropped. Handle these cylinders with care during loading and unloading operations. Never drag or roll a cylinder. Never carry a cylinder by the valve or regulator. Carry the cylinder carefully using both hands.
6. Do not handle oxygen cylinders or apparatus with hands or gloves contaminated with oil or grease.
7. Each cylinder should be secure to prevent movement and leakage. Each cylinder should be loaded and secured in an upright position. **“Secured” means that the cylinder is not free to move when the vehicle is in motion.**
8. Oxygen cylinders or other medical support equipment should never be stored or secured in the aisle. Make sure that the seating of the passenger requiring oxygen does not restrict the access to exits or use of the aisle.
9. Since the release of oxygen from a cylinder could accelerate a fire, each cylinder should be secured away from sources of heat or potential sparks.
10. Under no circumstances should smoking or open flames (cigarette lighter or matches) be permitted in the passenger compartment when medical oxygen is present.
11. When you reach your destination, immediately remove all cylinders from the vehicle.

G. Helping Passengers with Personal Assistance Devices

Use the following guidelines when you are interacting with a passenger who has special needs:

Assisting Passengers who are in Wheelchairs:

- When not moving passenger, always lock the brakes on the wheelchair.
- Make sure the passenger's head does not hit the doorway when entering the vehicle.
- Safely park the vehicle on level ground, turn the engine off (unless otherwise specified by the manufacturer) and check for obstacles to avoid in area of passenger travel to the vehicle.
- Make sure that hands, feet and clothing are away from doors.
- Make sure passenger is secure and comfortable in his or her positioning once in vehicle

Assisting Passengers who are Using Canes or Critters:

- Always ask the disabled passenger if you can assist her/him prior to assisting the passenger
- Assist from the opposite side of the crane.
- Canes, walkers and other personal assistance devices should be stored so that they do not interfere with movement in the vehicle.
- Amputees should be seated in cool areas during hot weather.

Assisting Developmentally Disabled Passengers:

- Treat the passengers with respect.
- Be patient and repeat instructions when necessary.
- Be firm if they insist on doing something that will endanger you, them or the other passengers.

Assisting Hearing-Impaired Passengers:

- Look directly at them so they can see your lips.
- Talk normally (do not shout) and do not exaggerate your speech.
- Be prepared to repeat yourself.
- Get another person to talk to them if the passenger has trouble reading your lips.
- Use a pad and pencil when

Assisting Speech-Impaired Passengers:

- Do not hesitate to ask speech-impaired persons to repeat anything that you do not understand.
- Be patient; the passenger's speech condition may become more difficult to understand if the passenger is under stress.

Assisting Passengers with Visual Impairments:

- Don't touch the passenger until you tell them who you are and what you intend to do.
- Do not shout at the passenger.
- Before boarding the passenger, take their hand and show them the door openings as well as the seat and mention any hazards.
- When escorting the passenger, remain on the opposite side of their cane and have them hold your arm. Advise the passenger of any changes in ground texture or elevation level.
- When walking with a passenger, call out turns and maneuvers at least 5 steps in advance.
- If the passenger uses a service animal, it may be helpful to learn the name of the animal for future reference. Avoid any abrupt movements toward the animal or the passengers.
- Seat visually impaired passengers against vehicle walls when possible or seat the passengers in seats with arm rests in order to assist them in keeping their balance.

H. Procedures to handle independently challenged Passengers if no one is at their point of destination

In the event that Jones County transports passengers that do not have the mental or physical capabilities to be left at their point of destination alone and unsupervised, the driver will not leave an independent challenged passenger alone on their doorstep. If the above happens, the Jones County driver will **contact the Jones County Veterans' Services Officer or the Jones County Manager.**

I. Transporting Elderly Passengers Procedures

Use special care in serving elderly passengers:

- Staff needs to be especially patient when giving elderly passengers information regarding routes and schedules.
- Give elderly passengers more time to get in and out of vehicle.
- Ask the elderly passengers if they would like your assistance before assisting them.
- If the elderly passenger refuses assistance, stay close to prevent them from tripping or falling.
- When assisting elderly passengers, do not put too much pressure on the passenger's arm.
- When letting elderly passengers on or off a vehicle, pull the vehicle close to the curb so the passenger won't have to step very far.
- Reserve front seats for elderly passengers unless a more specific policy gives priority to another for the seating area.
- Elderly passengers may need to be reminded where to get off the vehicle.
- Keep temperature controls warm in the winter and cool in summer.

