

**STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES**

SUBJECT: Nondiscrimination/Americans with Disabilities Act

EFFECTIVE: This policy circular shall become effective immediately.

PROMULGATED: November 1, 1994

SUPERSEDES: Policy Circular P8.10, promulgated June 1, 1983

The purpose of this circular is to notify Provider Agencies of prohibitions against discrimination and the need for reasonable accommodation for those persons with disabilities employed by or using the services of the Provider Agency.

I. SCOPE

This policy circular applies to all Contracts.

II. POLICY

Provider Agencies shall not discriminate against any applicant for employment or services, nor against any employee or recipient of service because of race, color, creed, religion, ethnic background, national origin, marital status, disability, age or sex.

A. Nondiscrimination

1. The Provider Agency must comply with all applicable federal, State and local laws, rules and regulations, including but not limited to the following: the federal Civil Rights Act of 1964 (as amended); P.L. 1975, Chapter 127, of the State of New Jersey (N.J.S.A. 10:5-31 et seq.) and associated executive orders pertaining to affirmative action and nondiscrimination on public contracts; and the federal Equal Employment Opportunity Act.
2. Provider Agencies must adopt procedures to ensure the resolution of any complaint of discrimination. Such procedures must incorporate appropriate due process standards and provide for a prompt and equitable resolution of the complaint.
3. Provider Agencies must publicly display a statement notifying applicants for employment or services that they do not discriminate and must include such a

statement in all publications and related materials referring to Contract services. To this end, Provider Agencies must use either:

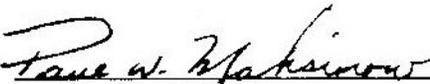
- a. a statement which at minimum includes assurance of nondiscrimination as noted in Section A above; or
- b. the following model statement:

"This agency does not discriminate against any applicant for employment or services, nor against any employee or recipient of service because of race, color, creed, religion, ethnic background, national origin, marital status, handicap, age or sex (subject to conditions and limitations applicable alike to all persons). Any complaint of discrimination regarding employment or the provision of services shall be referred to (Indicate the appropriate Provider Agency person, with title, address and telephone number.)"

B. Persons with Disabilities

1. The Provider Agency must comply with all applicable federal, State and local laws, rules and regulations, including but not limited to the following: Section 504 of the federal Rehabilitation Act of 1973 pertaining to non-discrimination on the basis of disability and regulations thereunder; and the Americans With Disabilities Act (A), 42 U.S.C. 12101 et seq.
2. The Provider Agency must make reasonable accommodation and program access for all individuals with disabilities. This may include steps such as, but not exclusive to: job restructuring, modification of equipment, auxiliary aids and services to individuals with vision or hearing impairments, removal of physical barriers or providing the services by an alternate means or location.
3. If there are any questions regarding ADA, please contact the ADA Coordinator in the Departmental Component with which you Contract.

Issued by:



Paul W. Maksimow
Assistant Commissioner
Department of Human Services