



## Administrative Rules

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**SUBJECT:** Employment of Individuals Under the Americans With Disabilities Act, As Amended      **AR#:** 6.01.003

**Based on Board Policy:** [DAA, Equal Employment Opportunity](#)

**Recommended by Council/President:** Administrative Services Council

**Date Approved/Amended:** 05/14/2003; amended 11/05/14, 09/11/19

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### Value Statement

The Austin Community College District (“ACC” or “the College”) is committed to fair and equal employment of individuals with disabilities. It is the College’s policy to reasonably accommodate a qualified individual with a disability.

### Administrative Rule

Qualified individuals with a disability may not be discriminated against in any aspect of the application process or employment. Employment decisions shall be based on the requirements of the position and the ability of the individual to perform the job.

Reasonable accommodations will be provided to a qualified individual with a disability when such accommodations are necessary to enable the individual to apply for a position and perform the essential functions of his or her job or to enjoy the equal benefits of employment.

### Definitions

1. Disability

Disability refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. It also includes having a “record of” such an impairment or being “regarded as” having such an impairment. A “qualified person with a disability” means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the job.

2. Essential Job Functions

For each position, the job description typically will identify essential job functions. The Office of Human Resources will generally review job descriptions on a periodic basis to evaluate job functions designated as essential. An employee with a disability must be able to perform the essential job functions of the job with or without reasonable accommodations.

3. Reasonable Accommodation

President/CEO: Richard M. Rhodes      Date: 03/24/20

A reasonable accommodation is any change or adjustment to the job application process, work environment, or work processes that would make it possible for the qualified individual with a disability to perform the essential functions of the job, unless the accommodation would impose an undue hardship on the College.

4. Interactive process

An informal dialogue between the employee and employer to identify limitations and possible changes or adjustments needed to allow the employee to perform her/his essential duties.

5. Undue Hardship

An action that requires “significant difficulty or expense” in relation to the size of the employer, resources available and future operations.

**Responsibilities**

1. The individual with a disability is responsible for completing the internal process to notify the College of a disability and to request an accommodation. Unless the disability is obvious, the individual must complete the appropriate form to provide medical documentation regarding the disability. The individual is expected to cooperate with the interactive process to determine reasonable accommodation.

2. The Office of Human Resources is responsible for maintaining a process that allows individuals to notify the College of a disability and to request an accommodation.

The Office of Human Resources is also responsible for coordination, documentation and management of the ADA process. Human Resources is also responsible for determining whether an accommodation is reasonable or would cause an undue hardship on operations.

3. The supervisor is expected to work with the employee, the Office of Human Resources and the Office of Environmental Health and Safety (EHS) in accommodating the employee.

4. The Office of Safety and Environmental Management (SEM) will identify a reasonable accommodation related to furniture or physical environmental changes and assess the effectiveness of each in allowing the employee to perform the essential functions of the job. The Office of Safety and Environmental Management (SEM) will also ensure that an individual with a disability is not placed in positions or situations in which they will pose a direct threat to the health and safety of themselves or others.

**Confidentiality**

All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files in the Office of Human Resources and disclosed only on a need-to-know basis and as permitted by law.