



## EMPLOYEE MANUAL

Policy Title: **Americans With Disabilities**

Policy No.: 4.0

Section Nos.: 4.0

Approval Date: 01/17/2018

Effective Date: January 2018

Approved By: Board of Directors

### 4.0 AMERICANS WITH DISABILITIES

The Agency is committed to promoting employment opportunities and retention for all qualified individuals with disabilities in accordance with the federal Americans with Disabilities Act and the California Fair Employment and Housing Act. These state and federal laws protect an individual with a physical or mental impairment that limits his/her life activities—such as walking, seeing, hearing, speaking, communicating, and caring for oneself—provided the individual can perform the essential functions of the job safely and efficiently with reasonable accommodation. In accordance with these laws, the Agency's policy strictly forbids all forms of discrimination against qualified applicants or employees with disabilities and requires reasonable accommodation if necessary for otherwise qualified individuals to perform the essential functions of the job safely and efficiently without serious risk to health and safety. In addition, all employees of the Agency are expected to abide by the following basic guidelines:

1. Applicants or employees are asked on the job application if they have the physical and mental ability to perform the essential functions of a particular job. Applicants or employees who indicate they have a physical or mental impairment that could interfere with job performance will be asked to state what the Agency could do to accommodate them.
2. Applicants and employees who have disabilities should come forward and inform the Agency of their needs. In many cases, the Agency will have no way of knowing whether an individual has a disability unless he or she requests an accommodation.
3. The law requires only reasonable accommodation, which does not result in undue hardship to the Agency or a direct threat to health and safety, and the individual must be able to perform the essential functions of the position. Whether a certain accommodation meets these standards must be determined on a case-by-case basis.
4. The determination of accommodation is to be made through an interactive process between the Agency and the applicant/employee, and perhaps others. An employer is not required to provide accommodations, which would require significant difficulty or expense based on the size, financial resources, and nature and structure of the business. The Agency must try to identify accommodation that does not constitute a hardship to it. The employee or applicant must be allowed to provide or pay for the accommodation or a portion of it, which constitutes the hardship. The law does not require an employer to lower quality or operational standards as an accommodation.
5. An employee who believes he/she has not been treated appropriately under this policy may utilize the grievance procedure.

The Human Resources Supervisor and General Manager may adopt management operating procedures to carry out this policy.