



COUNTY OF ALAMEDA

REASONABLE ACCOMMODATION POLICY

STATUTORY AUTHORITY

- Civil Rights Act
- California Fair Employment and Housing Act (FEHA)
- Americans with Disabilities Act (ADA)
- Pregnancy Disability Act
- Pregnancy Discrimination Act
- Rehabilitation Act
- California Unruh Act

PURPOSE

Alameda County is committed to programs that facilitate accessibility of County programs, services, public meetings and employment opportunities to persons with physical/mental disabilities and/or medical conditions. The purpose of this policy is to assist employees and applicants seeking reasonable accommodation under the Fair Employment and Housing Act, Americans with Disabilities Act, and other applicable laws. The County will make every effort to provide reasonable accommodations to applicants to compete in the examination process and/or participate in the departmental selection interview/hiring process and to employees to perform the essential job functions of the position or alternate position within Alameda County.

POLICY

It is the policy of the Alameda County Board of Supervisors to provide equal employment access to all qualified applicants and employees, and a workplace free of discrimination on the basis of physical disability, mental disability and medical condition in accordance/compliance with the California Fair Employment and Housing Act (FEHA), federal Americans with Disabilities Act (ADA), Alameda County Resolution No. R-83-773, and other applicable laws.

The County of Alameda is committed to providing reasonable accommodations through the Alameda County Reasonable Accommodation Program, designed to hire, promote and retain qualified individuals with physical/mental disabilities and/or medical conditions.

The Americans with Disabilities Act and the Fair Employment and Housing Act prohibit employment discrimination based on a person's disability, perceived disability or history of disability.

Under the Americans with Disabilities Act and Fair Employment and Housing Act, Alameda County is required to provide reasonable accommodation to individuals who have a known qualifying medical condition, physical disability or mental disability where accommodation is needed to (1) enable an individual to be considered for a job, (2) enable an individual to perform the essential functions of his or her job, and/or (3) enable an individual to enjoy equal benefits and privileges of employment. The County is also required to engage in a timely,

good faith interactive process with an individual who requests reasonable accommodation. Alameda County is not required to provide an accommodation that would impose an undue hardship on the business operation or cause a direct threat to the health or safety of the employee/applicant or others. The County is not required to create a position and/or promote an employee.

The Reasonable Accommodation Policy is administered under the direction of the County's Human Resource Services Department. This policy applies to all employment practices, including recruitment, hiring, training, job assignments, transfers, promotions, demotion, layoff, termination, compensation, benefits, leaves of absence, and all other employment-related activities.

DEFINITIONS

The definitions outlined below are provided solely as a guide to assist in the interpretation and application of the Reasonable Accommodation Policy. Please note that the following definitions may be subject to change due to change(s) in applicable laws.

Employees for the purpose of this policy are all persons who work for the County, including civil service, temporary, provisional, exempt, special employment employees, consultants, volunteers and persons providing services under personal services contracts.

Applicants are all persons who seek employment with Alameda County.

Disability as defined by the ADA/FEHA includes any physical or mental impairment that limits one or more major life activities, documentation of such impairment, or the perception by others of such impairment. A disability also includes temporary disabilities/short term impairments if substantially limiting and thus disabling. A person covered is someone who:

- has an actual physical disability, mental disability and/or or medical condition;
- has been perceived to have a physical/mental disability;
- has had a record or history of a physical/mental disability;
- is being regarded or treated as having, or having had a physical/mental disability.

Reasonable Accommodation includes any reasonable adjustment/modification to work environments/work schedules, job restructuring, specified period of unpaid leave, acquiring and/or modifying equipment, and/or providing assistive aid (i.e. reassignments, transfers, interpreters and/or readers, or similar actions). Applicable provisions must be followed for employees represented by a memorandum of understanding.

RESPONSIBILITY

Employee

- Initiates a request for reasonable accommodation orally or in writing to his/her immediate supervisor or Department Disability Coordinator as described in the Alameda County Reasonable Accommodation Procedure. The request must (1) adequately communicate that reasonable accommodation is needed because of a disability or medical condition, (2) clearly define the work limitations/restrictions, and (3) provide medical documentation to support the request.
- Actively participates in the interactive process to identify reasonable accommodation.

Applicant

- Initiates a timely request for reasonable accommodation as described in the Alameda County Reasonable Accommodation Procedure. **Prior to the last date of filing**, the applicant must advise the Human Resource Services Representative or the Agency/ Department Human Resources Office if he/she wishes to request an accommodation during the recruitment, examination and/or selection process. Once an applicant has been referred to an Agency/Department for a hiring interview, the applicant must notify the hiring manager if he/she needs an accommodation to participate in the selection interview.

Manager/Supervisor

- Promptly responds to reasonable accommodation requests as described in the Alameda County Reasonable Accommodation Procedure.
- Consults with his/her Department Disability Coordinator when an employee demonstrates difficulties performing job tasks, and/or in reasonable accommodation matters, including participating in the interactive process.
- Provides the Reasonable Accommodation Policy and Procedure to staff.
- Implements approved reasonable accommodation requests.

Department Disability Coordinator

- Ensures timely implementation of reasonable accommodation to enable employees and applicants to participate in applicable programs, services and activities, and/or to perform a particular job.
- Serves as liaison between employees, managers, supervisors and/or the Human Resource Services Disability Programs Division regarding reasonable accommodation issues.
- Coordinates and monitors reasonable accommodation requests to ensure they are processed in accordance with the Alameda County Reasonable Accommodation Procedures.

Departmental Human Resources Manager/Administrator

- Assigns and provides training to Disability Coordinator(s) to represent the Agency/ Department.
- Oversees departmental reasonable accommodation requests to ensure timely response and processing in accordance with the Alameda County Reasonable Accommodation Procedures.

Agency/Department Head

- Ensures managers and supervisors provide timely reasonable accommodations to all qualified applicants and employees in accordance with this policy.
- Ensures managers and supervisors provide a workplace free of discrimination on the basis of medical condition, physical disability and/or mental disability, in accordance with this policy to ensure equal employment opportunities for all employees and applicants.

Human Resource Services, Disability Programs Division

- Manages and oversees the Alameda County Reasonable Accommodation Policy and program in compliance with local, state and federal disability laws and leave provisions.
- Provides leadership, consultation, advice, and training to Departmental Personnel Officers, Disability/Family and Medical Leave Coordinators and administrative/ executive staff on disability management and reasonable accommodation matters.
- Monitors and analyzes county-wide reasonable accommodation practices and activities and makes necessary recommendations.
- Designs, develops and conducts training for County managers and supervisors on Equal Employment Opportunity disability laws and leaves, County policies, procedures and provisions.

County Administrator's Office, Diversity Programs Unit

- Promotes, creates and maintains diversity in the County's workforce.
- Ensures compliance with Equal Employment Opportunity laws and regulations including ADA and FEHA.
- Develops and administers county-wide policies related to Equal Employment Opportunity and Affirmative Action.

ALAMEDA COUNTY REFERENCES

Board of Supervisors Resolution Number R-83-773.

APPROVED FOR DISTRIBUTION

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