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| **5.41**   | **Disability and Workplace Accommodation *(Adopted 5-12-2014)*** East Central College is committed to the fair and equal employment of individuals with disabilities. It is the College’s policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the organization. It is the policy of the College to comply with all Federal and state laws concerning the employment of persons with disabilities.  |

 **Procedures:**

####  5.41.1 Disability

 “Disability” refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such impairment, has a record of such impairment or is regarded as having such impairment is a “disabled individual.” A “qualified person with a disability” means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job.

####  5.41.2 Reasonable Accommodation

 The College will seek to provide reasonable accommodation for a known

disability or at the request of an individual with a disability. A “reasonable accommodation” is any change or adjustment to the job application process, work environment, or work processes that would make it possible for the individual with a disability to perform the essential functions of the job.

 There are three types of reasonable accommodations that may be considered:

1. Changes to the job application process so that a qualified applicant with a disability will receive equal consideration for the job opportunity;
2. Modifications to the work environment so that the qualified individual with a disability can perform the essential functions of the job; or
3. Adjustments that will allow a qualified individual with a disability to enjoy the same benefits and privileges of employment as other similarly situated employees without disabilities. **5.41.3 Essential Job Functions**

 “Essential job functions” refers to activities that are core to performing a job and cannot be modified. For each position, the job description will identify essential job functions. Job descriptions will be reviewed on a periodic basis to evaluate job functions designated as essential.

####  5.41.4 Requesting a Reasonable Accommodation

 An employee with a disability is responsible for requesting an accommodation from the Human Resources Department or his or her supervisor, and providing medical documentation regarding the disability when requested. Once medical documentation is received, the Human Resources Department will work with the supervisor, employee and medical provider, where applicable, to identify possible reasonable accommodations and to assess the effectiveness of each in allowing the employee to perform the essential functions of the job. Based on this interactive process, a reasonable accommodation will be selected that is most appropriate for both East Central College and the individual employee. While an individual’s preference will be considered, the College is free to choose between equally effective accommodations with consideration toward expense and impact on the rest of the organization.

####  5.41.5 Undue Hardship

 A request for reasonable accommodation may be denied if it would create an

undue hardship for the College. Factors to be considered when determining whether an undue hardship exists may include, but are not limited to, 1) the nature and cost of the accommodation, 2) the College’s overall financial resources, 3) the effect on expenses and resources or other impact, and 4) the number of employees at the location and the total number of employees of the College.

####  5.41.6 Safety

 All employees are expected to comply with all safety procedures. East Central

College will not place qualified individuals with disabilities in positions in which they will pose a direct threat to the health or safety of others or themselves. The determination that an individual with a disability poses a direct threat will be made by the Human Resources Department and will be based on factual, objective evidence. A written copy of the determination will be given to the employee so that he/she may submit additional information and/or challenge the determination that he/she poses a direct threat.

####  5.41.7 Confidentiality

All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed to ECC personnel as deemed necessary and as permitted by law.

####  5.41.8 Complaint Procedure

 It is the policy of East Central College to prohibit any harassment or discriminatory treatment of employees on the basis of a disability or because an employee has requested a reasonable accommodation. If an employee feels he/she has been subject to such treatment or has witnessed such treatment, the situation should be reported to Human Resources. Any employee found to have engaged in retaliation against another employee for making a request for reasonable accommodation under this Policy, registering a complaint under this procedure or assisting in the investigation of any registered complaint will be subject to immediate disciplinary action up to and including termination.