



# Rhode Island Airport Corporation

## American's with Disabilities (ADA) Policy

### **I.** Purpose of This Policy

The Americans with Disabilities Act (ADA) protects individuals from discrimination on the basis of disability in the services, activities, programs, benefits, and/or facilities of the Rhode Island Airport Corporation (RIAC). This Policy provides RIAC personnel with the policies, standards, and procedures by which to implement the ADA and Section 504 of the Rehabilitation Act of 1973 ("Section 504"), applicable to the Airport grant program. This Policy helps ensure standardization and uniformity in the application of these protections.

The Grievance and Complaint Procedures are established to meet the requirements of the ADA, and to provide a process to ensure better service to all customers using RIAC facilities. These procedures may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, benefits, or facilities of RIAC, its tenants, or service providers.

### **II.** Grievance or Complaint Procedures Under the Americans with Disabilities Act (ADA)

To file a grievance alleging denial of access to a RIAC program or service based on disability, a patron should file a complaint, in writing, using the ADA Grievance Form (Form). The complaint must contain the name, address, e-mail address, and phone number of the complainant. The Form should include as much information as possible regarding the alleged denial of access including date, time, location, and a clear description of the denial of access. Alternate means of filing complaints, such as personal interviews or tape recording of the complaint will be made available for persons with disabilities, upon request. A separate ADA Grievance Form should be filed for each alleged act of discrimination.

The complaint should be submitted by the complainant, or his/her/their designee as soon as possible, but no later than thirty (30) days after the alleged violation to:

Brittany Morgan, Esq.  
ADA Coordinator  
Rhode Island Airport Corporation  
2000 Post Road  
Warwick, RI 02886  
Email: [bmorgan@pvdAirport.com](mailto:bmorgan@pvdAirport.com)  
Phone: 401-691-2288

Upon receipt of a grievance, the ADA Coordinator will review the completed Form within ten (10) business days and a letter acknowledging receipt of the complaint will be transmitted to the complainant. If additional information is required, the ADA Coordinator will contact the complainant and return the Form for completion.

Once the completed Form has been received, the ADA Coordinator will work with RIAC (and its tenants, contractors and concessionaires, if necessary) to identify and implement a mutually agreed upon resolution within fifteen (15) business days of receipt of the completed Form. If further investigation is necessary, the ADA Coordinator will issue a "Notice of Continued Investigation" not later than fifteen (15) business days after receiving the completed Form.

It is RIAC's policy to encourage an informal resolution of all complaints and grievances. If a mutually agreed upon informal resolution cannot be achieved, the ADA Coordinator will issue a written decision within sixty (60) business days of the receipt of the completed Form. The filing of a grievance does not prevent an individual from filing a complaint with the U.S. Department of Justice, ADA Enforcement Division or with the Federal Aviation Administration, Office of Civil Rights.

If the complaint is not resolved to the complainant's satisfaction, complainant may request a further review of the complaint with the President & CEO, Rhode Island Airport Corporation. The complainant must file this request for further review, in writing, within thirty (30) days from receipt of the ADA Coordinator's decision. The complainant must include a description of the complainant's concerns or objections to the President & CEO of RIAC, at 2000 Post Road, Warwick, RI 02886.

Within thirty (30) days of receipt of this appeal, the President & CEO, or his designee will contact or meet with the complainant to discuss the grievance and possible resolution. Within thirty (30) days of communicating with the complainant, the President & CEO, or his designee will respond in writing and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written and/or recorded communications will be retained by RIAC for a period of five (5) years from the date of the ADA Coordinator's decision or the date of the President & CEO's decision, whichever is later.

