

## INDIANA COUNTY TRANSIT AUTHORITY

### REASONABLE ACCOMMODATION POLICY - EMPLOYMENT

It is the policy of the Indiana County Transit Authority (IndiGO) to comply with the Americans with Disabilities Act (ADA) and the comprehensive civil rights laws that prohibit discrimination against a qualified applicant or employee because of his/her disability. Under the ADA, qualified individuals with disabilities must have equal access to employment that is available to employees without disabilities.

Pursuant to the ADA, IndiGO will provide, upon request, reasonable accommodation to a qualified applicant and/or employee with a disability to allow him/her to perform the essential functions of his/her job, unless the accommodation would create an undue hardship. IndiGO is a public transportation provider and an essential service to all aspects of the community and it is critical that its transit operations are provided during scheduled times and in scheduled locations.

#### REASONABLE ACCOMMODATION:

Reasonable accommodation can be considered as the logical adjustment to a job or work environment that enables a disabled person to perform the essential functions of his/her job. IndiGO is required to provide reasonable accommodation for qualified individuals with physical or mental limitations. Each reasonable accommodation request is evaluated on a case-by-case basis, so that the accommodation provided meets the needs of the individual with the disability, and will allow him/her to perform the essential functions of his/her job. Reasonable accommodation includes, but is not limited to:

- Modifications or adjustments to a department's application, examination, or interview process that will enable a qualified applicant with a disability to be considered for the desired position; or
- Modifications or adjustments to the work environment, or to the method under which the position held or desired is routinely performed, that enables a qualified individual with a disability to perform the essential functions of that position.

The Department may choose to provide an alternative accommodation other than the one requested by the employee, as long as it is effective in assisting the employee in performing his/her essential job functions.

#### ESSENTIAL FUNCTIONS:

Essential functions are the tasks that are fundamental to the job. A job function may be considered essential for any reason including items contained within the job description, items within policies or procedures of the other employment requirements, federal or state law requirements for transit authority employees or classes of employees or other duties, responsibilities or tools available to employees in furtherance of their job duties. Other issues including the skill level for a position, the limited number of employees to whom the performance of a particular function can be distributed and expertise in performing a duty.

REQUESTING REASONABLE ACCOMMODATION:

IndiGO has established procedures to request a reasonable accommodation to ensure it is an interactive process between the individual and the Authority. Employees are encouraged to make a reasonable accommodation request in writing to ensure that all necessary information is included. However, it is not required that requests for accommodation be in writing.

To request reasonable accommodation, the employee must communicate his/her need to the Director of Human Resources. If the request is verbal, the Director of Human Relations should document the request. All requests for reasonable accommodation, whether written or verbal, must provide the following information:

- The type of accommodation requested;
- An explanation of the limitation for which the accommodation is needed;
- A description of how the accommodation will allow the individual to perform the essential functions of his/her job.

An employee must also submit medical documentation to provide evidence of his/her functional limitation due to a non-obvious (hidden) disability in support of the request for reasonable accommodation. The employee should send the medical documentation directly to the Director of Human Resources, where it will be kept in a confidential reasonable accommodation file.

At a minimum, the medical documentation must include the following:

- A description of the functional limitation as it relates to the employee's job duties, including the anticipated duration (e.g. temporary or permanent). If temporary, specify the date it is anticipated the functional limitation will end.
- A description of the functional limitations caused by the disability in work related terms. For example, if "no prolonged walking" is requested, the medical statement should specify how long or how far the employee is able to walk; if "no prolonged sitting" is requested, the medical statement should specify how long and

under what circumstances the employee can sit; if rest periods are required, the medical statement should specify how often and how long the rest periods should be.

- State the accommodation and describe how it will help the employee to perform his/her essential job duties.
- The medical documentation must be written/typed on the official letterhead stationary of the health professional or health professional's organization. The documentation must identify the health professional's credentials (e.g., M.D., D.O., R.N.) and practice specialty (e.g., Physical Therapist, Social Worker, Chiropractor), and be signed and dated by the health professional.

The Director of Human Resources evaluates each reasonable accommodation request on a case-by-case basis. If an accommodation is granted, a supervisor will be notified in order to assist in effectuating the accommodation. The decision to grant or deny a request for accommodation will be made only after considering all essential information, including but not limited to input from the employee, his/her supervisor, and his/her health professional. The applicant is not automatically entitled to the accommodation he/she requests; however, an individual may refuse an accommodation offered by IndiGO.

#### INTERACTIVE PROCESS:

Within five (5) work days of receiving a request for Reasonable Accommodation by a disabled employee or applicant, IndiGO must engage in a timely, good faith, interactive process to determine effective reasonable accommodations. To ensure that all effective accommodations have been considered, the Director of Human Resources and or the Executive Director and/or Supervisor must discuss the request with the employee when the specific limitation, problem, or barrier is unclear; where effective accommodation is not obvious; where modifications to the request may be appropriate; where the parties are choosing between different possible reasonable accommodations; or in other situations where the interactive process can further promote resolution of the request for accommodation. The interactive process should take place in person, unless it is impractical to do so.

#### APPEAL:

If the Department denies or fails to respond to the Reasonable Accommodation Request within twenty (20) working days, or an extension thereof due to the nature of the necessary accommodation or the issues raised during the interactive process, the employee/applicant may file an appeal directly with Executive Director. An applicant/employee has thirty (30) days during which to file an appeal, once the twenty

working-day period has ended. The appeals process will be handled according to IndiGO's Equal Employment Opportunity Policy and appeals of decisions relative to this process will be handled pursuant to the terms of that Policy which includes the appropriate contact information for state and/or federal appeals agencies.