

Policy

Policy Title:	Reasonable Accommodation				
Policy Number:	DHS-060-034	Version:	1.0	Effective Date:	08/22/2007

DHS Chief Administrative Officer

08/22/2007

Approved By: *(Authorized Signer Name)*

Date Approved

Overview

Description:

Establishes a Department policy for providing reasonable accommodation to qualified individuals with disabilities that allows them to perform the essential function(s) of the job in accordance with the Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973. Because of the nearly identical language and requirements in these two laws, this policy will treat them the same, and a reference to the ADA will include a reference to the Rehabilitation Act of 1973. Any staff person who has questions on ADA responsibilities may contact the resources listed in the Reference or Contact(s) areas located near the end of this policy.

DHS is committed to the fair and equal employment of people with disabilities, and to ensuring provisions are made for providing reasonable accommodations for employees and job applicants, including recruitment, hiring, promotion, and retention of employees with disabilities. This includes access by all current employees, volunteers, board members, advisory group members and other persons with disabilities who are part of the DHS workforce to agency sponsored training, information exchange, and other agency sanctioned employee activities. These policies, procedures, and guidelines establish a collaborative process by which DHS provides reasonable accommodation for people with disabilities.

Purpose/Rationale:

Communicates to all current DHS employees, volunteers, applicants, and other persons who are part of the DHS workforce that otherwise qualified individuals with disabilities who need reasonable accommodation to either perform the essential functions of their job or to apply for a position with DHS will be provided such accommodation.

Applicability:

This policy applies to all current DHS employees, volunteers, applicants, and other persons who are part of the DHS workforce. Additional requirements are outlined in this policy and accompanying procedures for DHS Managers to resolve issues and to address contractors that provide DHS programs, services or activities.

Failure to Comply:

Failure to comply with this policy may result in disciplinary action up to and including dismissal from state service.

Policy

1. General

- a. It is the policy of DHS to employ and advance the employment of qualified individuals, including those with disabilities. The Department shall make reasonable accommodations for the known physical or mental limitations of individuals who are part of the DHS workforce, unless to do so would impose an undue hardship on the operation of the Department, as provided under the Americans with Disabilities Act (ADA).
- b. DHS will make every effort to furnish reasonable accommodations to ensure that individuals with disabilities have equal opportunities to succeed in the job application process, to attain the same level of performance as others in the workplace, and to participate in DHS training or other activities. The decision as to what is a reasonable accommodation will be on a case-by-case basis depending on the circumstances involved, using an interactive process involving DHS and the affected individual.

2. Training

- a. DHS will provide training on the policy and resources for managers on how to engage in the interactive process to provide reasonable accommodations to persons with a disability. Training may be provided through the Department's internal resources and/or in specific identified training sessions.
- b. DHS may utilize technical assistance available through appropriate educational institutions and community resource organizations regarding technology, worksite analysis or modification, or vocational assessment.

3. Complaints

- a. An individual who is dissatisfied with a decision related to an accommodation request may request a review of the decision to the appropriate appointing authority.

DHS shall note on appropriate public notices that complaints pertaining to the implementation of the ADA shall be forwarded to the Affirmative Action/Equal Employment Opportunity (AA/EEO) Officer, 500 Summer St. NE, Salem, OR 97301, telephone (503) 945-6610(v) or 503- 945-6214 (TTY) or to the Oregon Bureau of Labor and Industries, 800 NE Oregon St, Suite 1045, Portland, OR 97232, telephone (971) 673-0761.

Procedure(s) that apply:

[DHS-060-034-01, Reasonable Accommodation for Job Applicants Procedure](#)

[DHS-060-034-02, Reasonable Accommodation for Current Employees and other persons with disabilities who are part of the DHS workforce Procedure](#)

[DHS-060-034-04, DHS Training Accommodation Procedure](#)

Form(s) that apply:

None

Definition(s):

Definition Term: Type the meaning of the word here.

Reference(s):

[Rehabilitation Act of 1973](#)

[Civil Rights Act of 1991](#)

[ORS 182.100](#); [243.305](#); [243.315](#); [659.025](#); [240.379](#); [659.400](#), [405](#), [425](#); [433.045](#), [447.233](#)

[DHS Affirmative Action Plan](#)

[Americans with Disabilities Act \(ADA\)](#)

42 U.S.C. §12101 *et seq.*

[Disabilityinfo.gov](#)

Contact(s):

Name: Joe Hesting; **Phone:** 503-945-6610; **Email:** joseph.heisting@state.or.us

Policy History:

- **Version 2.0:**
 - 08/22/2007 - Revised to better clarify DHS policy around reasonable accommodation
- **Version 1.0:**
 - 11/13/2006 thru 08/21/2007 - Temporarily suspended
 - 09/28/2006 - Initial Release

Keywords:

(List keywords here that might be used by someone to search for this policy on the internet)

