

Reasonable Accommodation Policy

Related Document: Request for Accommodation and Medical Release Form

OBJECTIVE:

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to prohibit discrimination against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential duties of that job.

It is the policy of The Healthcare Association of New York State ("HANYYS") to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is HANYYS' policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

POLICY:

This policy provides guidelines and procedures for employees and candidates for employment who are requesting an accommodation due to a qualifying disability as defined by the Americans with Disabilities Act "ADA" as amended, "ADA AA" and the Rehabilitation Act of 1973, as amended "Rehabilitation Act".

HANYYS will make reasonable accommodations whenever necessary for all qualified employees or candidates for employment with disabilities (as defined by applicable law), provided that (1) the individual is otherwise qualified to safely perform the essential functions of the job and (2) such accommodations do not impose undue hardship on the Organization. Where a job or work assignment is subject to health or medical standards required for assignments, this Policy does not require employment of an employee or candidate who cannot satisfy those standards.

PROCESS FOR REQUESTING A REASONABLE ACCOMMODATION:

Employees

If an employee has a disability that requires an accommodation in order to perform the essential functions of their job, they must initiate a request for accommodation by contacting the Human Resources (HR) department and identify an adjustment or change at work that is needed because of a disability. The employee will be required to complete the Request for Accommodation and Medical Release Form and having the employee's health care provider indicate, in writing, what major life activities are limited. The provider should offer suggestions for the type of accommodation(s) that would assist the employee with being able to perform their job functions.

HR will review the completed Request for Accommodation and Medical Request Form received from the employee and the employee's health care provider. If the information provided is incomplete or requires further clarification, HR may request additional information from the employee or their health care provider. Communication with the health care provider will be the responsibility of the employee.

Job Candidates

This process also applies to existing employees applying for a job within HANYS and to external job candidates. The employee or candidate who requests an accommodation has the responsibility to submit all required documentation on a timely basis and to remain engaged in the process with HANYS while a determination is being made.

Determination

If, based on medical and other information provided by the employee and/or their health care provider, the employee is determined to be a qualified individual with a disability, HR will notify the employee and their supervisor. HR will work with the employee and the employee's supervisor to identify and discuss reasonable accommodations that will enable the employee to perform the essential functions of the job or to participate in the same benefits and privileges of employment enjoyed by similarly situated employees without disabilities. In some cases, the Corporate Finance Department and/or Information Services departments may need to assist with this process if the request requires changes to the employee's physical workspace and/or technical needs.

It is the employee's responsibility to work with their supervisor and, Human Resources, and a qualified health care professional to review and complete all forms required. Failure by the employee or candidate to supply HANYS with all relevant and requested medical information or to otherwise meaningfully cooperate in the interactive process may result in HANYS' denial of the accommodation or delay in the process.