



<b>TITLE:</b> Americans with Disabilities Act		<b>PROCEDURE #:</b> 304-A
<b>DEPT:</b> Business Services		<b>PROGRAM:</b> Human Resources
<b>EFFECTIVE DATE:</b> 2/09	<b>REVIEWED:</b> 5/11	<b>REVISED:</b> 05/19

**OBJECTIVE:** To establish procedures for complying with the Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAA) (28 CFR Part 35 & 36).

**REFERENCE:** Policy # 304

**POLICY STATEMENT:** The ADA and ADAA prohibit state or local government employers from discriminating against qualified individuals with disabilities in employment practices and access to public programs, activities, and services. Employment practices include job application procedures, hiring, firing, advancement, compensation, training and other terms, conditions and privileges of employment.

**APPLICABILITY:** All county departments, elected officials, and employees.

**PROCEDURES:**

1. Reasonable Accommodation Requests

- 1.1. This is an informal interactive process in which the covered individual and the employer determine the precise limitations created by the disability and how best to respond to the need for accommodation.
- 1.2. The county will engage in the interactive process when a need is identified or an accommodation is requested.
- 1.3. An employee whose disability prevents or hampers their ability to perform an essential function of their position must complete the Marion County Reasonable Accommodation Request forms.
  - 1.3.1. These forms may be obtained from the employee’s supervisor, Marion County Human Resources, or on the HR Forms page of the county’s intranet.  
<http://intra.co.marion.or.us/BS/HR/Pages/hrforms.aspx>
- 1.4. The county may require the employee to obtain a statement from the employee’s healthcare provider to certify that a covered disability requiring reasonable accommodation exists.
  - 1.4.1. Employee must take a copy of their Essential Job Functions and an Interactive Process Questionnaire to their medical provider for completion.
  - 1.4.2. The employee must submit the completed documentation to Marion County Human Resources.

**SUBJECT: AMERICANS WITH DISABILITIES ACT**

- 1.5. Requests for accommodation shall be reviewed by the Marion County ADA Committee. The committee will evaluate requests for accommodation, seek additional information or documents as necessary to make recommendations as part of the interactive process, and approve appropriate reasonable accommodations.
- 1.6. Marion County Human Resources will provide the employee with written determination regarding the accommodation request and what, if any, accommodation will be provided.
- 1.7. The employee may re-engage in the interactive process to address any concerns about the proposed accommodation, reconsideration of the accommodation decision or provide additional information in support of the request.
- 1.8. The risk manager shall maintain separate, confidential files and records for Marion County relating to the complaints filed. The complainant may request reconsideration of the case in instances where he or she is dissatisfied with the resolution.
- 1.9. Requests for reconsideration must be made to the Marion County Chief Administrative Officer.

Chief Administrative Officer: (503)588-5212