

Salt Lake County Human Resources Policy 3-200: Reasonable Accommodations

Purpose

This policy provides a procedure for ~~compliance with the determining when reasonable accommodations are required for qualified individuals with a disability as defined by the Americans with Disabilities Act as Amended (ADAA) and Section 504 of the Rehabilitation Act. Provides documentation regarding the county's inability to provide accommodations due to undue hardships and the employee's~~

I. Policy

It is the policy of Salt Lake County to comply with the provisions of the [Americans with Disabilities Act as Amended \(ADAA\)](#) and [Section 504 of the Rehabilitation Act](#) when providing reasonable accommodations.

II. Procedures

A. Employee Reasonable Accommodation Procedure

1. An employee who requests ~~a modification or adjustment to a job or the work environment a change in job duties and or work schedule~~ based on a ~~qualifying disability medical condition shall will~~ be referred to the Human Resources ADA ~~Program~~ Coordinator.
2. The employee making the request ~~must shall~~ return the following completed forms to the ADA ~~Program~~ Coordinator:
 - a. [ADA Employee Intake Form](#)
 - b. [ADA Medical Questionnaire](#)
 - c. [HIPAA Disclosure Form](#) (Authorization to Disclose Health Information)
- ~~3. The ADA Program Coordinator will review the request and provide the employee and agency with a written determination of ADA coverage. The ADA Program Coordinator may require additional information from the employee or the medical provider prior to providing a determination.~~
3. If the ADA ~~Program~~ Coordinator determines that an employee ~~has a qualifying disability requires an accommodation under the ADA~~, the relevant ~~agency Agency shall will~~ be notified of ~~an employee's ADA coverage status and the need for an accommodation. The ADA Coordinator may require additional information from the employee or the medical provider prior to providing a determination.~~
4. The ~~agency Agency shall will~~ have seven calendar days from receipt of the written determination to hold a meeting with the employee and discuss accommodations.
- ~~5. At the meeting, the supervisor and employee will discuss possible whether accommodations that may be made to allow the employee to perform the essential job functions. Accommodations may include the following:~~
- ~~6. restructuring jobs (elimination of non-essential tasks, reassignment of work among coworkers, development of non-traditional solutions for day-to-day tasks)~~
- ~~7. modifying work schedules~~
- ~~8. removing physical barriers~~

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- ~~9. acquiring or modifying equipment or devices~~
- ~~10. providing readers or interpreters~~
- ~~11. reassigning or transferring an employee to a vacant position~~
- ~~12. adjusting or modifying examinations, training materials or policies~~
- ~~13.5. additional suggested accommodations found at the Job Accommodations Network~~
- ~~14.6.~~ The accommodation process is intended to be an ongoing interaction between the Agency management and the employee.
 - a. The ~~agency~~Agency shall document all consultation meetings with the employee requesting an accommodation and the process on the ADA Interactive Worksheet.
 - ~~b. Before denying an employee an accommodation on the basis that it would pose an undue hardship, the agency must consult with the Human Resources ADA Coordinator.~~
 - ~~i. The agency must document its inability to provide the accommodation on the ADA Interactive Process Worksheet.~~
 - ~~1. Documentation must include assessment of the reasonableness of the denial and identify which accommodations have been explored.~~
 - ~~2. A copy of the documentation will be retained by the agency and must be made available to the employee for review.~~
 - ~~i. The agency must~~Agency shall consult with the ADA Coordinator prior to denying an accommodation.
 - ~~ii. The employee may appeal denial of the requested accommodation to the Career Service Council within fourteen calendar days after receiving notification of the denial.~~
 - ~~c. The accommodation process is intended to be an ongoing interaction between management and the employee. If an employee disagrees with the extent of the accommodations made by the agency, the employee may appeal to the Career Service Council within fourteen calendar days after the of the accommodation process.~~
 - ~~d.b.~~ An ~~administrator~~Agency shall not be required to lower performance or productivity expectations or standards to make an accommodation.
 - ~~e.c.~~ A ~~disabled~~An employee with an accommodation is required to follow the same rules, policies, procedures, and standards that other employees are required to adhere to in the work environment.
 - ~~f.d.~~ The ~~Human Resources~~ ADA Coordinator shall review the accommodation ~~will meet~~ with the employee and with the supervisor at least annually to discuss whether the accommodation needs to be modified~~changed~~.
 - i. Any accommodation that would pose a significant health or safety risk to an employee or others in the workplace is not considered reasonable.
- ~~15.7.~~ The cost of an accommodation shall~~will~~ be borne by the Agency.
- ~~a.~~ An agency that is financially incapable of providing a reasonable accommodation may solicit assistance from the Mayor or County Council by submitting a letter to the Mayor or County Council identifying the accommodation, the cost, and documenting the agency's inability to bear the expense. A copy of this letter must also be sent to the Human Resources ADA Program Coordinator.

