

# Salt Lake County Human Resources Policy 3-200: Reasonable Accommodations

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## **Purpose**

This policy provides a procedure for compliance with the [Americans with Disabilities Act as Amended \(ADAA\)](#) and [Section 504 of the Rehabilitation Act](#).

## **I. Policy**

It is the policy of Salt Lake County to comply with the provisions of the [Americans with Disabilities Act as Amended \(ADAA\)](#) and [Section 504 of the Rehabilitation Act](#) when providing reasonable accommodations.

## **II. Procedures**

### **A. Employee Reasonable Accommodation Procedure**

1. An employee who requests a modification or adjustment to a job or the work environment based on a qualifying disability shall be referred to the Human Resources ADA Coordinator.
2. The employee making the request shall return the following completed forms to the ADA Coordinator:
  - a. [ADA Employee Intake Form](#)
  - b. [ADA Medical Questionnaire](#)
  - c. [HIPAA Disclosure Form](#) (Authorization to Disclose Health Information)
3. If the ADA Coordinator determines that an employee has a qualifying disability, the relevant Agency shall be notified of the need for an accommodation. The ADA Coordinator may require additional information from the employee or the medical provider prior to providing a determination.
4. The Agency shall have seven calendar days from receipt of the written determination to hold a meeting with the employee and discuss accommodations.
5. At the meeting, the supervisor and employee will discuss possible accommodations that allow the employee to perform the essential job functions.
6. The accommodation process is intended to be an ongoing interaction between the Agency and the employee.
  - a. The Agency shall document all consultation meetings with the employee requesting an accommodation and the process on the ADA Interactive Worksheet.
    - i. The Agency shall consult with the ADA Coordinator prior to denying an accommodation.
  - b. An Agency shall not lower performance or productivity expectations or standards to make an accommodation.
  - c. An employee with an accommodation is required to follow the same rules, policies, procedures, and standards that other employees are required to adhere to in the work environment.

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- d. The ADA Coordinator shall review the accommodation with the employee and with the supervisor at least annually to discuss whether the accommodation needs to be modified.
  - i. Any accommodation that would pose a significant health or safety risk to an employee or others in the workplace is not considered reasonable.
7. The cost of an accommodation shall be borne by the Agency.
  - a. A qualified employee who wishes to bring medically necessary equipment or devices to work may be allowed to do so with supervisory approval.
8. Transfers/Reassignments for an employee who can no longer perform essential functions of the position.
  - a. During this process, the employee may choose to use accumulated leave or will be on leave without pay.
  - b. If an employee is unable to perform the essential functions of the position with or without accommodations due to a qualifying disability, the Agency has 30 calendar days to attempt to transfer or reassign the employee to an intra-Agency vacant position for which the employee may qualify and where the disability can be reasonably accommodated.
    - i. An Agency that is unable to reassign or transfer the employee within the 30-day intra-Agency period shall notify the ADA Program Coordinator.
  - c. Following the 30-day intra-Agency period, the Human Resources Division will have an additional 30 calendar days to evaluate countywide vacancies to identify a position for which the employee may qualify and where the disability can be reasonably accommodated.
  - d. If a position is available for which the employee qualifies, the ADA Coordinator, in consultation with the Agency Administrator where the vacancy exists, shall inform the employee of the transfer. The employee may decline the transfer and remain on the reassignment list during the 30-day countywide period. If a transfer is not agreed upon in the 30-day countywide period, the employee shall be subject to an Administrative Separation.
9. Job Applicant/Interview Reasonable Accommodations Policy and Procedure
  - a. Human Resources shall provide reasonable accommodations to qualified applicants during the application and examination process.
    - i. Requests for reasonable accommodations shall be received by Human Resources at least five calendar days prior to the examination.
    - ii. Information concerning an applicant who needs a reasonable accommodation in the interview process will be conveyed to the Agency by the Human Resources Division.
    - iii. An Agency shall not lower performance or productivity expectations or standards for an applicant with a disability.
    - iv. Before a qualified applicant is denied an employment opportunity because the accommodation required would pose an undue hardship, the Agency shall consult with the ADA Coordinator.

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## III. References

- A. Job Accommodation Website (askjan.org)
- B. Americans with Disabilities Act of 1990, as amended
- C. Rehabilitation Act of 1973, Section 504, as amended
- D. Countywide Policy & Procedure: Americans with Disabilities Act Complaint Procedure
- E. Human Resources Policy:
  - 1. 1-200, General Definitions
  - 2. 3-100, Harassment, Discrimination and Retaliation
  - 3. 3-500, Grievance Procedure
  - 4. 4-400, Workers' Compensation

APPROVED and ADOPTED this 12<sup>th</sup> day of December, 2023.

### SALT LAKE COUNTY COUNCIL

By   
Aimee Winder Newton, Chair

ATTEST:

  
Lannie Chapman, County Clerk

Voting:

Council Member Alvord  
Council Member Bradley  
Council Member Bradshaw  
Council Member Granato  
Council Member Harrison

"Aye"  
"Aye"  
"Aye"  
"Aye"  
"Aye"

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Council Member Theodore  
Council Member Stewart  
Council Member Stringham  
Council Member Winder Newton

"Aye"  
"Aye"  
"Aye"  
"Aye"