**DENVER ECONOMIC DEVELOPMENT & OPPORTUNITY POLICY SERIES**

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<td>POLICY SERIES #:</td>
<td>2020-DWS-10</td>
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<td>CATEGORY:</td>
<td>Workforce Innovation and Opportunity Act</td>
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| REFERENCE(S): | • Workforce Innovation and Opportunity Act (WIOA) Section 188;  
• Training and Employment Guidance Letter (TEGL) 37-14, Americans with Disabilities Act of 1990;  
• Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, as amended; and  
• CDLE Programmatic Accessibility Self-Evaluation Toolkit developed by Meeting the Challenge, Inc. |
| DISTRIBUTION: | Denver Workforce Services employees and contractors |
| PURPOSE: | To provide guidance related to the provision of physical and programmatic accessibility and reasonable accommodations/modifications to Denver Workforce Services facilities and services |

**AUTHORIZATION APPROVED BY:**

Dana Williams  
Assistant Director  
Denver Workforce Services
Denver Workforce Services is committed to a nondiscriminatory approach, equal opportunity, diversity, inclusion, and equity in all of our programs, processes, and procedures. Upon request, Denver Workforce Services offers accessibility to services for persons with disabilities, English language learners, and those who have limited English language proficiency.

Denver Workforce Services would like to acknowledge and thank Meeting the Challenge, Inc. and the Disability Employment Initiative (DEI) Grant for the content of this policy.

I. BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA supersedes Titles I and II of the Workforce Investment Act of 1998 (WIA) and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973.

The Americans with Disabilities Act (ADA) is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life. It was signed into law on July 26, 1990, by George H.W. Bush. The ADA guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.

Non-discrimination requirements of the ADA include, but are not limited to: integration of people with disabilities to the maximum extent appropriate, reasonable modifications of practices, policies, and procedures, and effective communication.

Section 188 of WIOA prohibits the exclusion of an individual from participation in, denial of the benefits of, discrimination in, or denial of employment in the administration of or in connection with, any programs and activities funded or otherwise financially assisted in whole or in part under title I of WIOA because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief, or for beneficiaries, applicants, and participants only, on the basis of citizenship status, or participation in a program or activity that receives financial assistance under title I of WIOA.

Section 188 of WIOA explicitly states that any title II (State or local government) entities that receive WIOA funding are subject to applicable provisions of the ADA, regarding the physical and programmatic accessibility of facilities, programs, services, technology, and materials, for individuals with disabilities. WIOA defines programmatic accessibility to mean “policies, practices, and procedures providing effective and meaningful opportunity for persons with disabilities to participate in or benefit from aid, benefits, services, and training.”

It is important to note that the term “programmatic accessibility” in this context has a different meaning than the similar term “program accessibility” that is used in title II of the ADA to mean access to programs, services, and activities of a public entity and includes their existing facilities.

Title II, or public entities, are State and local government entities, such as Workforce Centers, Adult Education Programs, and the Division of Vocational Rehabilitation. When we refer to a public accommodation, we are referencing those covered under title III. Title III entities are privately owned and include places like stores, malls, movies, and doctor’s offices. These include all areas the public is welcome but are not operated by the State or local government.
Where public and private entities act jointly, the public entity must ensure that the relevant requirements of title II of the ADA are met; and the private entity must ensure compliance with title III of the ADA. If a Workforce Area has a satellite location that is funded both privately and with public monies, it would have to be built in compliance with the accessibility guidelines of both titles II and III. In cases where the standards differ, the satellite location would have to meet the standard that provides the highest degree of access to individuals with disabilities.

The definition of disability is commonly referred to as a "three-prong" definition as it identifies three ways in which a person can qualify for the protections offered by the ADA. The three “prongs” of the law are reviewed below.

1. A person who receives the protections of the ADA under the first prong is a person who is currently experiencing a disability as defined by the law. This person experiences a disability that substantially limits one or more major life activities.

2. A person who receives the protections of the ADA under the second prong is a person who has a record of a disability that substantially limited a major life activity. This person may have had cancer that is in remission. While that disability does not currently impact the person’s functioning, the person still needs to receive regular medical care to reduce the likelihood of its return.

