



# HOUSATONIC COMMUNITY COLLEGE

## HOUSATONIC COMMUNITY COLLEGE AMERICANS WITH DISABILITIES ACT (*ADA*) POLICY STATEMENT

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Housatonic Community College does not discriminate on the basis of disability in the administration of, or access to, its programs, services or activities. Under this policy, a person with a disability is defined as "a person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having an impairment."

As President, I have designated the following individual to coordinate the university's compliance with the non-discrimination requirements of Section 35.1067 of the Department of Justice regulations:

*Theresa Eisenbach, Director of Human Resources/Labor Relations*  
*TEisenbach@hcc.commnet.edu*  
*(203) 332-5013*

Should you wish to notify us of barriers that may exist in equal access to any program, service, or activity offered by the College or to obtain information regarding the provisions of the Americans with Disabilities Act and your rights, you are encouraged to contact the ADA Coordinator listed above. If you feel that you need a reasonable accommodation as a result of your disability to allow you to perform the essential functions of your position, please follow the attached ADA procedure for requesting a reasonable accommodation.

Paul Broadie II, Ph.D., President

9/21/15  
Date

## **PROCEDURE FOR REQUESTING REASONABLE ACCOMMODATION UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)**

The Americans with Disabilities Act of 1990 requires employers to provide “reasonable accommodation” to qualified individuals with disabilities who are employees or applicants unless to do so would cause an “undue hardship.” The term reasonable accommodation generally is any change in the work environment or in the way things are customarily done that enables a disabled employee to enjoy equal employment opportunities. The College must analyze each request for accommodation on a case-by-case basis and make a good faith effort to reasonably accommodate a qualified employee or applicant with a disability.

As a general rule, the individual with a disability must inform the employer that an accommodation is needed since employers are only obligated to provide reasonable accommodation of known disabilities. Under the ADA, the employer and the employee must engage in an informal interactive process to clarify what the individual needs and identify the effective reasonable accommodation. The employer may ask questions about the nature of the disability and the individual’s functional limitations in order to identify an effective accommodation. Further, if the disability and/or need for an accommodation are not obvious, the employer may ask for more information including documentation to establish that the person has a disability and that it necessitates a reasonable accommodation. At its discretion, the College may require that the documentation about the disability and the functional limitations come from an appropriate health care or rehabilitation professional.

The employer is not required to provide the reasonable accommodation that the individual requests. Rather, the employer may choose among reasonable accommodations as long as the chosen accommodation is “effective,” i.e., it would remove a workplace barrier, thereby providing the individual with an opportunity to perform the essential functions of the position. The employer may choose a less expensive or burdensome accommodation among available effective reasonable accommodations.

### **REASONABLE ACCOMMODATION PROCESS**

#### **1. Initiation of the Request for Reasonable Accommodation**

In order for the College to analyze each request for accommodation, the requesting employee or job applicant should complete the attached two forms, the “*Reasonable Accommodation Request Form*,” and the “*Health Care Provider Release Form*.” When deemed necessary by the College, the employee or job applicant must provide current documentation from a health care provider regarding the nature of the disability and need for accommodation.

The employee/job applicant seeking a reasonable accommodation must complete these forms and provide them directly to the College’s ADA Coordinator:

*Theresa Eisenbach, Director of Human Resources/Labor Relations*  
*[TEisenbach@hcc.commnet.edu](mailto:TEisenbach@hcc.commnet.edu) (203) 332-5013*

The request for accommodation should include current documentation from a health care provider (*if required by the College*) that:

- States the nature of the disability in order to establish that the individual has a mental or physical impairment that substantially limits a major life activity, has a record of such an impairment, or is regarded as having such an impairment.
- Explains the functional limitations the employee has as a result of their disability as it relates to the job duties.
- Suggests accommodations that would remove the barriers to the employee/applicant’s ability to perform the essential functions of the job.

#### **2. Essential Job Function Analysis Conducted by the College and Determination of the Request For Reasonable Accommodation**

The ADA Coordinator will contact the Department or Unit and conduct an essential job function analysis. The College retains the right to establish the essential job functions of the position for which a request for accommodation has been made. After the above information has been received, the following steps will be taken:

- A review by a College-designated health professional may be required to substantiate that the employee has a disability and needs a reasonable accommodation.
- If appropriate, a meeting may be held with the employee, ADA Coordinator, and management/supervisory personnel from the department to discuss the employee’s limitations as they relate to the essential functions of the job and to discuss various options in regard to accommodating the employee.
- The College Administration retains discretion to select an accommodation which is deemed to be effective in removing the workplace barrier that is impeding the individual with a disability giving due consideration to the preferences of the employee or applicant.

*Any questions regarding this process should be directed to the College’s ADA Coordinator. [References: 42 U.S.C. §12101 et seq; .29 C.F.R. § 1630.9]*

**Complaint Procedure:** For complaints of alleged violations of the Americans with Disabilities Act, employees should refer to the College’s internal complaint procedure as contained in the College’s Affirmative Action Plan.