

Policy Statement

Finger Lakes Community College does not discriminate in any employment matters against qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the position that such individual holds or desires. The College will provide a reasonable accommodation to a qualified individual with a disability to help that individual perform the essential functions of the position. The College will also engage in interactive discussions with individuals with disabilities, upon request or upon notice of the potential need for an accommodation. Accommodation requests shall be initiated or coordinated with the Office of Human Resources. The College will comply with all applicable laws which prohibit disability discrimination and provide for reasonable accommodation obligations.

As a matter of policy, the College also desires to ensure access to individuals with disabilities to equal employment opportunities.

Reason for Policy

To ensure compliance with the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.; Section 504 of the Rehabilitation Act of 1973; the New York Human Rights Law, all of which prohibit disability discrimination.

Applicability of the Policy

This policy applies to all College employees and applicants for employment.

Definitions

Disability: with respect to an individual: (i) a physical or mental impairment that substantially limits one or more of the major life activities; (ii) a record of such impairment; or (iii) being regarded as having such an impairment

Reasonable accommodation: In the employment setting, reasonable accommodation may include job restructuring, part-time or modified work schedules or reassignment to a vacant position

Other definitions as contained in applicable statutes and regulations may apply.

Related Documents

- Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.
- Section 504 of the Rehabilitation Act of 1973
- New York Human Rights Law
- FLCC Equal Employment Opportunity policy
- FLCC Obligation to Report Discrimination or Harassment policy

Review date/action taken (requires Board of Trustees approval):

- May 2010: original approval date
- Fall 2012: review

Procedures

Any employee or applicant for employment who feels he or she may need an accommodation to help perform the essential functions of the job should contact their supervisor or the Office of Human Resources. The College will not tolerate any retaliation against any individual because he or she has requested an accommodation, made a complaint of disability discrimination or harassment, or otherwise participated in a discrimination or harassment investigation in good faith.

Any individual who feels he or she has been discriminated or retaliated against due to a disability, or has been denied a reasonable accommodation, should use the following complaint procedures set forth in the Non-Harassment/Non-Discrimination policy:

“When a supervisor receives a written or oral complaint involving allegations of employment discrimination or sexual harassment from any College employee, has reason to believe or suspects that such a situation may exist, the supervisor must immediately contact the Office of Human Resources. The failure of a supervisor to submit this required report to the Office of Human Resources may result in disciplinary action up to and including termination.

In many cases, employees will request that the supervisor keep an incident, complaint, or allegation of discrimination or harassment “confidential” and/or request that no action be taken concerning the complaint. Persons in positions of supervisory authority cannot agree to such requests. An employee may be assured that every effort will be made to protect confidentiality and to limit disclosures to a “need to know” basis. Employees must be told that the seriousness of these situations and the College’s commitment to non-discrimination and prohibiting harassment require that such situations be reported to the Office of Human Resources and potentially investigated and remediated, if appropriate.

After reporting of a potential incident, complaint or allegation, any further investigation should be undertaken only after consultation and in conjunction with the Office of Human Resources.”

Forms/Online Processes

- ADA Reasonable Accommodation Request Form (attached)
- The College may require employees to utilize other forms and/or provide appropriate supporting documentation, as warranted

Appendix

- None

Review date/action taken:

- May 2010: original effective date
- Fall 2012: review

**Finger Lakes Community College
ADA Accommodation Request Form**

Directions:

Employees seeking an accommodation of a disability must complete this form and also provide current medical documentation substantiating the disability as requested. Please provide all of this information to the Office of Human Resources. After you submit the form and medical documentation (if requested), a Human Resources representative will contact you to schedule a meeting to discuss your request.

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|-------|------------|-------|------------------------|
| Name: | Job Title: | Date: | Address and Telephone: |
|-------|------------|-------|------------------------|

Please describe your disability and how it impacts your ability to perform your job duties:

Please describe the nature of your medical treatment for your disability:

Please describe the accommodation you are seeking and why you believe it will allow you perform your job duties:

Signature

Date