

Resolution No. 190

RESOLUTION AUTHORIZING A POLICY ON REASONABLE ACCOMMODATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield is hereby authorized to establish a Policy on Reasonable Accommodation in accordance with the Americans with Disabilities Act; and

Section 2. Such policy shall be in accordance with Ordinance No. 614 already adopted by the City Council which declares that the City does not discriminate on the basis of handicap status for the admission of or access to or employment in its municipal programs or activities; and

Section 3. Such policy will be attached to this Resolution and may be revised administratively, as necessary, to meet any changes in the Americans with Disabilities Act;

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 4. This resolution shall be in full force and effect from and after its date of passage by the City Council on the 5TH day of SEPTEMBER, 1995.

Jack Leonard
Mayor

ATTEST:

Michael R. DeMay
City Clerk

POLICY ON REASONABLE ACCOMMODATION

Reasonable accommodation shall be provided to any qualified applicant with disabilities, seeking employment with the City of Chesterfield, who notifies the City that he/she requires accommodation for disabling conditions in order to perform the essential job functions, unless such accommodation would cause an undue hardship.

Reasonable accommodation shall also be provided to any qualified employee with disabilities who notifies his/her supervisor and requires accommodation for disabling conditions in order to perform the essential job functions, unless such accommodation would cause an undue hardship.

These procedures shall apply to recruitment, selection, placement, training, promotion, assignment, reassignment and any other personnel actions affecting a qualified employee/applicant with a disability. These procedures do not expand or diminish the employer's obligations or the employee's or applicant's rights as currently provided in applicable state and federal law.

Reasonable accommodation is defined in the Act (Title I, Section 101(9)) as:

- (a) making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and
- (b) job restructuring, part-time or modified work schedules, reassignment to vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modification of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

Undue hardship is defined in the Act (Title I, Section 101(10)) as:

- (a) IN GENERAL....an action requiring significant difficulty or expense when considered in light of the factors set for in paragraph (b) below.
- (b) FACTORS TO BE CONSIDERED - in determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include -
 - (i) the nature and cost of the accommodation needed under this Act;
 - (ii) the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility;
 - (iii) the overall financial resources of the covered entity, the overall size of the business of a covered entity with respect to the number of employees; the number, type and location of its facilities and;
 - (iv) the type of operation or operations of the covered entity, including the composition, structure, and functions of the work force of such entity; the geographic separateness, administrative or fiscal relationship of the facility or facilities in question to the covered entity.

Upon notification by the employee or applicant that an accommodation is requested, the employer should provide the attached form to the employee/applicant that requests specific information concerning the accommodations being requested.

The accommodation request/response form should be forwarded to the employee/applicant's department head. Upon assessment of the request and resulting changes required, the department head should respond in writing and then forward the response to the Personnel Department.