

City of Elk Grove - Self-Evaluation Work Plan

Results of the City of Elk Grove Staff Surveys and Interviews

Policies that may limit or exclude the participation of persons with disabilities

Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									
--------------------	--	--	--	--	--	--	--	--	--	--

NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
1	28 CFR 35.103	No evidence was found that the City's design contracts require design professionals to use, at a minimum, the most stringent access standards in affect at the time of the project as mandated by 28 CFR35.103.	Ensure the most stringent standards are enforced by contract.		28CFR35.103 does not require contracts to require that design professionals use the most stringent standards. To ensure the most stringent standards are used, enforcing it by contract is, however, a best practice.	Public Works		Completed		Going forward from April 2023 language requiring compliance will be added to requests for proposals for design work.
2	28 CFR 35.136	The City does not currently have a service animal policy.	Move forward with plans to create a service animal policy pursuant to 28 CFR 35.136 and ensure City staff is trained on the new policy		6/5/2019	Risk Management	Draft #1 - 6/7/2019 Draft #2 - 8/30/2019 Draft #3 - 1/28/2020			
3	Best Practice	No protocol is in place to establish service animal relief areas for City produced meetings and events.	Although not required, providing a service animal relief area sends a welcoming message. We (SSA) recommend the City's service animal policy include procedures in this area.		6/5/2019	Risk Management	Planning as a part of the Animal Policy			Planning as a part of the Animal Policy
4	28 CFR 35.131	No policy was found to comply with 28 CFR 35.131 (discrimination against persons who formerly used drugs in an illegal manner, have been through a rehabilitation program, and are currently not using drugs in an illegal manner).	Create a policy to comply with 28 CFR 35.131			Human Resources				Potentially add language prohibiting discrimination against people who formerly used drugs in an illegal manner under section 33 of the Personnel Rules. Suggested language: The City shall not discriminate on the basis of illegal use of drugs against an individual who is not engaging in current illegal use of drugs and who has successfully completed a supervised drug rehabilitation program or has otherwise been rehabilitated successfully or is participating in a supervised rehabilitation program. It shall not deny health services, or services provided in connection with drug rehabilitation, to an individual on the basis of that individual's current illegal use of drugs, if the individual is otherwise entitled to such services. However, the City may adopt and administer reasonable policies or procedures including, but not limited to, drug testing that are designed to ensure that an individual who formerly used drugs illegally is not now engaging in current illegal drug use.
5	Best Practice	The City's job announcement nondiscrimination statement does not list the protected classes as a best practice to promote compliance with California Government Code 12940(a)	To ensure clarity, revise job announcement nondiscrimination statement to include protected classes.			Human Resources				List out the actual protected job classes. Current language is: "The City of Elk Grove is an equal opportunity employer and is committed to creating a work environment in which all individuals are treated with respect and professionalism." The suggested language would be: The City of Elk Grove is an equal opportunity employer and affords equal employment opportunity for all qualified employees and applicants to all terms of employment with the City, including, but not limited to, compensation, hiring, training, promotion, transfer, discipline and termination. The City of Elk Grove prohibits discrimination against employees and applicants for employment on the basis of the employee or applicant's race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age (40 and over), sexual orientation, or military and veteran status or any other basis protected by law.
6	Best Practice	Police Officers are trained to refer ADA complaints to the Civil Rights Division of the US Department of Justice (DOJ). They have not been trained to direct those complainants to the City employee responsible for handling ADA grievances (the publishing of which is required by 28 CFR 35.107).	Ensure all Police staff are aware of the Elk Grove ADA Grievance system and refer complaints to that system .			EGPD (Risk)				