### **III. Reasonable Modifications**

A reasonable modification or a reasonable accommodation is a change or exception to a practice, policy, or procedure that allows individuals with disabilities to have equal access to programs, services, and activities. A reasonable accommodation request may be made by the person with the disability, or by another person on behalf of the disabled person, and may be made to the Airport or to a stakeholder directly. An individual requesting a reasonable accommodation is not required to use any specific language. For example, the term "reasonable accommodation" does not need to be in the request. When requesting a reasonable modification to an Airport program or service, an individual with a disability is not required to provide a medical documentation or diagnosis to

justify their request, but they must be able to explain how their disability is related to the requested modification. The individual making the request should describe what accommodation is needed to use the program, service, or activity. RIAC, Airport employees, or any of RIAC's stakeholders or their employees should process requests for reasonable accommodation as promptly as is reasonably possible. The time necessary to process a request will depend on the nature of the accommodation. Individuals who require reasonable accommodations to access facilities, programs, services, or activities are encouraged to submit a request in advance directly through the stakeholder providing the service.

To comply with the ADA and the Rehabilitation Act, RIAC and its stakeholders providing services to the public are required to make reasonable modifications to policies, practices, and procedures to avoid discrimination based on disability unless the modification would:

1. fundamentally alter the nature of the program, service, or activity;
2. would cause an undue financial or administrative burden; or
3. or would pose a direct threat to the health and safety of other;

A reasonable modification request may also be denied if the individual with a disability is fully able to access RIAC's services, programs, or activities without the modification. RIAC has informed its stakeholders of their requirement to assist qualified individuals requesting accommodations and requires stakeholders to provide training to stakeholder employees on accommodation requests. This policy will assist those responding to a reasonable accommodation request at the Airport.

If an employee of RIAC, a stakeholder, or an employee of a stakeholder is unable to comply with an accommodation request or believes the request would fundamentally alter the nature of the program, service, or activity, would cause an undue financial or administrative burden, or would pose a direct threat to the health and safety of others, then he or she should inform the Airports ADA Coordinator, or the Airport's operations staff in the ADA Coordinator's absence, and advise why the request cannot be accommodated. The ADA Coordinator may review all denied requests for accommodations and may help identify a reasonable accommodation.

#### **IV. Self-Evaluations**

RIAC is committed to providing accessible programs, services, activities, and facilities to all of its visitors and passengers. To assist RIAC in its commitments to comply with the ADA and the Rehabilitation Act, RIAC personnel and other designated staff will continue to re-evaluate the accessibility of programs, services, activities, and facilities of the Airport or Airport tenants at least once every three (3) years or as situations may dictate for compliance with applicable regulations and take any necessary interim remedial actions. This re-evaluation will include the following and will be the responsibility of the ADA Coordinator along with the respective division heads within RIAC. RIAC will retain the evaluation on file for three (3) years.

1. Review of current programs, services, activities, and facilities of the Airport:
  - a. Determine if new programs, services, activities, or facilities are being offered to the public since the last evaluation.

- b. Determine if existing policies and practices serve current programs, services, activities, and facilities in a non-discriminatory manner.
  - c. For both new and existing programs, services, activities, and facilities, determine if they are compliant with the ADA and the Rehabilitation Act.
    - i. Consult with appropriate staff regarding policies and practices.
    - ii. Consult and incorporate feedback from the ADA community.
  - d. Ensure that, as new facilities are open and available to the public, access to programs, services, and activities offered in the new facilities are provided in a non-discriminatory manner.
  - e. Ensure RIAC employees are properly and periodically training employees on recognizing ADA issues and how to properly address ADA related issues and requests for accommodation.
2. Review of accessibility-related complaints will be ongoing as complaints are received, but these complaints will also be reviewed every three (3) years in order to ensure resolution of complaints and to determine patterns of noncompliance and areas for improvement.
  3. Modification or creation of policies and practices to remove any effects of discrimination resulting from policies and practices.
  4. Review of practices of tenants, airlines, concessionaires, and ground transportation providers (collectively "stakeholders") as they relate to activities and services provided in and on the Airport properties.
    - a. Work with stakeholders to identify ADA issues and implement changes as necessary.
    - b. Ensure stakeholders are properly and periodically training employees on recognizing ADA issues and how to properly address ADA related issues and requests for accommodation.

The ADA Coordinator's contact information is as follows:

Brittany Morgan Esq.  
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Rhode Island Airport Corporation  
2000 Post Road  
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