



<b>Title:</b> ADA Accommodations in Employment	<b>6Hx2-3.36</b>
<b>Legal Authority:</b> <u>ADA 1990; Federal Vocational Rehabilitation Act, 1973</u> <b>Number:</b>	<b>Page:</b> 1 of 2

**GENERAL STATEMENT**

The College considers its faculty and staff as its most valued resource. As stated in the College’s Policy 6Hx2-2.15, *Equal Opportunity*, the College emphasizes the importance of the values of respect, equality and dignity within the workplace. As such, individuals with disabilities are an integral part of the College community. Therefore the following policy is established pursuant to the Americans with Disabilities Act of 1990 (ADA) and the Federal Vocational Rehabilitation Act of 1973. Additionally, the College recognizes the serious adverse societal and educational impact associated with the Human Immunodeficiency Virus (HIV), and Acquired Immune Deficiency syndrome (AIDS) and recognizes it as a disability in accordance with the ADA.

**THE POLICY AND THE FACULTY AND STAFF**

The ADA and the Federal Vocational Rehabilitation Act of 1973 prohibit discrimination against individuals with disabilities. Additionally, reasonable accommodation for individuals with a disability in the employment process or in public accommodation is required by the law. Furthermore, it is the policy of the College to provide individuals with disabilities with equal access to all facilities and services of the College, including employment services.

The College will make every effort to provide reasonable accommodation to qualified individuals with a disability as long as it does not impose an "undue hardship" to the College. Reasonable accommodation may be provided after an interactive process with the employee or prospective employee which may include submission by the employee or prospective employee of medical documentation of a disability. This process will occur in the Equity and Inclusion Unit within the Human Resources Department.

The College will ordinarily impose no restrictions on an employee diagnosed with HIV/AIDS that would have the effect of unnecessarily limiting participation in the workforce or educational programs and activities. Faculty and staff shall not discriminate against employees with HIV/AIDS and shall not disclose information about employees who they know have HIV/AIDS pursuant to the Health Insurance Portability and Accountability Act (HIPAA).

**IMPLEMENTATION AND OVERSIGHT**

The Vice President for Human Resources and Equity has responsibility for the implementation and oversight of this policy. Policy violations and appeals will be investigated by the Vice President for Human Resources and Equity and/or his/her designee. Employees or applicants, who require reasonable accommodation or believe they have been discriminated against due to a disability, should contact the Vice President for Human Resources and Equity.

**VIOLATION OF POLICY**

Violations of this policy will be investigated and may result in discipline up to and including termination.

**History:** Revised as Policy 5.17 (*Service to Handicapped*) on December 16, 1986; revised, re-titled, and re-numbered on July 23, 1997; revised on August 29, 2001.

<b>Approved by the Board of Trustees</b>	<b>Date</b> 8/26/08	<b>President’s Signature</b> <i>J. David Anthony J.</i>	<b>Date</b> 8/26/08
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## **DEFINITIONS**

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question.

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