

# Frequently Asked Questions

## **How is a request for reasonable accommodation made?**

An ADA Medical Documentation Request form must be obtained from Human Resources and completed by the employee and his or her health care provider. Restrictions and recommended accommodations due to the disability must be specified, based on the employee's job description.

## **Should a supervisor ask an employee if he or she needs an accommodation?**

No. If there are performance deficiencies and the employee indicates they might be related to a disability or health issue, he or she should be referred to Human Resources.

## **Who determines if the employee is a qualified person with a disability?**

Human Resources will make the determination based on the information provided in the ADA Medical Documentation Request.

## **When is an individual considered to have a disability?**

When he or she has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment or is regarded as having such an impairment. Major life activities include, but are not limited to: seeing, hearing, speaking, walking, breathing, performing manual tasks, learning, caring for oneself, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating, working, and the operation of a major bodily function.

## **What information from the ADA Medical Documentation Request will be shared with the supervisor or other superiors of the employee?**

Information obtained regarding the medical condition or history of any employee shall be collected and maintained on separate forms and in separate medical files and be treated as a confidential medical record, except that supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.

## **Who determines if a reasonable accommodation can be made and what it will be?**

Human Resources will engage in an interactive process with the employee and his or her supervisor and other appropriate departmental personnel to pursue a reasonable accommodation. The final decision will be made by a small panel of those who have a legitimate need to know this information.

## **Are the removal of essential job functions or the lowering of performance standards examples of reasonable accommodation?**

No. The employee must be able to perform the essential functions of the job with or without reasonable accommodation.

## **What if the employee disagrees with the accommodation decision?**

The employee should contact the County Attorney for further guidance on the decision of the accommodation.