REASONABLE ACCOMMODATION FOR EMPLOYEES

Employee Accommodation Requests under The Americans with Disabilities Act

A. Informal Process

An employee who requests accommodation due to a claimed disability may discuss the request informally with their manager. For accommodations lasting less than two months or costing less than $200, the manager, in concert with District Human Resources, may make reasonable accommodation(s) deemed appropriate as long as the employee can continue to perform the essential functions of the position and the accommodation does not impose an undue financial hardship on the District. At the District’s discretion, such accommodations may be made with or without medical documentation of the claimed disability. Such accommodations are made in an effort to comply with the intent of the America’s With Disabilities Act and related laws. The making of an accommodation for a particular employee does not obligate the District to make reasonable accommodations in the future for the same or similarly situated employee. If the employee is not satisfied with the informal resolution, the employee may proceed to the Formal Process.

B. Formal Process

The employee must complete the District form entitled, Request for Reasonable Accommodation. These forms are available from the District Human Resources Office or from the manager. The form must be returned to the District Human Resources Office, Contra Costa Community College District, 500 Court Street, Martinez, CA 94553.

An employee requesting reasonable accommodation must submit with his/her request, documentation from their physician confirming their disability. The District reserves the right to require that the employee's need for accommodation be verified by a District-approved occupational physician at the District’s expense. Both physicians must supply specific work restrictions.

Upon receiving the required paperwork from the employee, the District Human Resources Office will make a determination as to whether the employee qualifies for reasonable accommodation. If the employee qualifies for reasonable accommodation, District Human Resources, in consultation with the appropriate manager, Director of Business Services and other appropriate management personnel, shall consider the employee's request in the following manner. (Rehabilitation agencies, disability constituent organizations and employee representatives may be consulted for assistance in this process.)

1. Analyze the particular job involved, including the essential functions, physical demands, qualifications standards, object manipulation, mental and psychological demands, communications, sensory demands, environmental conditions, operational conditions, and work setting.

2. Arrange a meeting between the employee and District Human Resources and any other relevant parties to convene the interactive process under the ADA.

3. The interactive process includes a discussion with the employee and an analysis of the employee’s job functions to establish the essential and non-essential job tasks and identify barriers to job performance by consulting with the employee to learn about the exact limitations and what types of accommodations would be most effective. It includes a discussion of the accommodations proposed by the employee/physician, as well as other possible accommodations, along with their associated costs and burdens. At the end of this process a determination is made whether the accommodation
can be made or not.

4. In order for an accommodation to be made, it must be clear that the employee can meet all the essential functions of the position and be able to perform those functions with or without the accommodations recommended by the physician. In addition, the recommended accommodation must not constitute an undue burden on the employer. If it is not possible to perform all of the essential functions of the position with or without the accommodations recommended by the physician, or if the recommended accommodation constitutes an undue hardship, then the accommodation will be denied.

5. If consensus is reached, the accommodation will be memorialized in writing and sent to the employee and appropriate management personnel. A copy of the agreed-upon accommodation will be placed with the employee’s medical records in a separate envelope within the employee’s personnel file;

6. District Human Resources will notify the employee in writing of the District’s final decision regarding his/her request for reasonable accommodation.

7. The District efforts to process a request for reasonable accommodation will be suspended if the employee fails to adhere to the above stated process.

8. An employee who is dissatisfied with the District’s decision may file a Complaint of Unlawful Discrimination with the Director of Human Resources. Copies of the complaint forms are available at the District Human Resources Office at 500 Court Street, Martinez, CA 94553.

Where an employee has a disability that is obvious, and it is apparent the employee needs accommodation, the manager should consult with District Human Resources to discuss the initiation of the reasonable accommodation process in the absence of an employee request.