



WAYNE COUNTY POLICY STATEMENT

Title:	ADAA Policy		
Wayne County Policy #		Date Issued:	6/1/2013
Category:		Date Revised:	N/A
Approved By:	Tish King, Director of Personnel/Human Resources (P/HR)		Page 1 of 4

I. PURPOSE

Wayne County is committed to providing job-related accommodations for eligible employees/applicants with documented disabilities as defined by federal and state law in the most timely and effective manner possible under applicable laws and regulations. It is the County's desire to ensure every employee who makes a request for accommodation under the American with Disabilities Act of 1990, as Amended (ADAA), be properly advised of the accommodation process. The County is committed to following the requirements of the ADAA and all appropriate federal and/or state laws, rules, and regulations.

II. POLICY PROVISIONS

Employees are responsible for making the County aware of the need for a job-related or work schedule accommodation based on a medical condition. Notification can be made to a supervisor, manager, personnel office or directly to the County ADA officer in the Department of Personnel/Human Resources (P/HR).

Supervisors, managers or personnel officers made aware of a need for an accommodation based on a medical condition, either by request or through reasonable observation, are required to notify the County ADA officer in P/HR immediately.

The ADA officer shall assist the employee in all ways reasonably possible in completing the ADA process in a timely and efficient manner.

All requests for this accommodation are to be reviewed by the County ADA officer in P/HR for consideration. Review, at the discretion of the County, may include an evaluation and determination of the scope of the disability and, if appropriate, requests for additional medical documentation, examinations and/or opinions. The accommodation decision shall be made to the employee and the person(s) who need to implement the decision within a reasonable period of time.

III. PROCESS

- A. The employee or the employee's immediate supervisor shall contact the ADA officer when applying for an accommodation. If an employee's supervisor makes the request for an accommodation on behalf of the employee, the employee must then work with the ADA officer directly. Only that information absolutely necessary shall be shared
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with the employee's supervisor. The employee's supervisor should not act as an advocate or surrogate for the employee.

The ADA officer will send out the appropriate ADA form(s) to the employee requesting an accommodation.

- B. The employee shall submit all completed forms and supporting documents to the ADA Officer by the designated deadline. Any information submitted shall be considered confidential and may be shared only with those who have a need to know in accordance with federal and/or state law. The ADA officer shall make the determination of the need to know in consultation with the applicable department or administrative unit. Failure to submit any request in writing may result in delay and/or denial of an accommodation request.
1. Any and all appropriate medical information and/or opinions shall be submitted with the ADAA Accommodation Request Form. This form shall include medical release authorization(s) allowing the ADA officer to obtain all necessary medical records from the employee's medical care providers.
 2. The employee shall respond to all requests for complete documentation within the time frames set by the ADA officer.
 3. The employee shall respond in a timely manner as determined by the ADA officer to requests for additional medical opinions and/or independent medical examinations as may be necessary.

The employee shall be responsible for the expense of providing acceptable documentation, which may include the cost of necessary medical examinations needed to render an acceptable medical decision. If, upon review and at the sole discretion of the County, the ADAA officer determines additional medical opinions are necessary, the County shall be responsible for the additional costs.

4. Failure to provide all requested medical documentation, including any additional medical documentation as may be required and/or failure to submit to an independent medical examination may, at the discretion of the County, result in denial of any request(s) for accommodation(s).
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- C. The ADAA officer must make the following necessary determinations for each ADAA accommodation request:
1. The nature of the disability. This determination may, at the discretion of the County, require proof of actual diagnosis by an appropriate medical care professional, with appropriate documentation supporting the diagnosis.
 2. Whether the disability impacts an essential function(s) of the employee's position.
 3. The essential function(s) the disability impacts.
 4. The type of accommodation(s) that is (are) reasonable.
 5. The nature and extent of any hardship to County operations, if any.
- D. The ADA officer shall implement the decision through appropriate County procedures if the employee is to be accommodated. Any expense related to the necessary accommodation of the employee are to be at the expense of the department in which the employee works.
- E. The ADA officer shall issue a written decision within a reasonable time upon receipt of the written request for accommodation. A reasonable time is necessarily flexible, taking into consideration such factors as the complexity of the request, cooperation of the employee, any need(s) for additional medical examinations and/or opinions, and the needs of the department..

III. ENFORCEMENT

P/HR is responsible for development, revision, communication, and enforcement of this policy. P/HR will assist in the interpretation and adherence to this policy.

Violation of this policy may result in remedial action ranging from verbal to written discipline, suspension from work without pay, to immediate termination.

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IV. DISCLAIMER

If in direct conflict with other internal or departmental policy, this policy will be considered to be the overriding policy unless otherwise directed by the Director of Personnel/Human Resources or his/her designee.

In the event that any provision of these policies is in conflict with the terms and conditions of existing collective bargaining agreements (CBA), the terms and conditions of the agreements shall take precedence, subject to Federal and State law. On those topics where the CBA is silent, the provisions of these policies shall apply.

V. RELATED DOCUMENTS

- American with Disabilities Act of 1990, as Amended (<http://www.ada.gov/pubs/ada.htm>)
- ADAA Accommodation Request Form
- Wayne County Employee Handbook
- Collective Bargaining Agreements

VI. REVISION HISTORY

ACTION	DATE	BY WHOM	REASON
Issued	6/1/2013	Tish King, Director of P/HR	New Policy
Revised			