

## **EMPLOYEE'S RIGHTS AND RESPONSIBILITIES IN THE DISABILITY ACCOMMODATION PROCESS**

### **IMPLEMENTATION PROCEDURE**

The Auraria Higher Education Center (AHEC) has a strong commitment to maintaining a diverse workforce that includes employees with disabilities. AHEC adheres to all applicable federal and state laws, regulations and guidelines with respect to persons with disabilities. It is the policy of AHEC to provide reasonable accommodations for qualified individuals with disabilities who are employees or applicants for employment. Failure to comply with this procedure may be a violation of AHEC's policy on Discrimination/Harassment. The employing unit or department of AHEC will provide reasonable accommodation to employees and applicants for employment.

After an employee requests an accommodation and has provided appropriate medical documentation to the AHEC Director of Human Resources, the following process will be followed:

- 1. AHEC Human Resources will determine whether the employee is qualified for protection under Worker's Compensation or the Family Medical Leave Act.**
- 2. AHEC Human Resources will review documentation and meet with the employee, the employee's supervisor to discuss the employee's accommodation needs, the essential functions of the employee's position, and explore accommodation alternatives. If necessary, AHEC Human Resources will consult outside resources, such as the Job Accommodation Network (JAN) or Colorado Rehabilitation Services.**
- 3. It is the responsibility of AHEC Human Resources to determine if a reasonable accommodation is available and if so, to insure the accommodation is implemented.**
- 4. In certain cases, at the discretion of AHEC Human Resources, an ADA Resource Panel will review the request for accommodation.**
- 5. All agreements related to accommodations will be documented in writing.**

#### **As an Employee, What are my ADA Responsibilities?**

- Inform the AHEC Director of Human Resources of your need for an accommodation by submitting an Accommodation Request Form.**
- Provide medical verification and accommodation recommendations from a treating specialist to the AHEC Director of Human Resources.**

*Only the designated HR representative is authorized to request, receive, and maintain confidential medical information and records. ADA confidentiality requirements apply to medical information and records for disability, Workers Compensation and all medical leave. In cases where job accommodations have been requested, documentation will be shared with the AHEC Human Resource Director and/or the ADA Resource Panel.*
- Meet with a HR representative and your supervisor to discuss your accommodation needs. You will be expected to engage in a good faith effort to identify reasonable accommodations.**
- Perform the essential functions of your position and expected performance standards after reasonable accommodation is provided.**
- Review accommodations periodically to ensure that they are reasonable.**
- Notify the AHEC Director of Human Resources if your disability changes in any way.**

## **As an Employee, What are my ADA Rights?**

*Employees can expect supervisors to:*

- **Base all employment decisions on employee's ability to perform the essential functions of a position, whether or not reasonable accommodations are provided.**
- **Engage in a good faith effort to assist AHEC Human Resources and/or the ADA Resource Panel in identifying reasonable accommodations in a timely manner.**

*Applicants and employees can expect assistance from the AHEC Director of Human Resources when requested. Persons alleging discrimination on the basis of disability may file a formal grievance with AHEC. Please contact AHEC Human Resources for a copy of the Grievance Procedure.*

## **When Should I Contact the AHEC Human Resource Office?**

- **If you have a medical condition (physical or mental) and have questions about whether you might be covered under the ADA.**
- **If you have questions about your rights and responsibilities under the ADA.**
- **If you need assistance with the accommodation process.**
- **If you have concerns about discrimination, harassment, or retaliation based on disability or the need for accommodations.**

## **Resources**

**AHEC Director of Human Resources  
Job Accommodation Network (JAN)**

**(303) 556-3384  
(800) 526-7234**