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BPC Policy No. 362

SUBJECT: AMERICANS WITH DISABILITIES ACT (ADA) POLICY

PURPOSE: To promulgate a formal policy statement of the Board of Port Commissioners (Board) to ensure that employment opportunities at the San Diego Unified Port District (District) conform to current ADA standards, and to ensure that all services, programs, and facilities be fully usable and accessible to all persons with disabilities as defined by the ADA and all other applicable federal, state, and locals laws.

POLICY STATEMENT:

1. District does not discriminate on the basis of disability in employment and complies with the ADA, and all other applicable federal, state, and local laws, regarding barrier-free access to all District services, programs, and facilities.

2. In conjunction with BPC Policy 361, it is the District's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions, and privileges of employment.

3. An individual with a disability, who can be reasonably accommodated for a job, without undue hardship to the District, will be given the same consideration for the position as any other applicant. Additionally, the District will engage in an interactive process to attempt to reasonably accommodate qualified individuals with disabilities so they can perform the essential functions of a job. All employees are required to comply with safety standards.

4. The District is committed to ensure all services, programs, and facilities are accessible and usable by all individuals except where to do so would result in a fundamental alteration in the nature of the service, program or facility, or in undue financial and administrative burdens.

5. To ensure high visibility of accessibility, the District will participate in community outreach events, report on activities that further enhance accessibility, and consider the use of Universal Design, which is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design, to support and include people with disabilities in all services, programs, and facilities as appropriate.

6. Furthermore, to promote all tenant services, programs, and facilities as fully usable and accessible to all persons, including persons with disabilities as defined by the ADA and all other applicable federal, state, and local laws, the District encourages the voluntary use of Universal Design to further enhance accessibility on tenant improvement and development projects.

7. In conjunction with BPC Policy 361, the District will promptly investigate all complaints of employment discrimination and barriers to services, programs, and facilities, and when appropriate, take effective remedial action to address and remedy any complaints.

8. The Executive Director will designate person(s) responsible for developing and implementing the District's ADA program and ensuring that District employees, agents, lessees, and contractors adhere to the provisions of the ADA program.

9. The ADA program will be implemented at the same priority as compliance with all other legal obligations incurred by the District.

10. This policy shall be reviewed and updated annually or when required by law.

RESOLUTION NUMBER AND DATE: 2010-109, dated July 6, 2010 (Supersedes BPC Policy 362, Resolution 2008-275, dated December 2, 2008; and Resolution 2005-57, dated April 12, 2005)

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Re Amendment of BPC Policy 362,]
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Americans With Disabilities Act   ]
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(ADA) Policy . . . .]
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RESOLUTION 2010-109

     BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified

Port District, as follows:

     That Board of Port Commissioners Policy No. 362, American with Disabilities Act

(ADA) Policy, as amended, a copy of which shall be placed on file in the office of the

District Clerk, is hereby adopted.

     ADOPTED this ___6th___ day of _____July_____, 2010.

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7/6/10