7	28 CFR 35.139	No procedure is in place to address individuals participating in, or benefitting from, City services, programs, or activities who pose a direct threat to the health or safety of others as required by 28 CFR 35.139.	Create a system for the determination of direct threat using the requirement of 28 CFR 35.139(b) summarized as follows: an individualized assessment, based on reasonable judgment that relies upon current medical knowledge to ascertain the risk, the probability of injury, and ways to mitigate those.	Direct threat may arise from other situations than a psychiatric disability. Under the regulations one would examine only direct threat to others.		Human Resources					Review Violence in the Workplace policy and potentially develop a procedure for this.
Communication systems used by the City											
Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:										
NO.		FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES	
8	28 CFR 35.160	City publications do not contain a notice offering them in alternative formats as needed by persons with disabilities pursuant to 28 CFR 35.160.	Ensure City publications contain a notice offering them in alternative formats if needed by persons with disabilities. Train staff on how to address requests for alternative formats when they are made			Public Affairs (Risk)					
9	Best Practice; recommended by US Department of Justice (DOJ) within the ADA, Title II, Technical Assistance Manual II-8.2000 #6	No system was found by which publications are reviewed to ensure appropriate language is used regarding persons with disabilities as recommended by the US Department of Justice (DOJ) within the ADA, Title II, Technical Assistance Manual II-8.2000 #6	As a best practice, train staff on person first language and ensure it is used when writing about persons with disabilities.			Risk Management					
10	28 CFR 35.161(b)	The Web Content Accessibility Guidelines (WCAG) 2.0 has not been adopted as the web access standard for the City. This standard has emerged as the standard the US DOJ will accept as effective communications.	Adopt and apply WCAG 2.			Public Affairs					

The provision of auxiliary aides and services to members of the public who are engaged in receiving programs, services or activities from the City.										
Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									
NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
11	28 CFR 35.160(b)(1)(2)	4.1 No evidence was found that resources for the full range of auxiliary aids and services have been identified pursuant to 28 CFR 35.160(b)(1)(2) This could result in a delay in obtaining the services when needed.	Locate and document resources for the provision of auxiliary aids and services.	The auxiliary aids needed would be dependent upon the outcome of the interactive process, pursuant to 28 CFR 35.160(b)(2) with the requester. They may include, but not be limited to; Braille, real time captioning, sign language interpreting, oral interpreting, note taking, large print, etc.		City Clerk / Human Resources (Risk)	There are listening aid devices in the Chamber that pick up the audio broadcast., and real time captioning.			From the Clerk perspective, looking for direction on what we need to provide, I thought the requirement is to receive a request for accommodation 48 hours in advance, and our ADA Coordinator then assists individuals with the request?
12	28 CFR 35.160	Not all live or pre-recorded video provided by the City is captioned	Ensure all video provided by the City is captioned.			Public Affairs (Risk)	1/1/2021 Complete	COMPLETE		As of 1/1/2021 All video is captioned
13	28 CFR 35.160 (a)(1)	Computers accessible to the public, located in the Building Department lobby and City Clerk lobby, are not accessible to some persons with disabilities.	Add accessibility features and/or software to computers used by the public so that they are accessible to all.			City Clerk (Risk)	Clerk area has a desk that can raise / lower with a computer, and all public doors to that location have ADA access.	ttorn		
Access to emergency management for persons with disabilities										
Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									
NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
14	28 CFR 130(b)(8); California Government Code 8593.3	Pursuant to 28 CFR 130(b)(8) and California Government Code 8593.3, no protocol was found to be in place regarding using the services of a sign language interpreter within the screen shot if a City official needs to make statements via television in crises situations.	If a City official makes a televised statement during crises situations, ensure the message is captioned or that a sign language interpreter is seen in the screen shot.			Public Affairs (RTIC / Risk)				
15	Best Practice	No evidence was found that the City is using guidance from US DOJ, as a best practice, regarding emergency management for persons with disabilities.	Use the US DOJ guidance, where found reasonable and feasible, regarding emergency management and persons with disabilities.			EGPD (RTIC)				
16	Best Practice	As part of the City's Emergency Action Plan, Emergency Coordinators have not been trained regarding the needs of persons with disabilities in emergency situations, to ensure compliance with 28 CFR 130(b)(8) and California Government Code 8593.3.	Train Emergency Coordinators regarding the needs of persons with disabilities in emergency situations using the US DOJ publications regarding emergency management for persons with disabilities as a guide.			Risk Management				
17	Best Practice	No evidence was found that Emergency Coordinators are part of the planning for the needs of persons with disabilities during an emergency.	Require Human Resources to notify Emergency Coordinators of any employee needing reasonable accommodation under the City's Emergency Action Plan.			Human Resources (Risk)				
18	28 CFR 130(b)(8); CA Gov Code 8593.3	No protocols were found to ensure emergency television broadcasts are accessible to persons who are deaf or hard of hearing pursuant to 28 CFR 130(b)(8) and CA Gov Code 8593.3.	Ensure that emergency television broadcasts are accessible to persons who are deaf or hard of hearing. This can be done by having a sign language interpreter in the screen shot or by using captioning.			The City does not broadcast its own TV broadcasts.		COMPLETE		
19	28 CFR 130(b)(8); CA Gov Code 8593.3	The City's Emergency Management Plan does not contain procedures mitigating issues faced by persons with disabilities during emergencies, as is required by 28 CFR 130(b)(8) and CA Gov Code 8593.3.	Incorporate procedures into the City's Emergency Management Plan which address mitigation of issues faced by persons with disabilities during emergencies. The US DOJ publications regarding emergency management for persons with disabilities may be used as guidance.			EGPD (RTIC)				
20	Best Practice	Emergency Management drills and Emergency Management Plan modifications do not include the participation of those with disabilities	As a best practice, for appropriate drills, and for plan modifications, input should be obtained on a cross-disability basis from the public and/or the City's Disability Advisory Committee			EGPD (RTIC)				
21	Best Practice	City emergency management teams have not been trained regarding the needs of persons with disabilities during emergency events to ensure compliance with 28 CFR 130(b)(8) and California Government Code 8593.3	Train emergency management teams regarding the needs of persons with disabilities during emergency events			EGPD (RTIC)				