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- ~~b.~~ A qualified employee who voluntarily offers to contribute toward the expense of an accommodation may be allowed to do so.
- ~~c.a.~~ A qualified employee who wishes to bring medically necessary equipment or devices to work may be allowed to do so with supervisory approval.
- 16.8. Transfers/Reassignments for an employee who can no longer perform essential functions of the position.
 - ~~a.~~ During this ~~process~~ period of time, the employee may choose to use accumulated leave or will be on leave without pay.
 - ~~a.b.~~ If an employee is unable to ~~continue~~ perform ~~the~~ ing essential functions of the position with or without accommodations due to a qualifying disability, ~~the Agency has 30 calendar days an administrator will have 30 calendar days~~ to attempt to transfer or reassign the employee to an intra-Agency vacant position within the agency for which the employee may qualify and where the disability can be reasonably accommodated.
 - i. An ~~Agency~~ Agency that is unable to reassign or transfer ~~a disabled~~ the employee within the 30-day intra-Agency period an employee with a qualifying disability shall notify the ~~Human Resources Division Director and the~~ ADA Program Coordinator immediately.
 - ~~b.c.~~ Following the 30-day intra-Agency period, the ~~The~~ Human Resources Division will have an additional 30 ~~60~~ calendar days to evaluate ~~ee the~~ countywide vacancies available throughout the County in an effort to identify a position for which the employee may qualify and where the disability can be reasonably accommodated.
 - ~~c.a.~~ ~~During this period of time, the employee may choose to use accumulated leave or will be on leave without pay.~~
 - ~~d.~~ ~~If an employee disagrees with a transfer or reassignment made by the agency, the employee may file an appeal directly to the Career Service Council within fourteen calendar days after the transfer or reassignment.~~
 - ~~e.d.~~ If a position is available for which the employee qualifies, the ADA Coordinator ~~Human Resources Division Director/designee~~, in consultation with the agency ~~Agency administrator/Administrator~~ where the vacancy exists, shall inform the employee of the will effectuate a transfer. The employee may decline the transfer and remain on the reassignment list during the 30-day countywide period. If a transfer is not agreed upon in the 30-day countywide period, the employee shall be subject to an Administrative Separation.
 - ~~f.~~ ~~If a position is not found within the County, the employee will be terminated by the agency.~~
 - ~~g.~~ ~~If the employee disagrees with the decision to terminate, the employee may file an appeal directly to the Career Service Council within fourteen calendar days of the notice of termination.~~
- 17.9. Job Applicant/Interview Reasonable Accommodations Policy and Procedure
 - a. Human Resources ~~must~~ shall provide reasonable accommodations to qualified applicants during the application and examination process. ~~These accommodations may include providing assistance in filling out the employment application, rescheduling the~~

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~~examination, moving the examination to an alternative location, reading the test to the applicant, providing interpreters, visual aids, enlarged print, extending time limits, etc.~~

- i. Requests for reasonable accommodations ~~must~~shall be received by Human Resources at least five calendar days prior to the examination.
- ~~ii. All requests will be reviewed on a case by case basis and decisions will be based on the type of request, the applicant's disability and the nature of the job.~~
- ~~iii.~~ii. Information concerning an applicant who needs a reasonable accommodation in the interview process will be conveyed to the ~~agency~~Agency by the Human Resources Division.
- ~~iv.~~iii. An ~~administrator~~Agency ~~shall not~~is not required to lower performance or productivity expectations or standards for an ~~disabled~~ applicant with a disability.
- ~~v.~~iv. Before a qualified applicant is denied an employment opportunity because the accommodation required would pose an undue hardship, the ~~agency~~Agency ~~must~~shall consult with the ~~Human Resources~~ADA Program Coordinator.

III. References

- A. Job Accommodation Website (askjan.org)
- B. Americans with Disabilities Act of 1990, as amended
- C. Rehabilitation Act of 1973, Section 504, as amended
- D. Countywide Policy & Procedure: Americans with Disabilities Act Complaint Procedure
- E. Human Resources Policy:
 1. 1-200, General Definitions
 2. 3-100, Harassment, Discrimination and Retaliation
 3. 3-500, Grievance Procedure
 4. 4-400, Workers' Compensation

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APPROVED and ADOPTED this ____ day of _____, 2023.

SALT LAKE COUNTY COUNCIL

By _____
Aimee Winder Newton, Chair

ATTEST:

Lannie Chapman, County Clerk

Voting:

Council Member Alvord	_____
Council Member Bradley	_____
Council Member Bradshaw	_____
Council Member Granato	_____
Council Member Harrison	_____
Council Member Theodore	_____
Council Member Stewart	_____
Council Member Stringham	_____
Council Member Winder Newton	_____