



JCS-Inc.  
Administrative  
Regulations

## **8005.2 Disabilities and Reasonable Accommodations Administrative Regulations**

**Effective Date: June 5, 2020**

### **Procedure:**

1. For employees or applicants with non-job related disabilities:
  - a. JCS will provide a reasonable accommodation to the known physical or mental limitations of an employee or applicant who is otherwise qualified for the position in question, unless that accommodation would impose an undue hardship on JCS. For the purposes of this section, a disability is defined as (1) a physical or mental impairment that substantially limits one or more of the major life activities of the individual, (2) the existence of a record of such an impairment, or (3) being regarded as having such an impairment.
  - b. A reasonable accommodation is the modification of an adjustment of a job, employment practice, or work environment that makes it possible for a qualified individual with a disability to perform the essential functions of the job in question. The essential functions of a position include the primary duties that are intrinsic to the position. The essential functions are outlined in the job description for that particular position.
  - c. JCS will provide reasonable accommodation for disabled employees or applicants with non-job related disabilities who are otherwise qualified for a position. The term “qualified individual with a disability” means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the position that the individual holds or desires to attain.
  - d. It is the obligation of the individual with a disability to request an accommodation. Requests of this type must be made in writing and submitted to both the supervisor and to Human Resources.
  - e. A qualified individual with a disability has the right to refuse an accommodation. However, if the individual cannot perform the essential functions of the job without the accommodation, he/she may not be qualified for the job.
  - f. If the cost of the accommodation would impose an undue hardship on JCS, the individual with the disability has the option of providing the accommodation or paying a portion of the cost of the accommodation which constitutes an undue hardship.
  - g. An employee who requests accommodation will work closely with his/her supervisor and Human Resources on possible accommodations within his/her division or department or, if necessary, will work to locate alternative vacant positions for which he/she may be qualified.
  - h. Supervisors are encouraged to provide temporary transitional employment for these individuals based on need and workload. However, there is no guarantee of such transitional employment, and when no such employment is feasible, the employee will be placed on a medical leave of absence.
  - i. An employee who is on a medical leave of absence awaiting possible employment is expected to accept employment offered by JCS, whether or not that position involves a transfer from his/her area of expertise, a reduction in salary or hours, or a change of his/her worksite location. An employee

who is offered a position or accommodation, and refuses to accept the offering will be deemed to have voluntarily resigned.

- j. If no suitable employment is found for the disabled employee on medical leave within six months of the original request for accommodation, it will be evident that no such suitable position is available and the employee will be terminated.
2. For employees experiencing temporary disabilities (not related to a work injury or illness):
- a. The disabled employee's supervisor will attempt to find suitable work for the employee with a temporary disability by jointly exploring such possibilities based on department needs and workload. However, JCS is under no obligation to provide a temporary assignment. All requests for temporary assignment due to a temporary disability must be submitted in writing to the supervisor and Human Resources, along with a Work Capacities Form (see Addendum A) completed by the employee's personal physician.
  - b. An employee with a temporary disability who is performing a temporary assignment is required to provide bi-weekly updates to their supervisor regarding his/her disability and the estimated date of return to his/her regular duty position. Additional Work Capacities updates from the attending physician will be required to document the employee's progress.
  - c. If an employee with a temporary disability cannot be placed into a temporary assignment as outlined above, the employee will be placed on a medical leave of absence based on the current Leave of Absence Policy.

Questions regarding the application and interpretation of this policy should be directed to Human Resources.

Original Procedure: 02/27/01  
Revised Procedure: 12/08/06  
Revised Procedure: 09/08/17  
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