3. A person who receives the protections of the ADA under the third prong is a person who is regarded as having a disability but does not have a disability that substantially limits one or more major life activities. For example, a person who has a facial disfigurement that does not impact the way that they approach their life in any way, might be covered under this prong of the definition. While they experience no impact from the way that they look, if an employer takes an adverse employment action because of their perception of disability, they would qualify for the protections of the ADA.

Titles I and III of the ADA also require employers and training providers to make certain accommodations available to ensure individuals with disabilities have the same opportunities of others:

**Title I – Employment**

- Requires employers to provide reasonable accommodations to qualified applicants or employees. A “reasonable accommodation” is a change that accommodates employees with disabilities so they can do the job without causing the employer “undue hardship” (too much difficulty or expense).
- Defines disability, establishes guidelines for the reasonable accommodation process, and addresses medical examinations and inquiries.

**Title III – Public Accommodations and Services Operated by Private Entities (to include training providers receiving taxpayer funding)**

- Prohibits places of public accommodation from discriminating against individuals with disabilities. Public accommodations include privately owned, leased or operated facilities like hotels, restaurants, retail merchants, doctor’s offices, golf courses, private schools, day care centers, health clubs, sports stadiums, movie theaters, and so on.
- Sets the minimum standards for accessibility for alterations and new construction of commercial facilities and privately owned public accommodations. It also requires public accommodations to remove barriers in existing buildings where it is easy to do so without much difficulty or expense.
• Directs businesses to make "reasonable modifications" to their usual ways of doing things when serving people with disabilities.
• Requires that businesses take steps necessary to communicate effectively with customers with vision, hearing, and speech disabilities.
• Regulated and enforced by the U.S. Department of Justice: [http://www.ada.gov](http://www.ada.gov).
II. POLICY
This policy is intended to provide guidance regarding Workforce Innovation and Opportunity Act (WIOA) and Americans with Disability Act (ADA) requirements.

For any questions related to specific scenarios that are not covered in this guidance, or to request sign language interpreter services or other accommodations, reasonable modifications, or for information related to assistive technology, please contact:

Tammy Larimore or Alisa Tucker, Equal Opportunity Officers
Denver Workforce Services
101 W Colfax Avenue, Suite 850
Denver, CO 80202
Phone: (720) 913-1617 (V/TTY)
Email: DenverWSFeedback@denvergov.org

Sign language interpreter services are available to those seeking services from the City and County of Denver, including Denver Workforce Services and contracted service providers (please see attachment A for internal procedures on requesting interpretation services). While these interpretation services are available when Denver staff, including contracted staff, provide direct services to individuals, they are not available to individuals in situations where an individual is not receiving a direct service from a Denver workforce center, Denver workforce staff, or contracted service provider staff, such as when attending job interviews.

Please contact the Denver Equal Opportunity Officers listed above to request sign language interpreter services.

For the purposes of this policy, the term ‘Denver Workforce Services’ will be used to mean the Denver Workforce Services team located within Denver Economic Development and Opportunity, contracted WIOA service providers in the provision of WIOA programs and services, and Denver Workforce Centers.

This broader ‘Accessibility’ policy consists of the following:
A. The Americans with Disabilities Act Nondiscriminatory Eligibility Criteria Policy ..............................................6
B. The Americans with Disabilities Act Contractors, Licensing, and Certification Policy .................................7
C. The Americans with Disabilities Act Reasonable Modification Policy .........................................................8
D. The Americans with Disabilities Act Service Animal Policy ........................................................................9
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Denver Workforce Services will follow its Discrimination Complaints Procedure for any complaints alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by Denver Workforce Services.
A. The Americans with Disabilities Act Nondiscriminatory Eligibility Criteria Policy

(Reference: 28 CFR § 35.130(b)(8))

Denver Workforce Services and contracted service providers will not impose or apply eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity, unless such criteria can be shown to be necessary for the provision of the service, program, or activity being offered.

