

**FEDERATED CITY EMPLOYEES' RETIREMENT SYSTEM  
Policy on Procedure for Americans with Disabilities Act (ADA)  
Requests for Reasonable Accommodation**

**Approved by Board on \_\_\_\_\_**

**Purpose of this Policy**

Whereas, on September 13, 2022, Governor Newsom signed AB 2449 into law, with an effective date of January 1, 2023.

Whereas, AB 2449 expressly mandates that each California local legislative body “shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. § 12132), and resolving any doubt in favor of accessibility.”

Whereas, AB 2449 further mandates that “in each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.”

Whereas, the Board of Administration (“Board”) for the Federated City Employees’ Retirement System for the City of San Jose is a legislative body under Gov’t Code § 54952, and thus is subject to AB 2449’s mandate to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation under the federal Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) (“ADA”).

Whereas, this Policy provides the procedures the Board will follow in receiving and resolving requests for reasonable accommodation from individuals with disabilities, barring unforeseen circumstances or difficulties.

Whereas, the Board’s adoption of this Policy shall apply to all public meetings of the Board and all its committees subject to the Ralph M. Brown Act.

**1) Receiving ADA Requests for Reasonable Accommodation:**

- a. Designated Contact in Office of Retirement Services: The designated contact in charge of receiving requests for reasonable accommodation is:

**Attention:** Deputy Director/Chief Operations Officer, Office of Retirement Services

**Address:** 1737 N First St #600, San Jose, CA 95112

**Email:** #Retire\_Admin@sanjoseca.gov

**Phone:** 408-794-1000 (ORS Main Line)

b. Procedure for Public to Request Reasonable Accommodation:

- i. Any individual with a disability who requires auxiliary aids or services for effective communication to participate in a Board meeting, should submit a request to the designated contact in the Office of Retirement Services, as identified above. The Board strongly encourages individuals with disabilities to submit their written requests via email or regular mail to facilitate tracking and response; however, if the submission of a written request constitutes a hardship, individuals may call the Office of Retirement Services to submit an oral request.
- ii. Requests for reasonable accommodation should be submitted as far in advance of the scheduled meeting as possible. The Board strongly encourages individuals with disabilities to endeavor to submit requests for reasonable accommodation no later than five (5) business days before the scheduled meeting, as it may not be able to grant requests for reasonable accommodation without sufficient advance notice.

2) Resolving ADA Requests for Reasonable Accommodation:

- a. The designated contact in the Office of Retirement Services will endeavor to respond to each request within three (3) business days of receipt of the request. Depending on the request, the designated contact in the Office of Retirement Services may ask to schedule a time to discuss the request (which may occur virtually) to determine the most appropriate auxiliary aid or service, before the request is resolved.

3) Written Notice to the Public:

- a. On the first page of the agenda posted for each public, agendaized meeting of the Board, there shall be a notice to the public outlining the ability to seek ADA reasonable accommodations and the process to do so, which shall state as follows:

In accordance with the requirements of AB 2449, the Board of Administration ("Board") will generally, upon request, provide appropriate aids and services leading to effective communication for individuals with disabilities so they can participate equally in the Board's meetings, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, vision or other disabilities.

Anyone who requires an auxiliary aid or service for effective communication to participate in a Board meeting should contact the designated contact in Office of Retirement Services as far in advance of the scheduled meeting as possible. The Board strongly encourages individuals with disabilities to endeavor to submit requests for reasonable accommodation no later than five (5) business days before the scheduled meeting, as the Board may not be able to grant requests for reasonable accommodations without sufficient advance notice. The Board strongly encourages individuals with disabilities to submit their written requests via email or regular mail to facilitate tracking and response; however, if the submission of a written request constitutes a hardship, individuals may call the Office of Retirement Services to submit an oral request.

The designated contact in the Office of Retirement Services will endeavor to respond to each request within three (3) business days of receipt of the request. Depending on the request, the designated contact in the Office of Retirement Services may ask to schedule a time to discuss the request (which may occur virtually) to determine the most appropriate auxiliary aid or service, before the request is resolved.

#### **ADA Designated Contact Information**

**Attention:** Deputy Director/Chief Operations Officer, Office of Retirement Services

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