Policy Type: General Administration  
Policy Title: Reasonable Accommodation Policy  
Policy Number: GA-10

Purpose:
To adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing reasonable accommodation as required to qualified individuals with disabilities.

Scope:
All qualified individuals with disabilities.

Policy:
It is the policy of Green River Community College to provide reasonable accommodation to all qualified individuals with disabilities. The policy’s primary focus is reasonable accommodation in all aspects of employment; however, general guidance and contact information is also given with regard to reasonable accommodation as it applies to college services or activities provided to the general public, and the college’s educational services and activities.

The reasonable accommodation process is an interactive process and requires the cooperation of the individual requesting the accommodation. Failure to cooperate may delay or stop the reasonable accommodation process. To the extent possible and in accordance with applicable laws and regulations, all information regarding the presence or nature of an individual's disability is treated as a confidential medical record and is maintained in a secure manner, apart from personnel files.

Notification of the right to an accommodation and information on how to make such a request for qualified applicants with a disability will be included in all announcements and in all recruitment efforts. The College will post its accommodation policy on its intranet site and make it available in all new employee orientation packets, as well as to any employee or applicant upon request.

Definitions:
Disability - Americans with Disabilities Act of 1990 (42 U.S.C. 12102): "Disability" means a physical or mental impairment that substantially limits one or more of the major life activities of such an individual; a record of having such an impairment; or being regarded as having such an impairment.

Washington State Law Against Discrimination (RCW 49.60.040): “Disability” means the presence of a sensory, mental, or physical impairment that is medically cognizable or
diagnosable; or exists as a record or history; or is perceived to exist whether or not it exists in fact. A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the ability to work generally or work at a particular job or employment.

Reasonable Accommodation - means modification or adjustment to a job, work environment, policy, practice, or procedure that enables a qualified individual with a disability to perform the essential functions of the position. Reasonable accommodation will be implemented as long as it is medically necessary (there is competent medical evidence establishing a relationship between the disability and the need for accommodation) and: it does not pose a direct threat to the health or safety of others, does not make a substantial change in the essential element/function of the position and does not impose an undue hardship on Green River Community College.

Qualified Individual with a Disability - is a person with a disability who meets the skill, experience, education, and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of the job.

Essential Functions - are the fundamental job duties or requirements of a position. Essential functions are such that they cannot be eliminated or substantially modified without changing the nature of the position. Essential functions do not include the marginal functions of the position.

Undue Hardship - means, among other things, an excessively costly, extensive, substantial, or disruptive modification, or one that would fundamentally alter the nature or operation of Green River College or one of its programs.

Direct Threat to the Health or Safety of Others - means the accommodation poses a substantial risk of significant harm to someone else.

Substantial Change - means a substantial alteration/change in the essential conduct or function of the job.

Equal Employment Opportunity - means an opportunity for a qualified individual with a disability to perform the essential job functions or to enjoy the benefits and privileges of employment that are available to similarly situated individuals without a disability.

Health Care Professional - means a person who is legally competent to diagnose and/or treat the particular medical condition or conditions which are the basis of the accommodation request.

Disability Separation - means an action taken to separate an employee from service when the employer determines that the employee is unable to perform the essential functions of the employee's position or class with or without reasonable accommodation due to mental, sensory, or physical incapacity. A disability separation is not a disciplinary action.
Procedure:

1. In general, the individual must inform Green River College of the impairment and need for an accommodation. Green River College may require documentation of the diagnosis and/or impairment. This documentation will be secured on the individual’s own time and expense. The appropriate College contact depends on whether the individual is an applicant, staff member, student or the general public.

A. Applicants seeking accommodation during the application or interview process should make a request through the Office of Human Resources with at least three (3) days advance notice of the position’s closing date or the interview date.

