

ADMINISTRATIVE PROCEDURE 3411
DISABILITY NON-DISCRIMINATION AND REASONABLE ACCOMMODATIONS FOR EMPLOYEES

A. Accommodations for Applicants or Employees with Disabilities.

1. The District provides equal employment opportunities for individuals with a mental or physical disability or medical condition, consistent with its obligations under federal and state laws. This includes providing reasonable accommodations for applicants and employees with disabilities enabling them to apply for positions and to perform their essential job functions, unless it would result in an undue hardship for the District or such individuals pose a direct threat to the health and safety of themselves or others. This policy applies to all areas of employment, including recruitment, hiring, training, promotion, compensation, and benefits.
2. The District does not tolerate any discrimination, harassment, or retaliation against an employee who requests or is provided with a reasonable accommodation for a mental or physical disability or medical condition.

B. Reasonable Accommodations for Employment Applicants with Disabilities.

Employment applicants may make a Reasonable Accommodation request by calling the Office of Human Resources.

C. Employee or Supervisor Reasonable Accommodation Process and the Interactive Dialogue.

1. Request by Employee
An employee may informally request reasonable accommodations in order to perform the essential functions of his or her job by notifying his or her supervisor. Alternatively, the employee may also formally submit a completed "Request for an Accommodation based on a Disability" packet to the supervisor. The form may also be obtained from the District Risk Management Office or Risk Management website. Following notice of the need for reasonable accommodations, the supervisor will commence the interactive dialogue with the employee as outlined in section "E" below. The supervisor will alert the Office of Risk Management of all reasonable accommodation request.
2. Initiation by Supervisor
If the supervisor personally observes or is notified by a representative of the employee (such as the employee's spouse, licensed medical provider, or union representative) that the employee is experiencing difficulty performing the job due to a medical condition or disability, the supervisor will initiate an interactive dialogue with the employee about the employee's functional capabilities, work limitations and what, if any, reasonable accommodations may be appropriate to enable the employee to perform the essential job functions. The supervisor may request the assistance of the District Risk Manager to assess the essential functions of the position, the employee's work limitations, and reasonable accommodations that would enable the employee to perform the essential job functions. The supervisor will alert the Office of Risk Management of all reasonable accommodation request.

D. Medical Documentation

The District may require that the employee submit documentation from a licensed medical provider that evaluates the employee's ability to perform the essential job functions, and verifies the employee's work limitations and need for reasonable accommodations. Although employees who request an accommodation are not required to disclose the underlying nature or diagnosis of their disability, they are expected to provide sufficient information about their functional capabilities and work limitations to enable the District to evaluate the need for job-related accommodations. If the employee's licensed provider provides insufficient documentation to substantiate the need for a reasonable accommodation, the District may request that the employee go to a District-approved health care provider at the District's expense. Any information related to an employee's disability or medical condition will be maintained confidential by the District.

E. Interactive Dialogue between Employee and Supervisor to Determine Appropriate Accommodations

Once the supervisor knows or has reason to know that an employee is unable to perform his or her essential job functions due to a disability, the supervisor must engage in an interactive dialogue with the employee. The supervisor will alert the Office of Risk Management of all reasonable accommodation request.

1. The supervisor should meet with the employee in a timely manner to discuss the employee's reasonable accommodation needs.
2. The supervisor will analyze the job, identify, and distinguish between essential and non-essential functions by reviewing the job description.
3. The supervisor will consider possible reasonable accommodations that would enable the employee to perform all of the essential job functions.
4. The supervisor will evaluate the reasonableness of accommodations, in terms of effectiveness and impact on overall resources and operational needs of the business.
5. The supervisor will consider the preferences of the employee and implement the accommodation that is most appropriate under the circumstances.
6. The supervisor will follow-up with the employee in a timely manner to ensure the effectiveness of the accommodation and review the progress of the accommodation periodically, if necessary.
7. If the supervisor determines that no form of reasonable accommodation would enable the employee to perform the essential functions of the job, the supervisor shall refer the employee to the Risk Management Office, which may reassign the employee to another already funded, vacant position for which the employee is qualified or allow the employee to take a leave of absence if medically necessary. If a vacant position for which the employee would be qualified does not exist, the employee may be placed on the District's 39-month reemployment list. If the employee discloses a "serious health condition" that is covered by the District's leave of absence policies, the employee may also be provided with a leave request form.

F. Equipment Purchases

1. Employees who rely on personal use items such as eyeglasses, hearing aids, and wheelchairs, are responsible for the cost and maintenance of such items which the District is not obligated to provide.
2. If an employee with a disability needs specific equipment that will enable him or her to perform the essential functions of a job, upon prior written approval from the Risk Management Office, the District shall bear the cost of purchasing such equipment, so long as it does not impose an undue hardship.

G. Denial of Requests for Reasonable Accommodations

If an employee refuses to provide medical documentation to support the need for reasonable accommodations, or refuses to engage in an interactive dialogue with the supervisor, the District may refuse to provide the requested accommodation. The District is not obligated to provide reasonable accommodations if an employee poses a direct threat to the health and safety of himself/herself or others or if the accommodation would impose an undue hardship on the District to implement.