

ADMINISTRATIVE PROCEDURES

Title: REASONABLE ACCOMMODATIONS - EMPLOYMENT	Identification: 3.16
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	Effective Date: July 1, 2007
Authority: SBE 6A-14.0261 FS 1001.64; 1001.65; 1012.55 and Americans with Disabilities Act HCC Rule 6HX-10-3.10	Signature/Approval: Dr. Gwendolyn W. Stephenson

PURPOSE

This establishes guidelines for providing reasonable accommodations for employees at the College who have a disability under the Americans with Disabilities Act (ADA).

PROCEDURE

Hillsborough Community College will not discriminate against an employee or applicant for employment because of a disability. Hillsborough Community College will provide reasonable accommodations for applicants and employees who have notified the College regarding a qualified physical or mental limitation unless the accommodations impose an undue hardship on the College. Qualified individuals with a disability will be treated without discrimination in all employment practices including but not limited to employment, promotion, demotion, or transfer, recruitment, layoff or termination, job classifications, benefits, tenure, leave, compensation and selection for professional development. A disabled individual may request a reasonable accommodation to: (1) enable them to complete an application and to be considered for a position, (2) to perform the essential functions of a position or (3) to enable the disabled employee to enjoy the same benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities.

1. **EMPLOYEE WITH A DISABILITY AS DEFINED BY THE ADA** – An employee with a qualified disability is a person who:
 - A. has a physical or mental impairment that substantially limits a major life activity, but is not limited to: hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning, or working. A temporary impairment such as a broken leg, sprain or infection that is expected to heal quickly; or a temporary illness such as a cold, would not be protected; or
 - B. has a record of such impairment; or
 - C. is regarded as having such an impairment.

The employee must be able to perform the essential functions of the job the person holds or has applied for, with or without reasonable accommodation. A person with a disability must satisfy the requisite skill, experience, education and job-related requirements of the employment position, with or without a reasonable accommodation.

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2. **REASONABLE ACCOMMODATIONS** – Under the ADA, an accommodation is any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. Depending on the employment circumstances, a reasonable accommodation under the ADA may include accommodations that permit an employee with a disability to perform the essential functions of the job, such as: The modification of a facility or work space to make a facility usable or accessible to for individuals with disabilities; modification of a work schedule; job restructuring; reclassification to modified/part-time status or transfer to a comparable or lower level position; acquisition or modification of equipment or devices; provision of a reader or interpreter; or other accommodation as determined by the specific impairment. Determining which accommodation is appropriate for a particular situation involves a process where Human Resources and the individual explore potential accommodations.

Personal assistants and personal devices required for non-employment activities are not qualified requests for reasonable accommodation.

3. **UNDUE HARDSHIP/BURDEN** – Accommodations that are determined to be excessively costly, extensive, substantial or disruptive, or that fundamentally alter the nature or operation of College business may create an undue hardship and, therefore, may not be granted.
4. **PROCESS TO REQUEST A REASONABLE ACCOMMODATION** – In general, it is the responsibility of the individual with a disability to inform the Human Resources Department that an accommodation is needed. HCC will make every reasonable attempt to meet the request to provide a reasonable alternative except when to do so would impose an undue hardship on HCC.
- A. **Employee Initiates Request** – To request, the employee will complete the Request for Reasonable Accommodation form which includes attaching a physician's (or other appropriate certified professional's) verification of the impairment and recommendation regarding an accommodation. The employee will be responsible for all costs to obtain the verification and recommendation. The College will be responsible for the expense of a second opinion, if necessary. The employee will submit the form to his/her supervisor for review.
- B. **Supervisor and Employee Review** – Requests for accommodation under the ADA involve an interactive process, and the College will engage in good faith interaction with the employee for the purpose of identifying a reasonable accommodation in a timely manner. The employee is encouraged to provide information related to the accommodation to facilitate discussion.

The supervisor will review the request with the employee, complete the form, obtain the unit administrator's signature, and submit the completed form to Human Resources for further handling.

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- C. Human Resources Department – Human Resources will verify an employee's eligibility for a reasonable accommodation and will meet the employee and/or his/her supervisor (prospective supervisor) to discuss the accommodation request.
- D. Identification of a disability is voluntary and refusal to provide it will not subject an employee to any disciplinary action. Medical information obtained will be kept confidential. Disclosure of medical information must be consistent with the following guidelines:
- Supervisors/managers may be informed regarding restrictions on work or duties and regarding necessary accommodations.
 - Security could be notified if there was a safety issue, to the extent appropriate.
 - Government officials investigating compliance may be informed.
- E. The Human Resources Department will coordinate all requests for a reasonable accommodation to provide equal consideration for all applicants or employees with disabilities.
- F. Training-HCC will provide information to staff concerning the ADA.

History: Replaces Procedure 2.044, Reasonable Accommodations for Employees with Disabilities, dated January 31, 1997 and Procedure 2.053, Americans with Disabilities Act – Employment (Title I), dated September 15, 1992