B. Members of the general public seeking accommodation for college-sponsored activities, services or events which are open to the general public may request an accommodation from the program’s sponsor in advance of the date of the event for which the accommodation is being sought, per the deadline advertised in the announcement or advertisement by the sponsoring department. The applicable department or office, program that sponsors and/or distributes the announcement or advertisement for services or activities for Green River College is responsible for providing notification and instruction for requesting an accommodation, receiving the accommodation request and arranging for the appropriate reasonable accommodation(s), if one is required. All departments and offices should confer with the appropriate Human Resources professional if there are any questions.

C. Prospective students requesting accommodation for registration or enrolled students with documented disabilities should contact the college Disability Support Services Office. Requests for accommodations must be made within the timeframe and established guidelines of the Disability Support Services Office. It is the responsibility of any college staff member receiving a student request for an accommodation to immediately contact the Disability Support Services Office.

D. Employees requesting an accommodation should contact the Office of Human Resources. Supervisors who receive information regarding a possible need for accommodation are responsible for contacting Human Resources immediately. Supervisors should not ask the employee for personal medical information or ask questions about the disability itself. The employee is not required to disclose to supervisors the medical basis for the requested accommodation. Should the employee choose to disclose such information, supervisors must advise him or her that disclosure is not necessary, and that the information will remain confidential. Supervisors who receive documents containing medical information should immediately forward that information to the Office of Human Resources. Medical records shall never be kept in departmental files.
2. Upon notification of an employee's request for reasonable accommodation, a Human
Resources professional will consult with the requestor to identify the disability-related barriers
to job performance and usually to request medical documentation of the disabling condition.
The HR professional will assess how the requested accommodation or alternative
accommodations may allow the requestor to perform the essential function of the position. The
College may consult with other knowledgeable sources as necessary.

Green River College may further require a medical examination from a qualified independent
health care professional of the College’s choice and at our expense, in order to determine the
existence of a disability and the functional limitations caused by the disability that may
require reasonable accommodation.

Information concerning an applicant/employee’s medical condition or history may be
shared in only three (3) ways:

a. Supervisors and managers may be informed of restrictions on the work or duties of
individuals with disabilities and informed of necessary accommodations;
b. First aid and safety personnel may be informed if the condition might require
emergency treatment; and;
c. Government officials investigating compliance with ADA shall be provided with relevant
information upon request.

3. Green River College does not have to provide a reasonable accommodation that would
impose an undue hardship on the operation of the college. If a reasonable accommodation can
be provided, an individual’s preference will be given consideration, however, the College may
choose among equally effective accommodations that are less expensive and easier to provide.

4. If an employee is unable to perform the essential functions of his or her position because of
a disability, with or without a medically necessary reasonable accommodation, or when
accommodation in the present position would cause an undue hardship, Green River College
will attempt to identify a position that is vacant in which to place the employee without
competition.

For placement to occur a vacant position must be available. It must have the same or lower
salary level as the employee's position, and the employee must meet the position's minimum
qualifications and skill requirements. Green River College does not create new positions,
assign a different supervisor, displace other employees, or offer promotions as
accommodations.

5. If an employee cannot be accommodated, including placement in an alternative position,
he/she will be separated from employment in accordance with applicable laws and labor
agreements.

6. An individual with a disability who believes they have not been provided with reasonable accommodation may file a complaint as outlined in the College’s Nondiscrimination Policy & Discrimination Complaint Procedure Policy HR-22. Complaints may also be filed with the Washington State Human Rights Commission and/or the United States Equal Employment Opportunity Commission.

**Specific Authority:** Americans with Disabilities Act (ADA) of 1990; Rehabilitation Act of 1973; Executive Order 96-042.1; RCW 49.60; WAC 357-26; WAC 357-46; WAC 357-52; WAC 162-22; Article 34 of the WFSE Collective Bargaining Agreement

**Law Implemented:**

**History of Policy or Procedure**
Draft: July 26, 2011  
Adopted: July 26, 2011  
Revised: March 6, 2013  
Reviewed by: President’s Staff  
Contact: Sheryl Gordon, HR Manager, ext. 2600  
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