Denver Workforce Services may impose or apply eligibility criteria that screen out or might screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any service, program, or activity, when such eligibility criteria are in place to avoid a fundamental alteration in the nature of a program or because of a legitimate safety requirement. Denver Workforce Services will ensure that its safety requirements are based on actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities.

In those circumstances where personnel of Denver Workforce Services believe that waiving eligibility criteria would fundamentally alter a service, program, or activity, Denver Workforce Services must prove that waiving eligibility criteria would result in such alteration. The decision that waiving eligibility criteria would result in such alteration must be made by the Denver Workforce Services Director or designee after considering all reasonable methods or means of providing access to the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration Denver Workforce Services must take any other action that would not result in such an alteration but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by Denver Workforce Services.
B. The Americans with Disabilities Act Contractors, Licensing, and Certification Policy

(Reference: 28 CFR § 35.130(b))

Denver Workforce Services will not directly or through contractual or other arrangements, utilize criteria or methods of administration:

- That have the effect of subjecting qualified individuals with disabilities to discrimination on the basis of disability;
- That have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of a Denver Workforce Services program with respect to individuals with disabilities; or
- That perpetuate the discrimination of another public entity if both Denver Workforce Services and the other entity are subject to common administrative control or both are agents of the State of Colorado.

Denver Workforce Services, in the selection of procurement contractors, may not use criteria that subject qualified individuals with disabilities to discrimination on the basis of disability.

Denver Workforce Services will not administer a licensing or certification program in a manner that subjects qualified individuals with disabilities to discrimination on the basis of disability, nor will Denver Workforce Services establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with disabilities to discrimination on the basis of disability. The programs or activities of entities that are licensed or certified by Denver Workforce Services are not, themselves, covered by this part.
C. The Americans with Disabilities Act Reasonable Modification Policy

(Reference: 28 CFR § 35.130(b)(7))

It is the policy of Denver Workforce Services to make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability.

Requests for modifications in policies, practices, or procedures will be granted unless Denver Workforce Services can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Denver Workforce Services is not required to provide a reasonable modification to an individual who meets the definition of “disability” solely under the “regarded as” prong of the definition of disability. Nothing in the Americans with Disabilities Act Part 35 regulations provides the basis for a claim that an individual without a disability was subject to discrimination because of a lack of disability, including a claim that an individual with a disability was granted a reasonable modification that was denied to an individual without a disability.

Denver Workforce Services may impose legitimate safety requirements necessary for the safe operation of its services, programs, or activities; however, Denver Workforce Services will ensure that its safety requirements are based on actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities.

ADA Part 35 regulations do not require Denver Workforce Services to provide to individuals with disabilities personal devices, such as wheelchairs; individually prescribed devices, such as prescription eyeglasses or hearing aids; readers for personal use or study; or services of a personal nature including assistance in eating, toileting, or dressing.
D. The Americans with Disabilities Act Service Animal Policy

(Reference: 28 CFR § 35.136)

It is the policy of Denver Workforce Services to ensure that individuals with disabilities may be accompanied by their service animals wherever members of the public may go.

The U.S. Department of Justice enforces title II of the ADA and the associated regulations and standards that apply to state and local governments. Denver Workforce Services welcomes persons with disabilities who are accompanied by service animals in all of our buildings, programs and activities. No identification or special tags for the service animal are required.

Denver Workforce Services will consider making a reasonable modification to this policy to permit the use of miniature horses, as a service animal, on a case-by-case basis. The City and County of Denver’s Equal Opportunity Officer should be contacted to discuss this.

Under the ADA, service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include

- Guiding people who are blind,
- Alerting people who are deaf,
- Pulling a wheelchair,
- Alerting and protecting a person who is having a seizure,
- Reminding a person with mental illness to take prescribed medications,
- Calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or
- Performing other duties.

Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.

1. Areas Where Service Animal Are Allowed

Under the ADA, Denver Workforce Services generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. For example, in a hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal’s presence may compromise a sterile environment.

