
TITLE:	Reasonable Accommodations
NUMBER	739 (formerly 4025)
APPROVED BY	President
DATE	June 13, 2023

Reasonable Accommodations

Whatcom Community College is committed to the fair and equal employment of people with disabilities as established by the College's Policy 403, *Affirmative Action/Fair Employment Practices* and Policy 615 *Discrimination and Harassment* (Chapter 132U-300 WAC). Reasonable accommodation is an essential component of the college's non-discrimination policy as outlined in the two aforementioned policies. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process.

Whatcom Community College will reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship upon the College. In accordance with the Americans with Disabilities Act (ADA), accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoying the equal benefits and privileges of employment. Procedures to reasonably provide accommodations pursuant to these policies apply to all applicants, employees, and employees seeking promotional opportunities.

Definitions

Disability: For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that materially or substantially limits one or more major life activities.

Reasonable Accommodation: A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations in the employment context may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

1. To assure equal opportunity in the employment process;
2. To enable a qualified individual with a disability to perform the essential functions of a job; and
3. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

Current employees and employees seeking promotion

1. Whatcom Community College will inform all employees that this accommodation procedure can be made available in accessible formats.
2. The employee shall inform their supervisor and the ADA Coordinator of the need for an accommodation. The ADA Coordinator will then direct the employee to submit a formal request for reasonable accommodation using the "Medical Certification-Reasonable Accommodation" form.

3. The “Medical Certification-Reasonable Accommodation” form must be completed by the employee and their healthcare provider. Any medical documentation submitted by the employee shall be maintained in separate, locked files and shall not be contained in any section of the employee’s personnel records. No one will be told or have access to medical information unless the disability might require emergency treatment.
4. When a qualified individual with a disability has requested an accommodation and submitted the medical certification form, the College shall, based on the medical documentation provided, consult with the employee to identify a reasonable accommodation. This involves the following next steps:
 - Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
 - Determine the precise job-related limitation.
 - Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
 - Determine whether the College can provide the requested accommodations or whether the requested accommodations pose an undue hardship to the College.
 - Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual’s preference will be given consideration, Whatcom Community College is free to choose among equally effective accommodations and may choose the one that is less expensive or more effective/efficient to provide.
 - The ADA Coordinator will work with the employee to obtain technical assistance, as needed.
 - The Executive Director for Human Resources will provide a decision to the employee
 - If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the College, the employee and the Executive Director for Human Resources will work together to determine whether reassignment may be an appropriate accommodation based on available openings and the employee’s qualifications.

Procedure - job applicants

1. Current reasonable accommodation request processes are delineated on job announcements, employment applications and on the college’s public website.
2. The job applicant shall inform Human Resources of the need for an accommodation during the recruitment process. Human Resources will discuss the needed accommodation and possible alternatives with the applicant.
3. The Executive Director for Human Resources will make a decision as to whether the requested accommodation can be provided without posing an undue hardship on the College. If the request is approved, the necessary steps will be taken to ensure that the accommodation is provided.

Undue hardship

Undue hardship. An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of Whatcom Community College. The College is not obligated to change the essential functions of the job in order to accommodate an employee.

Procedure for determining undue hardship

1. The employee will meet with the ADA Coordinator to discuss the requested accommodation.
2. The ADA Coordinator will review undue hardships by considering:
 - The nature and cost of the accommodation needed;
 - The overall financial resources of the College; the number of persons employed at the College; the effect on expenses and resources of the College;
 - The overall financial resources, size, number of employees, and type and location of facilities of the College;
 - The College's operations, including the structure and functions of the workforce, the geographic separateness, and the administrative or fiscal relationship of the facility involved in making the accommodation for the College; and
 - The impact of the accommodation on the operation of the College.
3. The Executive Director for Human Resources will propose a decision and consult with the Vice President for Administrative Services. After a final determination has been made, the ADA Coordinator will advise the employee of the decision.

Procedure for funding accommodations

Funding will be approved by Whatcom Community College's Vice President for Administrative Services if the administration has made the determination that the requested accommodation(s) does not cause an undue hardship per the procedure above.

Appeals

Employees or applicants who are dissatisfied with the decision(s) pertaining to his/her accommodation request, may file an appeal with the College President, or designee, within 30 calendar days, for a review of the decision. The President's decision will be final.

If the individual believes they have been subjected to discrimination based on their disability or their perceived disability, then they may file a complaint internally through the College's discrimination/harassment policy subject to all time limits stated therein.

Request for Accommodation

Employee Application



The purpose of this form is to assist the college in determining whether, or to what extent, a reasonable accommodation may be required for an employee with a disability to perform one or more essential functions of their job safely and effectively or for a job applicant with a disability to participate in the application process.

For Completion by the Employee or Job Applicant	
Name:	SID#:
Phone number:	Department:
Email address:	Position:

Please answer the following questions to assist us in understanding the basis and nature of your request for an accommodation.

What employment related limitations are you currently experiencing, or anticipate experiencing?

Please state what accommodation(s) you feel are needed.

I am making a request for a reasonable accommodation as described under the Americans with Disabilities Act (ADA) and I understand that information obtained during this process will be maintained and used in accordance with confidentiality requirements. I further understand that I will be required to provide medical documentation to certify my accommodation request.

Employee Signature: _____ Date: _____

Medical Certification



Reasonable Accommodation

Employee to complete Section 1 before giving the form to your healthcare provider. You are responsible for ensuring Human Resources receives timely and sufficient medical documentation to obtain a reasonable accommodation due to a disability. Failure to provide complete and sufficient medical certification may result in a delay or denial of your accommodation request.

Section I: For Completion by the Employee	
Employee Name:	Job Title:
I give my healthcare provider permission to release my medical information as it relates to my disability. This information will be held confidential in the Human Resources office and will be used only to assist in determining whether an accommodation is necessary and can be provided by the College.	
Employee Signature: _____ Date: _____	
Section II: For Completion by the HEALTH CARE PROVIDER	
A. Questions to help determine whether an employee has a disability	
1. Is the named person above under your care? <input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Disability is: <input type="checkbox"/> Permanent/Chronic <input type="checkbox"/> Temporary; expected duration: _____	
3. Describe the nature of the disability and its functional limitations:	
B. Questions to help determine whether an accommodation is needed.	
Please discuss job duties with employee or review their job description to answer the following questions.	
1. List the job duties for which the employee requires an accommodation.	

2. Due to the disabling condition, is the employee unable to perform certain job duties for their current position even with a reasonable accommodation? Yes No

If Yes, please explain.

C. Questions to help determine effective accommodation options.

1. What are your suggestions for possible accommodations to enable the employee to perform job-related tasks and duties?

2. How would these accommodations enable the employee to perform their job-related tasks?

3. Are these accommodations medically necessary? Yes No

D. Health Care Provider Information

Health Care Provider Name	Signature	Date
Address		City, State, Zip
License Number	Phone	Fax

Return completed form for review and determination by:

Whatcom Community College
Human Resources/ADA Coordinator
237 West Kellogg Rd.
Bellingham, WA 98226
Fax: 360-383-3401
Phone: 360-383-3400