22	Best Practice; EEOC guidance, <i>Fact Sheet on Obtaining and Using Employee Medical Information as Part of Emergency Evacuation Procedures</i> .	The EEOC guidance, titled Fact Sheet on Obtaining and Using Employee Medical Information as Part of Emergency Evacuation Procedures, regarding identifying staff who may need assistance during an emergency is not being used	At the time of hire, Human Resources should, as part of the reasonable accommodation and/or interactive process, proactively utilize the EEOC guidance as outlined in the <i>Fact Sheet on Obtaining and Using Employee Medical Information as Part of Emergency Evacuation Procedures</i> . Human Resources should also proactively ask staff to disclose disabilities on a voluntary basis and ask individual staff if a new disability is observed.			Human Resources (Risk)				Reviewed the Fact Sheet on Obtaining and Using Employee Medical Information, have reached out to LCW to check on a potential template form to collect this data. We can incorporate this in New hire onboarding.
----	--	--	--	--	--	------------------------	--	--	--	--

Disability Awareness among City staff										
Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									

NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
23	Best Practice	Disability Awareness Training has not been provided to all City staff pursuant to DOJ recommendations requiring 4 hours of public contact training including, but not limited to, "person-first language", service animal issues, communications, and the basic mandates of the ADA.	Provide training to all City staff that have public contact to include, but not be limited to, disability awareness, "person-first language," service animal issues, communications, and the basic mandates of the ADA.			Risk Management				

Policies addressing policy modification requests and the determination of fundamental alteration of programs										
Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									

NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
24	28 CFR 35.130 (7)(i); 28 CFR 35.164 Duties.	No specific procedure was found that addresses policy modification requests and the determination of fundamental alteration as mandated by 28 CFR 35.130 (7)(i), 28 CFR 35.164 Duties.	Create a procedure to address policy modification requests Such a system should include; how requests are evaluated, what steps are taken to identify alternative forms of accommodation, how the City handles a request that would result in a fundamental program alteration, and who within the City approves the policy modification denial letter, if needed. 28 CFR 35.164 Duties states that denial letters only be authorized by City staff who have an understanding of all the resources within the organization			Risk Management				

Access to public meetings										
Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									

NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
25	28 CFR 35.106; 28 CFR 150(a); 28 CFR 149; 28 CFR 35.160(b)(1)	A notice regarding the availability of auxiliary aids and services is not included in all notices regarding meetings and events pursuant to 28 CFR 35.106, 28 CFR 150(a), 28 CFR 149, 28 CFR 35.160(b)(1) and as recommended by the US Department of Justice (DOJ) within the ADA, Title II, Technical Assistance Manual II-8.2000 #4.	Create a policy that requires notices of meetings and events to include a statement regarding the availability of auxiliary aids and services for persons with disabilities.			Risk Management				
26	Best Practice	Staff coordinating meetings and events are not trained regarding accessibility requirements as a best practice to ensure compliance of 28 CFR 149 and 28 CFR 35.160(b)(1)	Provide accessibility training and/or guidance to meeting and event coordinators.			Risk Management				

27	Best Practice	There is no policy addressing service animal relief areas during meetings and event productions.	As a best practice, include procedure for setting aside, and for providing directions to, service animal relief areas for use during meetings and events in Service Animal Policy.			Risk Management				Planning as part of Service Animal policy
28	28 CFR 149; 28 CFR 35.160(b)(1)	Event stages are not typically accessible, as required by 28 CFR 149 and 28 CFR 35.160(b)(1)	Provide accessible stages for all events using stages			Only preapproved people allowed on stage. Should any need accomodation, the stage is setup accordingly.		COMPLETE		
29	Best Practice	City event coordinators and staff have not been trained on providing integrated and companion seating requirements required by 28 CFR 35.138, 28 CFR 35.150(b)(1), 28 CFR 35.151(g).	Provide training to City event coordinators and staff on integrated and companion seating requirements			Risk Management				
30	28 CFR 35.160.	Not all video and presentations are accessible to deaf, hard of hearing, and persons who are blind.	Provide captioning and audio descriptors on all video used in public display to ensure compliance with 28 CFR 35.160. Also ensure all presentations are properly accessible to all audience members.			Public Affairs (Risk)	All videos should now be captioned	COMPLETE		
31	28 CFR 35.149, 28 CFR 35.160	Not all meetings or events provide assistive listening systems as required by 28 CFR 35.149, 28 CFR 35.160. Persons speaking at a meeting or event must use a microphone if assistive listening systems are in operation	Require that all meetings or events provide assistive listening systems when requested by attendees, and ensure microphones used in assistive listening systems are in operation. This includes when taking any comments from the audience.			This is already in place		COMPLETE		
32	Best Practice	The City does not have a meeting and event access checklist, a "best practice" in event coordination, to support staff in creating accessible access within meetings and events	Provide an appropriate accessible meeting and event check list, which covers all accessibility requirements and best practices, to event coordinators and staff. Ensure all meetings and events have accessible paths of travel per ADA Standards, section 302.1 unless it would fundamentally alter the event or meeting or cause an undue financial or administrative hardship.			Public Affairs (Risk)				

Human Resources (HR) programs and policies

Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									
--------------------	--	--	--	--	--	--	--	--	--	--

NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
33	28 CFR 35.103	The City does have an ADA Notice of Compliance which is posted for public review. It does not address California State law, which is more stringent in many applications.	In recognition of 28 CFR 35.103, it is recommended that California Government Code 12926 and 11135 be included in the ADA Notice of Compliance.			Posted		COMPLETE		
34	Best Practice	There may not be an appropriate separation of duties between the provision of auxiliary aids and services and administering the grievance system.	As a means of providing oversight, ensure there is separation of duties between providing accommodations and administering the grievance system.			The City does not see a need to separate the duties		COMPLETE		
35	28 CFR 35.140; California Government Code 12940(a), California Government Code 12926; California Code of Regulations 11068	Job announcements do not inform candidates of reasonable accommodations that may be available during selection as required by 28 CFR 35.140, California Government Code 12940(a), California Government Code 12926 and California Code of Regulations 11068	Include information regarding the availability of reasonable accommodation as part of all job announcements.	Although not required by the ADA or state law, including disability organizations in applicant recruitment outreach sends a positive message regarding inclusion.						Job postings do provide that information and provides a phone number to contact in the event an accomodation is needed. We can further add this language (recommended by LCW): Absent the imposition of undue hardship to the City of Elk Grove or its operations or the existence of a direct threat to either the health and safety of employee requesting the accommodation or others, the City will provide employment-related accommodations to the following employees and applicants for employment: a. Qualified individuals with disabilities, both applicants and employees, to enable them to perform essential job functions; and b. Employees with conditions related to pregnancy, childbirth, or a related medical condition, if she so requests, and with the advice of her health care provider; and c. Employee victims of domestic violence, sexual assault, or stalking to promote the safety of the employee victim while at work; and d. Employees who request reasonable accommodation to address a conflict between religious belief or observance and any employment requirement.
36	Best Practice	Selection panelists are not trained, as part of the panel training, regarding disability etiquette	As a best practice, train selection panelists on disability etiquette and awareness							Melissa has updated panel guidelines that incorporate that information. Look for a disability etiquette video/handout and cover that with panel members during orientation.

37	Best Practice	No information was found regarding how employees and candidates can readily locate information regarding the City's reasonable accommodation procedure.	As a best practice, ensure that communication is in place regarding the City's reasonable accommodation process for employees and candidates. Ensure information addresses accommodations for essential functions, selection and receipt of benefits and privileges, including assistance in emergencies.			Human Resources				Section 13.7 of the Personnel Rules addresses for employees. There is a contact number in our job postings for requesting accommodations for candidates.
38	28 CFR 35.139	No procedure is in place to address individuals participating in, or benefitting from, City services, programs, or activities who pose a direct threat to the health or safety of others as required by 28 CFR 35.139.	Create a system for the determination of direct threat using the requirement of 28 CFR 35.139(b) summarized as follows: an individualized assessment, based on reasonable judgment that relies upon current medical knowledge to ascertain the risk, the probability of injury, and ways to mitigate those.	Direct threat may arise from other situations than a psychiatric disability. Under the regulations one would examine only direct threat to others.		Risk Management				

39	Best Practice	The information made available indicates that some major resources that provide free information regarding disability and reasonable accommodation are not being used as is recommended by best practices.	Utilize major resources include the following: Jobs Accommodation Network (JAN) at https://askjan.org/ , Department of Fair Employment and Housing at https://www.dfeh.ca.gov/ Equal Employment Opportunity Commission at https://www.eeoc.gov/ and California Department of Rehabilitation, Disability Access Services at http://www.dor.ca.gov/disabilityaccessinfo/			Risk Management				
40	Best Practice	The following statement was found on a job opportunity announcement. This could exclude otherwise qualified candidates with disabilities. It appears to assume the essential functions of the job will be performed as follows. For example, with a reasonable accommodation a candidate who cannot stoop may be able to perform the essential job function which seems to require stooping. <i>Physical: Primary functions require sufficient physical ability and mobility to work in an office setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; and to verbally communicate to exchange information.</i> <i>Vision: See in the normal visual range with or without correction.</i> <i>Hearing: Hear in the normal audio range with or without correction.</i>	Remove or revise this statement above and ensure selection committees are open to a variety of methods of job performance. That said, it is acknowledged that certain positions, such as Police Officer, will require vision, hearing and physical abilities. The wording should be tailored and job specific.			Human Resources				All our job postings have this disclaimer: "The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions." The working conditions section is tailored to each job. During the job classification process, consultants will be reviewing this as well.

