

MOUNT ROGERS COMMUNITY SERVICES

TITLE: Americans with Disabilities Act (ADA) Accommodation Procedure

SUBJECT: Review and management of accommodations as defined in the ADA

I. DEFINITIONS:

None

II. PROCEDURE STATEMENT:

Mount Rogers Community Services is an equal opportunity employer and administers all personnel practices without regard to race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age, disability, genetic information, marital status, veteran status, or any other category protected under applicable law. In compliance with the Americans with Disabilities Act (ADA), the Agency does not discriminate against people with disabilities and will make reasonable accommodations for qualified people with disabilities.

Under the ADA, a person has a disability if he/she has a physical or mental impairment that substantially limits a major life activity. To be protected under the ADA, a person must have, have a record of, or be regarded as having a substantial as opposed to a minor impairment. A substantial impairment is one that significantly limits or restricts a major life activity, such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning, or working. A person with a disability must also be qualified to perform the essential functions of the job with or without reasonable accommodation, in order to be protected by the ADA. This means that the person must:

- Satisfy the job requirements for educational background, employment experience, skills, licenses, and any other qualification standards that are job related.
- Be able to perform tasks that are essential to the job with or without reasonable accommodation.

A. Reasonable Accommodation

Reasonable accommodation is any change or adjustment to a job or work environment that permits a qualified person with a disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Examples of reasonable accommodation may include, but not be limited to:

- Acquiring or modifying equipment or devices
- Job restructuring
- Modified work schedule
- Reassignment
- Adjusting or modifying examinations, training materials, or procedures
- Providing interpreters
- Making the workplace readily accessible to and usable by people with disabilities

The Agency is committed to providing reasonable accommodation(s) to qualified persons with a disability, unless to do so would impose an undue hardship on its operation. Undue hardship means that the accommodation would be unduly costly, extensive, substantial, or disruptive, or would alter the nature or operation of the Agency.

If a particular accommodation would be an undue hardship, the Agency shall try to identify another accommodation that would not pose such a hardship. Persons with a disability should be offered the opportunity to provide the accommodation or pay for the portion of the accommodation that constitutes an undue hardship.

B. Request Process for Workplace Accommodation(s)

1. To start the Accommodations process under the ADA, a person must make a request to the Office of Human Resources by completing the ADA Accommodation Request Form and having their medical provider complete the ADA Functional Capabilities Assessment Form. **Note:** Applicants who self-identified themselves as having one or more disabilities and offered a position will be invited to complete the Accommodation Request Form, etc., as well.
2. After reviewing the documentation and facts of each request, the Director of Human Resources, or authorized Office of Human Resources Representative (Employee Relations Specialist/Human Resources Specialist), will determine if the person is eligible for accommodations under the ADA.
3. The Director of Human Resources, or authorized Office of Human Resources Representative (Employee Relations Specialist/Human Resources Specialist), will facilitate a plan of reasonable accommodation, including:
 - Determine what, if any, additional documentation is needed to support the person's request for accommodation.
 - Conduct interactive discussion(s), including:
 - Clarify the responsibilities of the Agency and the person requesting the accommodation throughout the process.

- Discuss the person's specific physical or mental abilities or limitations as they relate to the essential functions of the job along with potential accommodation(s).
 - Coordinate with appropriate parties as necessary.
 - Identify the accommodation that best serves the person and the Agency.
 - Document discussions and outcomes.
4. The accommodation and any related documentation shall be maintained by the Office of Human Resources. Information shall be shared only with those having an official need to know.
 5. The person requesting the accommodation is responsible for contacting the Office of Human Resources if reasonable accommodations are not implemented in an effective and timely manner. The Director of Human Resources, or authorized Office of Human Resources Representative (Employee Relations Specialist/Human Resources Specialist), will work with the person requesting the accommodation, and other parties as needed, to resolve disagreements regarding the recommended accommodation.

C. Agency Management of Reasonable Accommodations

The Director of Human Resources, or authorized Office of Human Resources Representative (Employee Relations Specialist/Human Resources Specialist), will oversee all management response for accommodation requests. The Executive Director and/or Division or Administrative Director will be consulted/notified as appropriate for each individual request.

The Agency will make every effort to ensure all responses are timely and prohibit retaliation against a person because he or she requests an accommodation pursuant to this procedure.