Reasonable Accommodations

POLICY: Reasonable Accommodations			
POLICY NUMBER:	300.56.01	**CUSTODIAN:**	Human Resources
APV'D DATE:	06/15/2021		
EFFECTIVE DATE:	06/15/2021	**REVIEW DATE:**	
REFERENCES:	Americans with Disability Act		

Part 1. Policy Background and Purpose

The purpose of this policy is to confirm compliance with the requirements of federal and state laws and confirm White Earth Tribal and Community College (WETCC) will provide reasonable accommodations to otherwise qualified employees or applicants with disabilities.

Part 2. Definitions

ADA is the Americans with Disability Act, a federal law requiring reasonable accommodations to provide equal opportunity to allow a qualified person with a disability to perform a job.

Disability is a person who has a physical or mental impairment that substantially limits one or more major life activities.

Essential functions of a position are those job duties that are so fundamental to the position that the individual cannot do the job without being able to perform them. A function can be essential if the position exists specifically to perform that function, there are a limited number of other employees who could perform the function if it were assigned to them, or the function is specialized and the employee is hired based on their ability to perform them.

Reasonable Accommodations may include a change in the workplace or the way things are customarily done that provides an equal employment opportunity to an individual with a disability to apply for a job, perform a job, or have equal access to the workplace and benefits of employment; reasonable accommodations may also include a changes, exception, or adjustment to a rule, policy, or service that may be necessary for a person with disabilities to have an equal opportunity to perform a job.

Part 3. Responsibility

The Human Resources Technician is responsible for handling applicant and employee

reasonable accommodation requests.

The Associate Dean of Student Services is responsible for handling student compliance issues.

Part 4. Policy

Subpart A. Reasonable Accommodations Statement

WETCC prohibits discrimination against qualified persons with disabilities in all employment practices.

WETCC shall provide reasonable accommodation(s) to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of the job, applying or competing for a job, or enjoying equal benefits and privileges of employment; unless WETCC can demonstrate that a particular accommodation would impose an undue hardship on the operations of its programs or pose a threat to safety.

Subpart B. Reasonable Accommodations Policy

WETCC is committed to providing reasonable accommodations to employees or applicants for employment to ensure that individuals with disabilities enjoy equal access to all employment opportunities; students should refer to the Student Handbook for reasonable accommodations.

WETCC will provide reasonable accommodations:

- When an applicant with a disability needs a reasonable accommodation to have an equal opportunity to compete for a job.
- When an employee with a disability needs a reasonable accommodation to enjoy equal access to the benefits and privileges of employment (i.e. training, attending WETCC sponsored events, access to space within the facilities).
- When an employee with a disability needs a reasonable accommodation to perform the essential functions of the job or to gain access to the workplace. Essential functions are the basic job duties that an employee must be able to perform.

An applicant, or another individual on behalf of the applicant may request a reasonable accommodation

WETCC will engage in the process to clarify the needs of the individual making the request and ask question to identify the appropriate reasonable accommodation. The process may include a request for reasonable medical documentation to allow WETCC to ascertain whether the individual has a qualified disability under the ADA.

WETCC will process requests for reasonable accommodations and will provide reasonable accommodations where appropriate in a prompt and efficient manner.

Subpart C. Types of Accommodations

Common types of accommodations may include:

- Modification of work schedules or supervisory methods
- Granting breaks or providing leave of absence
- Altering how, where, or when job duties are performed
- Removing and/or substituting a nonessential or marginal job function
- Providing assistive technology, including information technology and communication equipment, specially designed furniture, or modified tools
- Reconfiguring workspaces
- Providing accessible parking

There are some things that are not considered reasonable accommodations, examples include:

- Provision of personal items that are used both on and off the job
- Job assignment outside of the current organizational chart
- Ignoring operating and safety rules
- Altering content of the job or job environment in such a manner as to alter the essential nature of the College purpose
- Allowing an employee to fail to meet performance standards
- Changing an employee's supervisor
- Accommodations that would cause an undue hardship to the College or other employees, including creating a significant difficulty or expense
- Accommodations that would pose a significant risk of substantial harm to the health or safety of the employee or others.