Capital Improvement construction policies

Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									
--------------------	--	--	--	--	--	--	--	--	--	--

NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
41	Best Practice	A CASp plan check is performed but projects are not reviewed during construction and at close out	To ensure all City of Elk Grove projects have appropriate access, a CASp review should be performed at key points of construction and at close out. It is suggested that the California Commission on Disability Access "Accessibility Construction Checklist" be used as guidance for this process. This checklist may be obtained free of charge online at ccda.ca.gov .			Public Works				

City staff training and support

Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									
--------------------	--	--	--	--	--	--	--	--	--	--

NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
42	28 CFR 35.149; 28 CFR 35.160(b)(1))	While City Facilities staff ensure furniture placement in all City-owned buildings provides access to all, there is no written policy or guidance noting accessibility requirements as defined in 28 CFR 35.149 and 28 CFR 35.160(b)(1))	To ensure continuity, make guidance available to impacted staff regarding accessible furniture placement.			Risk Management				
43	Best Practice	Currently, there is no system in place to document incidents involving service animals.	Although not required, it is recommended that the City use an incident reporting system to document service animal incidents. This step is recommended as service animal issues are common within state and local governments. A draft reporting system was submitted to the City by the consultant for consideration			Risk Management				Planning as part of Service Animal policy
44	Best Practice	The City's Disability Advisory Committee has not been trained regarding the mandates the City is held to under ADA and California Government Code 11135 and 12926. This is a best practice	Provide accessibility training encompassing the ADA and California Government Codes 11135 and 12926 to the City's Disability Advisory Committee			Risk Management	Will determine if it's something the DAC wants			

45	28 CFR 35.133	As required by 28 CFR 35.133, The City shall maintain in operable working condition those features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities. This maintenance falls under standard maintenance, and does not have a separate policy or procedure.	It is recommended to create a procedure to address the maintenance of accessible features and to train maintenance staff regarding the identification of access issues so that they can be promptly addressed.			Risk Management	This is a best practice as a procedure is not required. Will work with Facilities to determine if needed.			
----	---------------	--	--	--	--	-----------------	---	--	--	--

ADA-related drug policies

Respondents	Jim Ramsey Risk Analyst / ADA Coordinator jramsey@elkgrovecity.org 916.478.2250 Date:									
--------------------	--	--	--	--	--	--	--	--	--	--

NO.	CITE	FINDING	RECOMMENDATION	SSA NOTES	DATE ASSIGNED	ASSIGNED	MILESTONES	DUE DATE	TRAINING (Y/N)	NOTES
46	28 CFR 35.131	No policy was found to comply with 28 CFR 35.131 (discrimination against persons who formerly used drugs in an illegal manner, have been through a rehabilitation program and are currently not using drugs in an illegal manner)	Create a policy to comply with 28 CFR 35.131			Human Resources				<p>Potentially add language prohibiting discrimination against people who formerly used drugs in an illegal manner under section 33 of the Personnel Rules. Suggested language: The City shall not discriminate on the basis of illegal use of drugs against an individual who is not engaging in current illegal use of drugs and who has successfully completed a supervised drug rehabilitation program or has otherwise been rehabilitated successfully or is participating in a supervised rehabilitation program. It shall not deny health services, or services provided in connection with drug rehabilitation, to an individual on the basis of that individual's current illegal use of drugs, if the individual is otherwise entitled to such services.</p> <p>However, the City may adopt and administer reasonable policies or procedures including, but not limited to, drug testing that are designed to ensure that an individual who formerly used drugs illegally is not now engaging in current illegal drug use.</p>