2. Service Animals Must Be Under Control

Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices. In cases where the service animal is not leashed or harnessed, the handler must have the service animal under voice or signal control.
3. Inquiries, Exclusions, Charges, and Other Specific Rules Related to Service Animals

   When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions:

   - Is the dog a service animal required because of a disability; and
   - What work or task has the dog been trained to perform.

   Staff cannot ask about the person’s disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.

   Allergies and fear of dogs are not valid reasons for denying access or refusing service to people using service animals. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom or at a homeless shelter, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

   A person with a disability cannot be asked to remove her service animal from the premises unless:

   - The dog is out of control and the handler does not take effective action to control it; or
   - The dog is not housebroken.

   When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal’s presence.

   Establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.

   People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a program or agency requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.

   If a program or agency normally charges patrons for damage that they cause, a customer with a disability may also be charged for damage caused by himself or his service animal.

   Staff are not required to provide care or food for a service animal.
E. The Americans with Disabilities Act Mobility Device Policy

(Reference: 28 CFR § 35.137)

It is the policy of Denver Workforce Services to permit individuals with mobility disabilities to use wheelchairs and manually-powered mobility aids, such as walkers, crutches, canes, braces, or other similar devices designed for use by individuals with mobility disabilities in any areas open to pedestrian use.

Denver Workforce Services will make reasonable modifications in its policies, practices, or procedures to permit the use of other power-driven mobility devices by individuals with mobility disabilities, unless Denver Workforce Services can demonstrate that the class of other power-driven mobility devices cannot be operated in accordance with legitimate safety requirements adopted by Denver Workforce Services. Denver Workforce Services will ensure that its safety requirements are based on actual risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities. The operation of other power-driven mobility devices in a manner or in a facility where such operation violates Denver Workforce Services legitimate safety requirements would fundamentally alter the nature of the program.

In determining whether a particular other power-driven mobility device can be allowed in a specific facility, as a reasonable modification, Denver Workforce Services will apply the following assessment factors:

- The type, size, weight, dimensions, and speed of the device;
- The facility's volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
- The facility's design and operational characteristics (e.g., whether its service, program, or activity is conducted indoors, its square footage, the density and placement of stationary devices, and the availability of storage for the device, if requested by the user);
- Whether legitimate safety requirements can be established to permit the safe operation of the other power-driven mobility device in the specific facility; and
- Whether the use of the other power-driven mobility device creates a substantial risk of serious harm to the immediate environment or natural or cultural resources, or poses a conflict with Federal land management laws and regulations.

Denver Workforce Services employees will not ask an individual using a wheelchair or other power-driven mobility device questions about the nature and extent of the individual’s disability; however, Denver Workforce Services employees may make inquiries into use of other power-driven mobility devices. Denver Workforce Services employees may ask a person using an other power-driven mobility device to provide a credible assurance that the mobility device is required because of the person’s disability.

Denver Workforce Services, when permitting the use of an other power-driven mobility device by an individual with a mobility disability, will accept the presentation of a valid, State-issued, disability parking placard or card, or other State-issued proof of disability as a credible assurance that the use of the other power-driven mobility device is for the individual’s mobility disability.

In lieu of a valid, State-issued disability parking placard or card, or State-issued proof of disability, Denver Workforce Services will accept as a credible assurance a verbal representation, not
contradicted by observable fact, that the other power-driven mobility device is being used for a mobility disability. A “valid” disability placard or card is one that is presented by the individual to whom it was issued and is otherwise in compliance with the State of issuance’s requirements for disability placards or cards.
F. The Americans with Disabilities Act Reasonable Accommodation Policy

(Reference: 29 CFR § 1630.9)

Denver Workforce Services will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or employee with a disability, unless Denver Workforce Services can demonstrate that the accommodation would impose an undue hardship on the operation of Denver Workforce Services’ business.

Denver Workforce Services will not deny employment opportunities to an otherwise qualified job applicant or employee with a disability based on the need of Denver Workforce Services to make reasonable accommodation to such individual's physical or mental impairments.

