



FOR IMMEDIATE RELEASE

**Northwest Regional Human Rights Authority
Report of Findings
Case #20-080-9025
EJ "Zeke" Giorgi Center (GCTR)**

Introduction

The Human Rights Authority (HRA) opened an investigation into potential rights violation at the Giorgi Zeke Center. The complaint brought forth was that the center does not have any designated handicapped parking spaces available. Substantiated findings would violate protections under the Americans with Disability Act 28 CFR 35.151; 2004 36 CFR part 1191, appendices B and D as well as the Illinois Environmental Barriers Act (410/ILCS 25), which includes the Illinois Accessibility Code (410 ILCS 25/4). The EJ "Zeke" Giorgi Center (GCTR) is a five-story office building located in downtown Rockford, Illinois, that houses various governmental offices with over one hundred employees, the ILCS 25/4 center is managed by Central Management Services (CMS) and has an on-site facility manager. The HRA conducted a teleconference call and discussed the case with representatives from the building and CMS administration.

Complaint Summary

The HRA received an anonymous complaint which stated that there are not enough designated handicapped parking spaces available at and around GCTR during business hours. One of the city-owned parking lots directly across the street from the GCTR, has four handicap accessible parking spaces that can become unavailable when another venue is having an event or the parking lot is closed, which greatly impacts the availability of handicapped parking.

Background

The GCTR, which was built in 1988 and has eight parking spaces along the side of the building. Per the American Disabilities Act (ADA) and the 2018 Illinois Accessibility Code, a parking lot that has one to twenty-five spaces available must have the minimum total number of accessible parking spaces as one. Per the Illinois Environmental Barriers Act, any building built after 1989, requires that any new or altered construction be handicap accessible. This Act oversees the appropriateness and availability of physical access for individuals with disabilities. At the start of the investigation the HRA received a letter from the CMS Administration that stated the agency began its own internal investigation on the availability of handicap-accessible parking at the GCTR. The eight parking spaces on Elm Street, are owned, managed, and maintained by CMS. Per the ongoing investigation by CMS and their continued discussions with the City of Rockford, the

altering of the available parking spaces was deemed challenging and unsuitable for handicap accessibility. While gathering background information on the GCTR, the HRA researched to see if there were any previous complaints or grievances regarding accessible parking and located two complaints through the Illinois Attorney General Office. The suggestion provided in these instances were for the complainant to contact their employer to request a reasonable accommodation. At this time, there has not been any follow-up complaints or grievances filed nor has there been any word that the accommodation was met or not.

Interviews

Regional Manager – CMS

At the time of the site visit, the Regional Manager was working in a different capacity as the Deputy Director of Property Management (CMS) and while addressing this complaint, there was discussion if the building or agency has received or addressed other complaints surrounding this same issue. Per the Regional Manager, the only complaints that have been brought forth have dealt with parking in general near and around the building.

The Regional Manager reported that the property currently has eight parking slots on the side of the building and the spaces are allocated as the following: two spots for CMS employees and the remaining six spaces are used on a first come, first serve basis, either for employees or visitors to the building. The six spots are known to fill-up quickly by employees who work in the building, and a possible idea moving forward, will be to assign specific spots to various agencies within the building. To the knowledge of the Regional Manager, the GCTR has never had handicap accessible parking available among the eight slots, due to the logistics of the spaces. Per the Regional Manager, there have been ongoing discussions between the facility and the city to possibly reallocate a parking space in front of the building into a handicap accessible space. A meeting was had in August 2020 and it was agreed upon to convert a parking space on Wyman Street (near the building handicap accessible ramp) with signage into a handicap parking space by the end of September 2020.

Per the Regional Manager, there are alternative parking spots available, which include street parking and other surfaced lots across the street from the building. There was discussion regarding the possibility of the parking spot that is being allocated, and who would benefit from the usage of it. The Regional Manager explained that the building does not keep track of the number of employees that may need handicap accessible parking but would hope that staff in the building would leave the designated parking for guest and visitors to the building. A suggestion discussed was to possibly develop a sign that states no employee parking.

