

NUMBER: 323

SUBJECT: EMPLOYEES WITH DISABILITIES

APPROVAL DATE OF LAST REVISION: JANUARY 24, 2011

PAGE 1 OF 2

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### ***323.1 – POLICY***

Bridgerland Technical College (BTECH) is committed to equal employment opportunity and nondiscrimination as outlined in the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). The College ensures full right of access for persons with disabilities to all terms and conditions of employment, services, programs, and activities. Employees and candidates for employment will be treated on the basis of their ability to perform essential job functions, with or without reasonable accommodation.

Consistent with this policy, Bridgerland Technical College is dedicated to:

323.1.1 – recruit, hire, and promote on the basis of qualifications without discrimination;

323.1.2 – ensure that decisions affecting employees are made without discrimination including, but not limited to, decisions concerning compensation, benefits, job assignments, training, opportunities for advancement, and performance evaluation; and

323.1.3 – make reasonable accommodations, as necessary, to enable an otherwise qualified individual with a disability to successfully perform the essential functions of the job.

### ***323.2 – DEFINITION***

#### ***323.2.1 – Disability***

Within the scope of this policy, the term disability includes:

323.2.1.1 – any physical or mental impairment that substantially limits one or more major life activities;

323.2.1.2 – a record of such an impairment; and/or

323.2.1.3 – being regarded as having such an impairment.

### ***323.3 – PROCEDURES***

Employees should contact the appropriate administrative authority (any Vice President) for advice and/or assistance in implementing this policy. Employees who require accommodation are responsible for disclosing disability related information and requesting reasonable accommodation. Decisions regarding accommodation will be made in consultation with the employee, the supervisor, department head, ADA Coordinator, and appropriate individuals inside and outside BTECH. The Utah State Department of Administrative Services, Division of Risk Management, requires that no requests for accommodation may be denied without consulting them and their specialist. Accordingly, BTECH's ADA Coordinator follows that requirement. Employees must be able to perform the essential functions of the job with or without reasonable accommodation. If reasonable accommodation will not enable the employee to adequately perform the job, the employee may be judged to be not qualified for the position. The reasonableness of any accommodation will be evaluated on a case-by-case basis.

All complaints related to issues of disability should be referred to the appropriate administrative authority (any Vice President) or the ADA Coordinator.

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PAGE 2 OF 2

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### **323.4 – RESPONSIBILITIES**

#### **323.4.1 – Department Heads and Supervisors**

Department heads and supervisors are responsible for communicating this policy to employees within their department and ensuring that the policy is adhered to at all times. Department heads and supervisors will refer employees who disclose a disability or request accommodation to BTECH's ADA Coordinator.

#### **323.4.2 – ADA Coordinator**

BTECH's ADA Coordinator is responsible for documenting all requests for reasonable accommodation and maintaining confidential records on each contact. If an employee is determined to be a qualified person with a disability, the reasonableness of the request will be evaluated or alternative accommodations will be explored. Decisions regarding accommodation will be made in consultation with Risk Management, the employee, and appropriate personnel within and outside the College.

#### **323.4.3 – Employees**

Employees with disabilities are responsible for requesting reasonable accommodations. An employee who disagrees with the College's final determination concerning reasonable accommodation has the right to file a complaint following Policy 300.305.