Americans with Disabilities Act title I regulations do not require an individual with a disability to accept an accommodation, aid, service, opportunity or benefit which such qualified individual chooses not to accept. However, Americans with Disabilities Act title I regulations do not require Denver Workforce Services to consider to be qualified, an individual who rejects a reasonable accommodation, aid, service, opportunity or benefit that is necessary to enable the individual to perform the essential functions of the position held or desired, and who cannot, as a result of that rejection, perform the essential functions of the position.

Denver Workforce Services, absent undue hardship, will provide a reasonable accommodation to an otherwise qualified individual who meets the definition of disability under the Americans with Disabilities Act title I regulations’ “actual disability” prong, or “record of” prong. Denver Workforce Services will not provide a reasonable accommodation to an individual who meets the definition of disability solely under the Americans with Disabilities Act title I regulations’ “regarded as” prong.

Denver Workforce Services will, upon the request of a qualified individual who is known to have, or who discloses, a disability (as defined by the Americans with Disabilities Act title I regulations, §1630.2 Definitions), enter into an interactive process to identify an appropriate reasonable accommodation for that individual. An appropriate reasonable accommodation will overcome a qualified individual’s limitations, making it possible for the individual to perform the essential job functions of their position. An appropriate reasonable accommodation will not impose an undue hardship on the operation of Denver Workforce Services’ business, cause a direct threat to members of the public or other Denver Workforce Services employees, or violate legitimate safety requirements.
G. The Americans with Disabilities Act Effective Communication Policy

(Reference: 28 CFR § 35.160)

It is the policy of Denver Workforce Services to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications are with others.

Denver Workforce Services, through its agencies, will furnish appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities, including applicants, participants, members of the public, and companions an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by Denver Workforce Services.

The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication involved; and the context in which the communication is taking place. In order to be effective, auxiliary aids and services will be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

Auxiliary aids and services include:

- Qualified interpreters on-site or through video remote interpreting (VRI) services, notetakers, real-time computer-aided transcription services, written materials, exchanges of written notes, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, including real-time captioning, voice, text, and video-based telecommunications products and systems, including text telephones (TTY’s), video telephones, and captioned telephones, or equally effective telecommunications devices, videotext displays, accessible electronic and information technology, or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing; and
- Qualified readers; taped texts; audio recordings, Braille materials and displays, screen reader software, magnification software, optical readers, second auditory programs (SAP), large print materials, electronic and information technology, or other effective methods of making visually delivered materials available to individuals who are blind or have low vision.

When an auxiliary aid or service is requested, Denver Workforce Services will give primary consideration to the choice expressed by the individual with disabilities. Denver Workforce Services will honor the choice unless:

- It can show that another effective means of communication is available;
- It can show that the use of the means chosen would result in a fundamental alteration in the service, program, or activity; or
- It can show that the use of the means chosen would result in undue financial burden to Denver Workforce Services.

A Denver Workforce Services agency will consult with the individual with a disability to identify an effective manner of communication that can be achieved with the individual in the context of the agency’s program, service, or activity. Denver Workforce Services will not require an individual with a disability to bring another individual to interpret for him or her.
Denver Workforce Services will not require an adult accompanying an individual with a disability to interpret or facilitate communication except:

- In an emergency involving imminent threat to the safety or welfare of an individual or the public where there is no interpreter available; or
- Where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on the adult for assistance is appropriate under the circumstances.

Denver Workforce Services will not rely on a minor child to interpret or facilitate communications, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available.

When Denver Workforce Services uses an automated-attendant system, including, but not limited to, voice mail and messaging, or an interactive voice response system, for receiving and directing incoming telephone calls, that system must provide effective real-time communication with individuals using auxiliary aids and services, including TTY’s and all forms of FCC-approved telecommunications relay systems, including Internet-based relay systems.

Denver Workforce Services will respond to telephone calls from a telecommunications relay service established under title IV of the ADA in the same manner that it responds to other telephone calls.
H. The Americans with Disabilities Act Transportation Access Policy

(Reference: 28 CFR § 37.5)

Denver Workforce Services will not discriminate against an individual with a disability in connection with the provision of transportation service.

