

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

| | |
|--|--|
| SUBJECT: Americans with Disabilities Act, Title I (Employment) | PAGE <u> 1 </u> OF <u> 3 </u> NUMBER: 32-EEO-03 |
| RULE/CODE REFERENCE: | SUPERSEDES: 32-EEO-03 dated 09/06/13 |
| RELATED ACA STANDARDS: 4-4054; 4-4169; 4-4429-1; 3-3051 2-CO-1C-09-1; 2-CO-2B-04; 1-CTA-1C-03-1A; 1-CTA-2D-03 | EFFECTIVE DATE: February 13, 2015 |
| | APPROVED: |

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to set forth policy and procedure in accordance with the provisions of Title I (Employment) of the Americans with Disabilities Act (ADA) while maintaining a safe, secure, and humane environment for staff, inmates, and visitors.

III. APPLICABILITY

This policy applies to all Ohio Department of Rehabilitation and Correction employees.

IV. DEFINITIONS

Americans with Disabilities Act (ADA) - The Act which provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government, services, and telecommunications.

Disability (with respect to an individual) - A physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or, being regarded as having an impairment.

Title I - The section of the ADA that provides Equal Employment Opportunities for individuals with disabilities and protects qualified individuals with disabilities from employment discrimination. The areas covered are application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions and privileges of employment.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction to comply with the requirements of the Americans with Disabilities Act in regards to employment, public accommodations, services and telecommunications for employees and visitors.

VI. PROCEDURES

A. ADA Operation Support Center Committee and Worksite Coordinators

1. The Director or designee shall appoint an Operation Support Center Title I (Employment) committee. The Chief of the Bureau of Labor Relations/designee, a representative from the Bureau of Legal Services, and a member of the EEO Section of the Office of Human Resources shall be standing members of the committee. The member of the EEO Section shall be the main contact person for the Operation Support Center Title I Committee. The Operation Support Center Title I Committee shall monitor and assist staff in assuring compliance with Title I of the ADA, provide training to Worksite Title I Coordinators as needed, and appoint respective ADA committee members.
2. One member from each EEO committee established pursuant to Department Policy 32-EEO-01, Anti-Discrimination Policy, may be designated as the Worksite Title I Coordinator. The Worksite Title I Coordinator shall be primarily responsible for providing information to staff relating to Title I of the ADA and providing information on and coordinating the procedure for requesting reasonable accommodations. All EEO committee members shall be knowledgeable regarding ADA issues and procedures.
3. For additional information or questions on ADA concerns please visit the DRC Intranet website page below.
<http://intra/index2.php?id=185>
4. For more information or to file a complaint with SEOD within 30 days of the alleged disability discriminatory incident the employee can call 614-466-8380 or go to the website listed below:
<http://das.ohio.gov/Divisions/EqualOpportunity/AffirmativeActionEqualEmploymentOpportunity/EEOComplaintProcess.aspx#EEOComplaintProceduresstart>
5. Employees may also contact and or file formal complaints of disability discrimination with the Ohio Civil Rights Commission (OCRC) within six (6) months of the alleged discriminatory incident at <http://crc.ohio.gov>. Employees may also contact or file with the U.S. Equal Employment Opportunity Commission (EEOC) within 300 days of the alleged disability discriminatory incident at <http://www.eeoc.gov>. Information on how to file with these agencies shall be available from any EEO representative or the EEO Section of the Office of Human Resources or the respected agencies.

B. Title I/Employee Requests for Accommodation

1. Employees who wish to request a reasonable accommodation shall complete an Accommodation Request (DRC1793). This form is available from the Worksite Title I Coordinator or other EEO committee members. Once the form has been completed by the requesting employee, it shall be forwarded to the Title I Worksite Coordinator.
2. The Title I Worksite Coordinator shall then consult with the employee's immediate supervisor and/or other appropriate staff and the appointing authority or designee to determine whether a reasonable accommodation may be made and the nature of the accommodation, if any. If the purchase of equipment is contemplated, the Business Office shall be consulted. A report and recommendation shall be submitted by the Worksite Title I Coordinator to the appointing authority and to the Operation Support Center Title I Committee for review and approval.
3. The Operation Support Center Title I Committee shall consult with other relevant staff regarding the request and advise the Worksite Title I Coordinator, in writing, of the approval or disapproval of the Worksite Coordinator's recommendation. If a recommendation is disapproved, the Operation Support Center Title I Committee shall work with the Worksite Title I Coordinator to develop an acceptable response to the request for accommodation.
4. All requests for accommodation shall be evaluated pursuant to the standards and mandates of the ADA.
5. At all times in the process, to the degree feasible in processing the request, the confidentiality of the requesting party's medical information shall be respected.
6. Employees dissatisfied with the response to their request for accommodation may pursue any other administrative or judicial remedy available to them.

Related Department Forms

Accommodation Request/Americans with Disabilities/ADA

DRC1793