

Human Resources

What Is ADA?

The Americans with Disabilities Act (ADA) is a civil rights law enacted in 1990 designed to prohibit discrimination against individuals with disabilities. The ADA aims to ensure that people with disabilities have the same rights and opportunities as everyone else.

The ADA covers individuals with disabilities, which is defined as:

A) Individuals with a Physical or Mental Impairment: The ADA covers people who have a physical or mental impairment that substantially limits one or more major life activities. Major life activities include, but are not limited to, walking, talking, seeing, hearing, eating, sleeping, standing, lifting, bending, learning, reading, concentrating, thinking, communicating, and working.

B) Individuals with a Record of Such an Impairment: This includes individuals who may not currently have a disability but have a history of such an impairment (e.g., someone who has recovered from cancer or mental illness).

C) Individuals Who Are Regarded as Having Such an Impairment: This applies to individuals who may not have a disability but are treated by others as if they do, due to perceived limitations (e.g., an employer mistakenly believes an employee has a disability and discriminates against them).

Steps in the process

1. Employee initiates request through TalentEd. The employee would use the *ADA Reasonable Accommodation Request* listed under Available Forms. HR and the employee's supervisor would be notified of the request through TalentEd.
2. Human Resources would email the employee an *Employee Medical Authorization Form* for the employee to complete. The *Employee Medical Authorization Form* allows us to communicate with the employee's healthcare provider regarding the request.
3. Once the employee has signed the Authorization Form, HR will fax the following documents to the employee's physician: *Medical Evaluation Form, Signed Authorization Form, Doctor Evaluation Request Form, and Your job description*
4. After receiving the employee physician's completed Medical Evaluation Form, HR will assist the supervisor in conducting the interactive process to determine the appropriate accommodations.
5. Finally, the supervisor will review the information provided and, based on the information, either approve or deny your accommodation request. The employee will receive either a *ADA Accommodation Approval/Denial Form* through TalentEd.
 - If an employee receives a ADA Accommodation Denial Form, the employee can choose to appeal the decision by emailing Human Resources to receive the *Appeal of Reasonable Accommodation Determination* form. The employee has 30 days from the date of notification in order to submit their appeal.

Annual Monitoring for Accommodations: If accommodations are approved, the accommodations are reviewed annually based on the start of the employee's work calendar. This is done to ensure that the accommodations continue to be effective, we are still in compliance, any workplace changes (updated job duties, location, new supervisor, or processes), and to maintain accurate and up-to-date records.

Medical Emergency Plan of Action: If an employee has a medical condition that requires a plan in case of a medical emergency (e.g., seizure disorder, diabetes, food allergy, etc.). The employee and supervisor can complete a Plan of Action through TalentEd that will set up an emergency contact, warning signs, plan of action, and what documentation may be required after a medical episode.