



**Policy Number:** 400.6

**Policy Title:** Reasonable Accommodation in Employment

**Subject:** Section 400 – Personnel

**Date Adopted:** December 28, 2010

**Date(s) Revised:** September 13, 2012

**Approved by:**   
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Daniel J. Bingham  
Dean/CEO  
Helena College University of Montana

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**POLICY STATEMENT:**

In response to the Americans with Disabilities Act (ADA) and related state laws, it is the policy of Helena College University of Montana to provide reasonable accommodation to any qualified individual with a disability, if such accommodation is required for that individual to perform the essential functions of his or her position, or as part of the application and interview procedures, and does not pose an undue hardship or a direct threat to the health and safety of the individual or other employees of Helena College. The need to provide such accommodation will not be a factor in any employment action involving the individual.

All Helena College policies shall adhere to and be consistent with applicable federal and state laws and regulations; Board of Regents' policies and procedures; and The University of Montana's policies and procedures.

## OVERVIEW:

Reasonable accommodations might include, but are not necessarily limited to, making facilities accessible, job restructuring, part-time or modified work schedules, reassignment, special equipment or devices, administrative adjustments, or providing support staff. Many accommodations are relatively inexpensive and within the resources of most university departments. In rare instances, it may be necessary for a department to seek additional funding to provide reasonable accommodation.

## PROCEDURES:

### I. RESPONSIBILITIES AND REQUIREMENTS.

The process for determining reasonable accommodation is interactive, involving the supervisor, the employee or applicant, and other appropriate individuals as needed.

Step 1: The employee or applicant needing the accommodation has the responsibility to initiate the request for the accommodation, by discussing the need with the supervisor of the position (for employees) or Helena College's Recruitment Specialist (for applicants).

Step 2: The supervisor of the position determines the purpose and the essential functions of the position. Usually this can be accomplished simply by referring to the existing job description.

Step 3: The supervisor or Recruitment Specialist consults with the individual with a disability about the precise limitations imposed by the disability as they relate to the essential functions of the position or access during all stages of the recruitment process, including but not limited to applying and interviewing.

Step 4: The individual with the disability and the supervisor or Recruitment Specialist identify potential accommodations and assess the effectiveness of each in overcoming job-related limitations and enabling the individual to perform the essential functions of the position, or access to the recruitment process.

Step 5: Considering the preferences of the individual with a disability, the supervisor or Recruitment Specialist selects the accommodation that best serves the needs of the individual and the employer. Helena College will give priority to the accommodation desired by the individual with a disability unless constrained by undue hardship or other considerations permitted by law. In the event the requested accommodation involves the use of a Service Animal, as defined by the ADA, prior to either approval or denial, Helena College's ADA/EEO Officer will be notified, review the request, and has final authorization with respect to approval or denial.

## **II. ADA – REASONABLE ACCOMMODATION COMMITTEE.**

In many cases the employing unit will be able to determine and achieve appropriate reasonable accommodation without assistance. However, in some instances, the employing unit or Recruitment Specialist/Selection Committee may require assistance in this process. Helena College has established a committee for the purpose of making recommendations in determining when reasonable accommodation is required and in determining appropriate accommodations. The committee is chaired by the ADA/EEO Officer and includes representation from the following college areas: the Director of Disability Services, the Associate Dean of Academic Affairs, and the Assistant Dean of Fiscal and Plant. The committee may be consulted by the supervisor, Recruitment Specialist, employee, or applicant in Step 5 of Part I in all cases involving:

- Requests for reasonable accommodation which require any expenditure which cannot be funded by the employing unit or its area of responsibility;
- Requests for reasonable accommodation which involve reassigning an employee to a different job or providing staff support which is not already available within the unit; and/or
- Requests for reasonable accommodation which the employing unit is recommending being denied on the basis of posing an undue hardship, a health or safety threat to the individual or other employees, or any other reason permitted by law.

## **III. DECISION REVIEW/APPEAL**

The decisions of the committee, or in the case of decisions regarding Service Animals by the ADA/EEO Officer, are reviewable by the College Dean and through Helena College's Discrimination/Harassment Complaint Procedure.