CMS-BOPM Rockford/Q.C Area Facility Manager

During the discussion of the building previously having handicap-accessible spaces, the Area Facility Manager stated that the GCTR to his knowledge has never had any specific type of

accessible parking spaces. Per the Facility Manager, the space that will be converted through conversations with the city will take a slot that currently has a “no parking -official cars only” sign. The signage will change to read “handicap parking” and will be moved down at least by twenty feet and in which three to five cars are normally parked. During the site visit there was discussion surrounding the street parking restrictions that occur when inclement weather occurs. The facility manager pointed out that the parking space is on Wyman street, which is a snow route and there is no parking after two inches fall, individuals will need to resort to the city-owned parking garage or city-owned parking lot across the street from the facility.

The Area Facility Manager stated there have been no other complaints brought against GCTR regarding handicap accessible parking to his knowledge. There was discussion that once this parking space is available, would employees try to access it; the area facility manager stated the building houses at least two hundred employees, who park in city-owned lots or garages in the vicinity. There are two employees who may access the designated space, but the manager hoped that the space would be left available for visitors to the building. It was pointed that the building has parking on the property in the rear of the building, which seems like an ideal location to offer safe handicap accessible parking to employees and visitors. According to the Area Facility Manager, the parking in the rear is allocated for daily usage by the Illinois State Police, whose activities can require them to come and go throughout the day and night and the parking can hold two to three cars, but usually they block each other in. The facility manager explained the rear of the building has a secure door and a deep incline to enter the building, which is not ideal to try and install a ramp for the needs of the individuals who are disabled.

There were other suggested ideas provided by the committee to the staff of CMS, such as placard/stickers given to handicapped-accessible visitors by the building security that allows them park in the lot. The Facility director pondered the suggestion and provided the following explanation on why the suggestion is not feasible; based on parking in the surface lot across from the building, there is no two-hour time limit for handicapped parkers, there are four slots, but also the two parking spaces on Elm street can be utilized if an individual has a handicap accessible placard and for as long as needed. The parking structure which is kitty cornered from the building and less than two hundred meters from the building has no bumps or uneven grounding. It was also pointed out that the security does not inform patrons or visitors of alternatives parking available but will provide them with the contact information to a private parking service.

Conclusion

The GCTR being a state-owned building must follow the requirements of the Illinois Accessibility Code (IAC), which ensures that all Illinois residents who have a disability are treated appropriately and on the same level across the board. Per the ADA, all business either private or public must continue to ensure that there are not any barriers for individuals with disabilities to

access the buildings and services provided in the building, which is covered in Title II. In collaboration with the ADA requirement of available parking spaces, the IAC abides by the same requirements:

Total Number of Parking Spaces (lot or garage)	Required Accessible Parking Spaces (minimum)
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6

****71 Ill. Administration Code 400.310(c)****

According to the Illinois Vehicle Code (625ILCS 5/11-1301.1). *“any motor vehicle bearing registration plates or a special decal or device specified in this Section or in Section 3-616 of this Code or such parking device as specifically authorized in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or bearing registration plates issued to a veteran with a disability under subsection (a) of Section 3-609 may park, in addition to any other lawful place, in any parking place specifically reserved for such vehicles by the posting of an official sign as provided under Section 11-301.”* The parking space has appropriate signage displayed and acknowledges that the space is for handicap accessible cars with a fine of \$350.00, if violated. The complaint that GCTR does not have designated handicapped parking spaces available is **not substantiated**; the building worked with the city to provide a handicap parking space in front of the building that meets the ADA requirement of building ensuring that there is one designated parking spot available. A decision that was handed down by the Illinois Attorney General’s office in December 2012 (#12-003),determined *“state agencies must provide the required number of handicap accessible spots per the ADA requirements for any person with a disability to utilize, if used and allotted to employees, then additional spaces must be allocated.”* The HRA acknowledges the work that was completed by GCTR and the city to provide a parking space but would strongly suggest that a busy building of this nature provide more accessible parking.

The HRA would like to thank the staff and administrators of the Central Management Services Central Management Services and the EJ “Zeke” Giorgi Center (GCTR) in Rockford, IL for their cooperation with this investigation.

RESPONSE

Notice: The following page(s) contain the provider response. Due to technical requirements, some provider responses appear verbatim in retyped format.
