

POLICY 719 ADA ACCOMMODATIONS

1. Purpose. To provide equal employment opportunities to all qualified individuals, including those with disabilities.

2. Policy.

2.1 Eau Claire County's policy is to fully comply with the reasonable accommodation requirements of the American's with Disabilities Act. Under the law, employers must provide reasonable accommodation to qualified employees or applicants with disabilities, unless to do so would cause undue hardship. Eau Claire County is committed to providing reasonable accommodations to its employees and applicants for employment in order to assure that individuals with disabilities enjoy full access to equal employment opportunity with Eau Claire County. Eau Claire County provides reasonable accommodations when.

2.1.1 A qualified applicant with a disability needs an accommodation in order to be considered for a job;

2.1.2 A qualified employee with a disability needs an accommodation to enable him or her to perform the essential functions of the job or to gain access to the workplace; and

2.1.3 A qualified employee with a disability needs an accommodation to enjoy equal benefits and privileges of employment.

2.1.4 Eau Claire County will process requests for reasonable accommodation and, where appropriate, provide reasonable accommodations in a prompt, fair, and efficient manner.

2.1.5 Human Resources is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

3. Scope.

3.1 This policy and procedure applies to all departments, qualified applicants, and qualified employees of Eau Claire County.

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4. Procedure.

4.1 Requests for Reasonable Accommodation.

- 4.1.1 The employee will inform his or her supervisor or Human Resources of the need for an accommodation either orally or in writing.
- 4.1.2 To enable Eau Claire County to keep accurate records regarding requests for accommodation, employees seeking a reasonable accommodation must follow up an oral request by completing the Voluntary ADA Reasonable Accommodation Form and submitting it to Human Resources.
- 4.1.3 For applicants seeking a reasonable accommodation, Human Resources will give them the Voluntary ADA Reasonable Accommodation Form to fill out. If an individual with a disability requires assistance with this requirement, the staff member receiving the request will provide that assistance.
- 4.1.4 While written confirmation should be made as soon as possible following the request, it is not a requirement for the request itself. Eau Claire County will begin processing the request as soon as it is made, whether or not the confirmation has been provided.
- 4.1.5 A written confirmation is not required when an individual needs a reasonable accommodation on a repeated basis (i.e., the assistance of sign language interpreters or readers). The written form is required only for the first request although appropriate notice must be given each time the accommodation is needed.

4.2 Medical Documentation.

- 4.2.1 Human Resources may request medical documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.
- 4.2.2 The individual may authorize Human Resources to contact his or her health care provider. The appropriate release of health information form must be completed and signed by the individual.

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- 4.2.3 All medical information is treated as confidential and is not maintained in the general personnel files.
- 4.3 Process – Current Employees and Employees Seeking Promotion.
 - 4.3.1 The reasonable accommodation process is overseen by Human Resources. Reasonable accommodations are identified through dialogue between Human Resources and the person requesting an accommodation.
 - 4.3.2 When a qualified individual with a disability has requested an accommodation, Human Resources will, in consultation with the individual.
 - 4.3.2.1 Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
 - 4.3.2.2 Determine the precise job-related limitation.
 - 4.3.2.3 Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
 - 4.3.2.4 Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the County is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
 - 4.3.3 Human Resources will work with the employee to obtain technical assistance, as needed.
 - 4.3.4 The director will provide a decision to the employee within a reasonable amount of time.
 - 4.3.5 If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and Human Resources will work together to determine whether reassignment may be an appropriate accommodation.

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4.4 Appeals.

4.4.1 Employees or applicants who are dissatisfied with the decision(s) pertaining to their accommodation request may file an appeal with the director, within a reasonable period of time, for a final decision.

4.4.2 If the individual believes the decision is based on discriminatory and/or retaliatory reasons, then he or she may file a complaint internally through Human Resources.

5. Additional Information.

5.1 Disability discrimination can include harassment based on disability, tangible employment actions, or other actions that create a hostile or intimidating work environment for those in the protected class.

5.2 The County will not retaliate against any individual who opposed any unlawful act or practice, or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing to enforce anti-discrimination laws.

6. Appendices.

- Reasonable Accommodation Request Form (Appendix 719A)
- Workplace Modification Request Form (Appendix 719B)
- Reasonable Accommodation Request – Healthcare Provider Information Form (Appendix 719C)

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