



DISABILITY-RELATED EMPLOYMENT ISSUES

POLICY:

The intent of this policy is to prohibit illegal discrimination against qualified candidates for employment and current employees with disabilities protected by the Americans with Disabilities Act. A protected person is an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job that such individual holds or seeks.

The District shall make reasonable accommodations for a qualified potential or current employee who can perform the essential functions of a position unless it can be demonstrated that such accommodations create an undue hardship for the District.

Reasonable accommodations shall be made for employees recovering from protected disabilities as identified by the Americans with Disabilities Act.

Reasonable accommodations may include:

1. Making facilities accessible and barrier free;
2. Job restructuring;
3. Part-time or modified work schedules;
4. Reassignment to a vacant position;
5. Acquisition/modification of equipment.

Medical insurance shall be available to disabled employees, current or prospective, on the same basis as to all other employees.

Revision Date:

Adoption Date: 11/8/99

Legal Reference(s):

Rehabilitation Act of 1973, 29 U.S.C. Sections 791, 793 and 794.

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

Echazabal v. Chevron, F3d (9th Cir 2000). ("Direct threat" exception to "otherwise qualified" portion of ADA does not apply to employee's own health or safety.)