

AMERICANS WITH DISABILITIES ACT POLICY

PURPOSE

To establish methods and standards for full compliance with the Americans with Disabilities Act.

SCOPE

This policy applies to all services provided and facilities operated by LADD.

POLICY

It is the policy of LADD to comply with the Americans with Disabilities Act and ensure equal employment opportunity for all qualified persons with disabilities. In addition, LADD is committed to ensuring non-discrimination in all terms, conditions and privileges of employment. Reasonable accommodation is available to all employees and applicants, including work site accessibility, as long as the accommodation does not cause undue hardship on the company. LADD is committed to providing equal opportunity to all employees, including those who have life-threatening illnesses. LADD also is committed to providing a safe work environment that meets or exceeds state and federal regulations. Consequently, employees who have a life-threatening illness will be treated like other employees as long as they meet performance standards, and medical and other evidence indicates that their condition is not a threat to themselves or others.

DEFINITIONS

Disability - includes a physical or mental impairment that substantially limits one or more life activities, a record of such impairment, or being regarded as having such an impairment. "Physical or mental impairment" includes orthopedic disorders, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, HIV infection, cancer, heart disease, a mental or emotional illness, specific learning disabilities, drug addiction, and alcoholism., or as outlined by the ADA act.

Undue Hardship – an action that requires significant difficulty or expense to the employer.

STANDARDS

1. Confidentiality and Sensitivity. If an employee contracts a life-threatening illness, or if an employee discovers a fellow co-worker has contracted a life-threatening illness, all reasonable efforts will be exercised to ensure this information remains private and confidential. All employees should treat employees with a life-threatening illness with compassion and understanding.
2. Information. The Office has information on life-threatening illnesses for employees who become terminally ill, or who work with someone who has a terminal illness. So that education and training can take place as requested/needed.
3. Working with Terminally Ill Employees. The company will allow employees who have a life-threatening illness to continue to work as long as they continue to meet performance standards and will attempt to reasonably accommodate these employees whenever possible.
4. Medical Examination. To ensure that the employee who is terminally ill is not a danger to himself or herself, or to other employees, the company reserves the right to have the employee examined by a physician. All information, including the results related to the examination, will remain confidential.
5. Disability. If an employee is unable to work due to a terminal illness, the employee may be eligible for the company's medical leave of absence. (See Family and Medical Leave.)

PROCEDURE

1. If an employee or job applicant approaches Management regarding a disability or need for accommodation, they should be referred to the Human Resource Department where assistance in completing the accommodation form will be provided.
2. The person who has identified a need for accommodation should then review the completed form with the Human Resource Director or designated personnel in the absence of the Human Resource Director.
3. If the person requesting accommodation is an employment applicant every effort will be made to accommodate the person in completing the application process immediately.
4. If the person requesting the accommodation is a current employee, the Human Resources Director will meet with the person to review the request and document accordingly using the Accommodation Checklist. When possible, this step will be completed immediately following the submission and review of the form by the management team, Director of Operations and Human Resource Director.
5. If the person requesting accommodation is a current employee and requests a reduction in job duties, then the employee will also complete the Job Restriction form and attach supporting documentation from their physician. The Human Resource Director will review if the employee is eligible for FMLA.
6. The employee will be required to provide proof of said disability from a qualified medical professional in order to verify the employee's ability to meet job responsibilities.
7. The Human Resource Department will review the completed LADD Medical Clearance Form and attach to the Accommodation Checklist.
8. The Human Resource Department will review the final Accommodation Checklist. Reasonable Accommodation may include transfer to another home.
9. The Accommodation Checklist will be maintained in the employee's medical file.
10. Upon learning of an employee with a life-threatening illness, the Human Resource Department will be contacted immediately.
11. The Human Resource Department will contact the employee to review the standards of this policy as well as other possible options for the employee.
12. The Human Resource Department will document all meetings and follow up to be included in the employee's personnel file.

