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C-2019-3013582

Monday, 3 February 2020

Chief Administrative Judge Charles E. Rainey, Jr.  
Rosemary Chiavetta, Secretary  
Pennsylvania Utility Commission  
400 North St., Keystone Bldg.  
Harrisburg, PA 17120

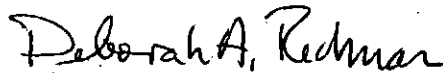
RE: Failure to have an Americans with Disabilities Act (ADA) Coordinator at the PUC

Dear Secretary Chiavetta and Chief Judge Rainey,

Unfortunately, I have spent the good part of a day trying to find the ADA Coordinator at PUC and it is clear that an ADA Coordinator does not exist. Since an ADA Coordinator is required under the law, please inform me when the position will be created. The U.S. Justice Department has an 8-page chapter on the ADA Coordinator as part of its booklet "ADA Best Practices Tool Kit for State and Local Governments." See the enclosed first page. The booklet can be requested from the DOJ and you can print out the chapter at <https://www.ada.gov/pccatoolkit/chap2toolkit.htm>.

Please also let me know who the public should complain to if they encounter radically inappropriate behavior by an administrative law judge.

Yours truly,



Dr. Deborah A. Redman

cc: Attorney Margaret A. Morris  
Reger Rizzo Darnall  
Cira Centre, 13th Fl.  
2929 Arch St.  
Philadelphia, PA 19104

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# ADA Best Practices Tool Kit for State and Local Governments

## Chapter 2

### ADA Coordinator, Notice & Grievance Procedure:

#### Administrative Requirements Under Title II of the ADA

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In this section, you will learn about the administrative requirements of Title II of the ADA, including the mandates to designate an ADA coordinator, give notice about the ADA's requirements, and establish a grievance procedure.

Questions answered include:

- If the local government has fewer than 50 employees, do different requirements apply?
- What are the responsibilities of an ADA Coordinator?
- What are the benefits of having an ADA Coordinator?
- What are the requirements for providing notice of the ADA's provisions?
- How and where must you provide ADA notices?
- What is a grievance procedure?
- What must an ADA grievance procedure include?

#### A. Designating an ADA Coordinator

If a public entity has 50 or more employees, it is required to designate at least one responsible employee to coordinate ADA compliance.<sup>1</sup> A government entity may elect to have more than one ADA Coordinator. Although the law does not refer to this person as an "ADA Coordinator," this term is commonly used in state and local governments across the country and will be used in this chapter.

**The ADA Coordinator is responsible for coordinating the efforts of the government entity to comply with Title II and investigating any complaints that the entity has violated Title II. The name, office address, and telephone number of the ADA Coordinator must be provided to interested persons.**

#### **Common Question: Which employees count?**

If a local government or other public entity has fewer than 50 employees, it is not required to appoint an ADA Coordinator or establish grievance procedures.

The number of employees is based on a government-wide total, including employees of each department, division, or other sub-unit. Both part-time and full-time employees count. Contractors are not counted as employees for determining the number of employees.

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