J. Complaint Process

Jones County will make every effort to obtain early resolution of complaints at the lowest level possible. All complaints of alleged discrimination will be investigated by Jones County. The option of informal mediation meeting(s) between the affected parties and Jones County staff may be utilized for resolution. Upon completion of each investigation, Jones County staff will inform every complainant of all avenues of appeal.

1. Purpose

The purpose of the discrimination complaint procedures are to specify the process to be employed by Jones County to investigate complaints, while ensuring due process for complainants and respondents. The process does not preclude the responsible staff of any agency from attempting to informally resolve complaints.

2. Filing of Complaints

- a. Time Limits and Filing Options – A complaint must be filed no later than 180 calendar days after the following:
 - The date of the alleged act of discrimination; or
 - The date when the person(s) became aware of the alleged discrimination; or
 - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

- b. Complaints may be submitted to:

Jones County Veterans' Transportation
Attn: JCVAP Coordinator
418 NC Hwy 58 N
Trenton, NC 28585

3. Type of Complaints

Complaints shall be in writing and signed by the complainant(s) or a representative and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing.

Allegations must be based on issues involving race, color, national origin, sex, age, income status or disability. The term "basis" refers to the complainant's membership in a protected group category.

4. Contact Information

If there are any questions regarding these procedures or in filing a discrimination complaint, contact Jones County Veterans Services Office at 252-448-1121 or by email at veterans@jonescountync.gov.

Jones County Veterans' Transportation Service

Discrimination Complaint Form

Last Name:		First Name:		<input type="checkbox"/> Male <input type="checkbox"/> Female
Mailing Address:		City:	State:	Zip:
Home Telephone: ()	Work Telephone: ()	E-mail Address:		
Identify the Category of Discrimination: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> RACE</div> <div style="width: 50%;"><input type="checkbox"/> COLOR</div> <div style="width: 50%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 50%;"><input type="checkbox"/> AGE</div> <div style="width: 50%;"><input type="checkbox"/> RELIGION</div> <div style="width: 50%;"><input type="checkbox"/> DISABILITY</div> <div style="width: 50%;"><input type="checkbox"/> SEX/GENDER</div> <div style="width: 50%;"><input type="checkbox"/> INCOME STATUS</div> </div>				
Identify the Race of the Complainant <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Black</div> <div style="width: 50%;"><input type="checkbox"/> White</div> <div style="width: 50%;"><input type="checkbox"/> Hispanic</div> <div style="width: 50%;"><input type="checkbox"/> Asian American</div> <div style="width: 50%;"><input type="checkbox"/> American Indian</div> <div style="width: 50%;"><input type="checkbox"/> Alaskan Native</div> <div style="width: 50%;"><input type="checkbox"/> Pacific Islander</div> <div style="width: 50%;"><input type="checkbox"/> Other</div> </div>				
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.				
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary)				
The law prohibits intimidation or retaliation against anyone because he/she has either taken action or participated in action to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, and please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.				
Names of individuals responsible for the discriminatory action(s):				

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attach additional page(s), if necessary)

Name

Address

Telephone

- 1.
- 2.
- 3.
- 4.

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

☐ NC Department of Justice

Date:

☐ US Department of Justice

Date:

☐ US Department of Transportation

Date:

☐ Federal or State Court

Date:

☐ Other

Date:

Have you discussed the complaint with any representative of any agency above? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, you are seeking for the alleged discrimination.

****WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.**

<hr/> COMPLAINANT'S SIGNATURE	<hr/> DATE
<p>MAIL COMPLAINT FORM TO:</p> <p style="text-align: center;"> <u>Jones County Veterans' Transportation</u> <u>Attn: JCVAP Coordinator</u> <u>418 NC Hwy 58 N</u> <u>Trenton, NC 28585</u> </p> <p>FOR MORE INFORMATION:</p> <p style="text-align: center;"> <u>Call: 252-448-1121 or Email: veterans@jonescountync.gov</u> </p>	
<p>FOR OFFICE USE ONLY</p> <p>Date Complaint Received: _____</p> <p>Processed by: _____</p> <p>Case #: _____</p> <p>Referred to: _____</p> <p>Date Referred: _____</p>	