



Policy

Title: ADA Accommodation in Employment	Number: 6Hx2-3.36
Legal Authority: <u>ADA 1990 as amended; Federal Vocational Rehabilitation Act, 1973</u>	Page: 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) including changes made by the ADA Amendments Act of 2008, which became effective on January 1, 2009 and the Federal Vocational Rehabilitation Act of 1973.

The ADA and the Federal Vocational Rehabilitation Act of 1973 prohibits 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 POLICY and THE FACULTY AND STAFF.

Employment discrimination is prohibited against individuals with disabilities. This includes applicants for employment and employees. An individual is considered to have a "disability" if s/he has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Persons discriminated against because they have a known association or relationship with an individual with a disability also is protected. The individual must be qualified and able to perform the essential functions of the job in question, with or without reasonable accommodation. 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 who may include submission by the employee or prospective employee of medical documentation of a disability.

IMPLEMENTATION and OVERSIGHT

The interactive process will occur in the Employee Relations Unit within the Human Resources Department.

VIOLATION OF POLICY

Employees or applicants, who require reasonable accommodation or believe they have been discriminated against due to a disability, should contact the Associate Vice President for Human Resources and Equity or designee.

History: Issued on October 11, 2007, Revised June 26, 2012.

Approved by the Board of Trustees	Date 06/26/2012	President's Signature 	Date 06/26/2012
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DEFINITIONS

Americans With Disabilities Act - Federal law that prohibits discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation and telecommunications.

Essential functions - are the basic job duties that an employee must be able to perform, with or without reasonable accommodation

Interactive Process - The process that occurs between an individual and the employer to determine whether and what type of accommodation would be effective, following a request for accommodation from an individual. The individual must tell an employer precisely how limitations from a disability affect the ability to perform a job or to participate fully in staff meetings. If the individual knows what type of reasonable accommodation would be helpful, s/he should tell the employer. The employer can suggest alternative accommodations and the individual should consider whether they would be effective. The employer does not have to provide the specific accommodation requested, but if it does not, it must offer an effective alternative.

Reasonable Accommodation - Any change in the work environment or in the way things are customarily done that enables a person with a disability to enjoy equal employment opportunities.

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