Notwithstanding the provision of any special transportation service to individuals with disabilities, Denver Workforce Services will not, on the basis of disability, deny to any individual with a disability the opportunity to use Denver Workforce Services transportation service for the general public, if the individual is capable of using that service. This applies to transportation that is provided as a benefit or condition of participation in any service, program, or activity of Denver Workforce Services.

Denver Workforce Services will not require an individual with a disability to use designated priority seats, if the individual does not choose to use these seats.

Denver Workforce Services will not impose special charges on individuals with disabilities, including individuals who use wheelchairs, for providing services required by this U.S. Department of Transportation title II, Subpart B regulations or otherwise necessary to accommodate them.

Denver Workforce Services will not require that an individual with disabilities be accompanied by an attendant.

Denver Workforce Services will not refuse to serve an individual with a disability or require anything contrary to this U.S. Department of Transportation title II, Subpart B regulations because its insurance company conditions coverage or rates on the absence of individuals with disabilities or requirements contrary to U.S. Department of Transportation title II, Subpart B regulations.

It is not discrimination under U.S. Department of Transportation title II, Subpart B regulations for Denver Workforce Services to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others. However, Denver Workforce Services will not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of Denver Workforce Services or other persons.

Denver Workforce Services, in the event that it provides any designated public transportation will make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to their services, subject to the limitations of U.S. Department of Transportation title II, Subpart B regulations [§37.169(c)(1)-(3)].

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated transportation services, Denver Workforce Services will give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.
I. The Americans with Disabilities Act Emergency Management Plan Development Policy

Denver Workforce Services will adhere to emergency management plans developed by the City and County of Denver’s Office of Emergency Management:
https://www.denvergov.org/content/denvergov/en/office-of-emergency-management.html

J. The Americans with Disabilities Act Equal Employment Policy

(Reference: 28 CFR § 35.140)

Denver Workforce Services will adhere to the City and County of Denver’s Equal Employment policy:

III. ATTACHMENT

A. Office of Sign Language Services Sign Language Interpreter Request Protocol

IV. INQUIRIES

All inquiries regarding this policy should be directed to the Denver Workforce Services Policy Liaison.
SIGN LANGUAGE INTERPRETER REQUEST PROTOCOL
CITY & COUNTY OF DENVER AGENCIES

Under Federal Law deaf people are a protected class, per the Americans with Disabilities Act (ADA). Therefore, they are entitled to effective communication and equal access to all government programs, services, and events (ADA Title II). Effective communication includes the provision of a credentialed/certified sign language interpreter who abides by a Professional Code of Conduct which includes neutrality and confidentiality.

Family members and friends are not to be utilized as interpreters, per Colorado Consumer Protection Act, 6-1-707.

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<th>DAY &amp; TIME</th>
<th>CONTACT</th>
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<tbody>
<tr>
<td>Monday-Friday</td>
<td>Denver Office of Sign Language Services</td>
<td>Mobile: 303.880.3208</td>
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<tr>
<td>8:00 AM-6:00 PM</td>
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<td>Desk: 720.913.8487</td>
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|                   |                                 | Email: SignLanguageServices@denvergov.org |}

** Please give us at least a three (3) business-day notice for scheduling or cancelling a request **

Last minute requests are accepted, however they could result in a lack of interpreter availability.

- **For requesting an interpreter, we need:** name of deaf person, on-site contact person & phone number, nature of the request, address, start/ end time. Denver Office of Sign Language Services (DOSLS) will confirm with you once the interpreter has been secured.

- **Scheduling/Billing:** DOSLS schedules and pays for interpreter services for Denver government programs, services, & events.

- **Additional Services:** DOSLS also provides Assistive Listening Devices (ALDs) for sound amplification for small group and one-on-one meetings, and open captioning via Communication Access Real-time Translation (CART) for people with a hearing loss who are accessing City services, but may not use sign language as their primary mode of communication.

- **Interpreter/CART Request Statement Denver Government Materials:** A sign language interpreter or real-time captioning via CART can be provided upon request with at least three business days' notice. Contact SignLanguageServices@denvergov.org, or 720.913.8487.

- **Information & Referral, 24/7 Interpreter Call-Out Policy:** contact DOSLS.