

9.0 ADA POLICY - APPLICANTS AND EMPLOYEES WITH DISABILITIES

PURPOSE: To affirm Sheriff's Office Policy of conducting personnel actions in accordance with the Americans with Disabilities Act (ADA).

POLICY STATEMENT: It is the policy of the Sheriff's Office to comply with all relevant and applicable provisions of the Americans with Disabilities Act (ADA). The Sheriff's Office will not discriminate against any qualified employee or job applicant with respect to terms, privileges, or conditions of employment because of physical or mental disabilities. The Sheriff's Office will make reasonable accommodations whenever necessary for employees or applicants with disabilities, providing that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not require undue hardship on the department.

9.1 EMPLOYMENT POLICIES

- A. The Sheriff's Office policy of nondiscrimination applies to all personnel and employment practices to include:
 - 1. Hiring
 - 2. Upgrading
 - 3. Transfer
 - 4. Recruitment and recruitment advertising
 - 5. Layoff or termination
 - 6. Compensation of any kind
 - 7. Selection for training
 - 8. Educational programs
 - 9. Any company sponsored recreational and social activities.
- B. The Sheriff's Office will ensure that all personnel procedures give applicants and employees non-discriminatory consideration when their job qualifications are assessed. All employment and advancement decisions will be based solely upon the objective determination of each candidate's job qualifications. Actions to be taken that will ensure nondiscriminatory nature of personnel practices include:
 - 1. Formulating accurate job descriptions to determine tasks that are essential, and eliminating vague requirements.
 - 2. Reviewing job qualifications to ensure mental and physical requirements are job-related and consistent with business necessity.

3. Arranging alternative sites for interviews if departmental facilities present barriers to the mobility impaired.
4. Documenting the process of reasonable accommodation, including when and how a request for accommodation was made, possible accommodations considered, analysis of the cost and benefits of accommodation, and the reason the accommodation was accepted, rejected, or why no accommodation was arrived at.
5. Evaluating the total personnel process to ensure that stereotyping of disabled persons not occur.
6. Informing departmental personnel involved in the personnel process of their responsibilities under the ADA to ensure that discrimination does not occur against persons with disabilities.
7. By evaluating departmental selection procedures to see if they unfairly screen out disabled persons.
8. Making available, whenever possible, alternative tests for applicants or employees with impaired sensory and speaking skills.
9. Developing a medical examination consistent with ADA requirements.
10. Eliminating pre-employment questions regarding the existence or nature of any disability.
11. Not requiring pre-job offer medical examinations.
12. Making reasonable accommodations that will allow disabled applicants or employees to perform essential job functions excepting if doing so would present an undue hardship on the department.
13. Keeping confidential the need to make a particular accommodation for an employee with a disability and not disclosing the information except in accordance with law.
14. Not discriminating on the basis of disability in determining vacation, sick leave, other leaves of absences, or other benefits.

C. AMERICAN DISABILITIES ACT OF 1990 (ADA)

1. The ADA has been codified in Title 42 of the United States Code in Section 12101. It is incorporated into Sheriff's Office policy by way of reference. All personnel decisions involving disabled applicants or employees will be in accordance with the ADA.