

SH 500 Rights of Employees

SH 560-Reasonable Accommodation and Interactive Process

Adopted: 12/17; Revised: 2/24

Purpose

The Metropolitan Library System ("Library") is committed to providing favorable working conditions for its employees and applicants. The purpose of the Reasonable Accommodation and Interactive Process policy is to show that the Library is committed to complying fully with the Americans with Disabilities Act ("ADA"), as amended, the Pregnant Workers Fairness Act ("PWFA"), and Title VII of the Civil Rights Act ("Title VII") and all applicable federal, state, and local laws.

Policy

The Library will reasonably accommodate Qualified Individuals if such accommodation would allow an employee to perform the essential functions of their job, unless doing so would create an undue hardship or if doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation.

For purposes of this policy, a Qualified Individual is an applicant or employee who may need an accommodation related to the individual's:

- Disability, meaning any physical, medical, mental, or psychological impairment, or a history or record of such impairment;
- Sincerely held religious beliefs; and/or
- Needs related to pregnancy, childbirth, or related medical conditions.

The Library is also committed to providing reasonable accommodations to Qualified Individuals to enable them to perform the essential functions of the position held or desired, or to enable them to participate in the application process, or enable them to enjoy equal benefits and privileges of employment as are enjoyed by employees without disabilities or pregnancies.

Any individual who would like to request an accommodation based on any of the reasons set forth above should contact the Human Resources Department.

After receiving a request for an accommodation or learning indirectly that the individual may require such an accommodation, the Library will engage in an interactive dialogue with the individual.

Even if an employee has not formally requested an accommodation, the Library may initiate an interactive dialogue under certain circumstances, such as when the Library has knowledge that the employee's performance at work has been negatively affected and a reasonable basis to believe that the issue is related to any of the protected classifications set forth above, in compliance with applicable law. In the event the Library initiates an interactive dialogue with an employee, it should not be construed as the Library's belief an individual requires an accommodation but will serve as an invitation for the employee

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to share with the Library any information the employee desires to share or to request an accommodation.

The interactive dialogue may take place in person, by telephone, or by electronic means. As part of the interactive dialogue, the Library will communicate openly and in good faith with the individual promptly to determine whether and how the Library may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, the Library will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the individual. The Library is not required to provide the specific accommodation sought by the individual, provided the alternatives are reasonable and either meet the specific needs of the employee or specifically address the individual limitations. Requests for reasonable accommodations will be granted unless such accommodation will cause an undue hardship on the Library. Additionally, reasonable accommodations will not be granted if the individual is a direct threat to themselves or others.

As part of the interactive dialogue, the Library reserves the right to request supporting documentation, to the maximum extent permitted by applicable law.

The Library will endeavor to keep confidential all communications regarding requests for reasonable accommodations and all circumstances surrounding the individual's underlying reason for needing an accommodation.

The Library will not allow any form of retaliation against employees who have requested an accommodation, for whom the Library has notice may require such an accommodation, or who otherwise engage in the interactive dialogue process.

This policy is neither exhaustive nor exclusive. The Library is committed to taking all other actions necessary to ensure reasonable accommodation under the ADA, Title VII, the PWFA, and all other applicable federal, state, and local laws.

Employees and applicants with questions about this policy should contact the Human Resources Department.