



## **DISABILITY ACCOMMODATION POLICY**

The Americans with Disabilities Act and Pennsylvania Human Relations Act require public buildings and services to be accessible to persons with disabilities and prohibit discrimination against qualified employees or candidates for employment because of a disability. The law requires employers to provide reasonable accommodation to qualified individuals with disabilities. This policy outlines the procedures for employees and applicants who request an accommodation due to a qualifying disability.

Not all illnesses and medical conditions qualify as disabilities under the law. A disability is a physical or mental impairment that substantially limits a major life activity. Examples of major life activities are hearing, speaking, seeing, breathing, walking, performing manual tasks, caring for oneself, and learning. In addition to meeting established experience and training requirements for a position, a qualified individual with a disability must be able to perform the essential functions of the job with or without reasonable accommodation.

If the Township is notified that a qualified individual with a disability requires an accommodation to successfully perform his or her job within the position expectations, the Township will work with that individual to find a reasonable accommodation, unless allowing an accommodation would impose an undue hardship on the Township.

### **REASONABLE ACCOMMODATION PROCESS**

#### **Requesting an Accommodation**

If you believe a reasonable accommodation is needed to perform the essential functions of your job, you should contact the Human Resources Director. Requests for accommodation may be verbal or in writing. The Township is committed to responding promptly to all requests for accommodation.

#### **Participating in the Interactive Process**

Upon receipt of an accommodation request, the Human Resources Director will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation that the Township might allow to assist in overcoming these limitations. During this meeting, you will be asked to provide information to enable the Township to make an informed decision about the request, including the type of reasonable accommodation needed. Following this meeting, the Human Resources Director will prepare a Confirmation of Request for Reasonable Accommodation, which you will have an opportunity to review, prior to signing.

#### **Medical Information**

Before approving an accommodation request, the Township must assess that you have a disability as defined by the law. When a disability and/or the need for an accommodation is not obvious, the Township may require you to provide documentation about the disability and any functional limitations. The Township may also request supplemental documentation when information submitted to support an accommodation request is insufficient to demonstrate a disability and/or functional limitation.

If the Township requires medical documentation to evaluate your accommodation request, you will be provided with a copy of your job description to give to your medical provider for use in evaluating how

your medical condition may affect your job functions. You must submit medical documentation prepared by a licensed medical professional explaining:

1. the nature, extent and duration of your disability;
2. how the disability affects your ability to perform the essential functions of your job; and
3. the types of accommodations that would permit you to perform the essential functions of your job.

If you are asked to provide medical documentation in support of your accommodation request, and you provide insufficient information to substantiate the existence of a disability under the law, the Human Resources Director will provide an explanation as to why the documentation is insufficient and you will be given an opportunity to submit additional information. If you are unable to do so, the Township is permitted to request that you submit to an examination by a health care professional of the Township's choosing, at the Township's expense. Any such medical examination will be limited to determining the existence of a disability and/or the functional limitations that required accommodation.

Your failure to comply with the responsibilities under this section may constitute a failure to participate in good faith in the interactive process and may be a legitimate basis for denying the reasonable accommodation request.

### **Determination**

If, based on medical and other information you provide, you are determined to be a qualified individual with a disability under the law, the Township will make a determination regarding your accommodation request. In providing an accommodation, the Township is not required to approve or implement your proposed or preferred accommodation. The Township may choose among reasonable accommodations as long as the chosen accommodation is effective. If your accommodation request is approved, you will receive an Accommodation Approval Form outlining the specific accommodation approved and the parameters of the accommodation. After your accommodation request is approved and implemented, the Township will follow-up with you periodically to evaluate how the accommodation is working out.

The Township is not required to approve or implement any accommodation that would impose an undue hardship. If a particular accommodation request cannot be approved, the Township will work with you to explore alternative accommodations that may be available. If your request is denied, you will receive an Accommodation Denial Form detailing the reason(s) for the denial.

### **Confidentiality**

The law requires that all medical information collected in connection with an accommodation request be kept confidential. This information, however, may be disclosed solely for the purpose of evaluating and implementing an accommodation. In addition to the Human Resources Director, who must review your information to make a determination regarding the accommodation request, your medical information may be disclosed to: (1) supervisors, managers, and management personnel who need to know about the approved accommodation and any work restrictions or change in duties; (2) first aid and safety personnel if the disability might require emergency treatment; and (3) worker's compensation and insurance carriers.

Date policy adopted: 10-26-23

Signature: R. Kay