

 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	Directive Number 2.27	Effective Date 1/16/2020	Page 1 of 3
	Supersedes New Directive		
Approved By  Commissioner Rollin Cook	Title Americans with Disabilities Policy- Employee Based		

1. Policy. It is the policy of the Connecticut Department of Correction not to discriminate against qualified individuals with disabilities in any of its employment practices, programs, services or activities.
2. Authority and Reference.
 - a. Connecticut General Statutes, Section 46a-60;
 - b. Americans with Disabilities Act (ADA) of 1990 as amended.
 - c. Administrative Directive 2.1, Equal Employment Opportunities and Affirmative Action.
3. Definitions. For the purposes stated herein, the following definitions apply:
 - a. Interactive process. An informal collaboration with the employee and the Agency acting in good faith to identify the precise limitations resulting from the disability and the potential reasonable accommodations that could overcome those limitations.
 - b. Qualifying individuals. An employee of DOC or a person who is not an employee of DOC, but meets the following criteria:
 - i. Is Volunteering or interning at DOC;
 - ii. may require an accommodation to obtain access to the employment process including an auxiliary aid or service; and/or
 - iii. may require an accommodation to access DOC facilities, programs or services.
 - c. Individual with a disability.
 - i. Has a physical or mental impairment that substantially limits one or more major life activities;
 - ii. has a record of such impairment; and
 - iii. is regarded as having such impairments.
4. General Provisions.
 - a. The ADA requires DOC to provide reasonable accommodations to otherwise qualified employees and applicants. However, the ADA does not require DOC to take any action that would fundamentally alter the nature of its programs and or services, or impose an undue financial or administrative burden.
5. Reasonable Accommodation Process for Employees.
 - a. If an employee requests an accommodation to perform the essential functions of the job he/she must first inform one of the following state officials:
 - i. His/her direct supervisor; or
 - ii. The HR Generalist or Business Partner assigned to their unit; or
 - iii. The Unit Administrator.
 - b. The employee need not disclose the medical condition to his or her Unit Administrator or direct supervisor when requesting an accommodation; however, the medical condition must be disclosed to the Human Resources Office at the appropriate stage of the process. The employee does not need to mention ADA or reasonable accommodation when making their request.
 - c. Once aware of a situation that may result in a reasonable accommodation for a medical condition, the Human Resources Generalist or Business

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Partner shall provide the staff member with Attachment A, Request for ADA Accommodation along with the job specification and the essential job functions to initiate the process.

- d. Attachment A, Request for ADA Accommodation shall be completed by the employee and his or her healthcare provider and returned to the Human Resources Generalist or Business Partner as indicated on the form.
 - i. The submission of Attachment A, Request for ADA Accommodation shall initiate the interactive process between the employee and the Agency.
- e. Once the completed, Attachment A, Request for ADA Accommodation is received with all supporting documentation, the form should be reviewed by the Human Resources ADA Coordinator in collaboration with the Human Resources Generalist or Business Partner and the employee's Unit Administrator or designee.
- f. Confidential medical information shall not be disclosed with the employee's supervisor, manager or the Unit Administrator.
- g. The Human Resources Generalist or Business Partner shall work directly with the employee's supervisor or manager to determine appropriate and reasonable accommodations and shall contact the employee to continue the interactive process to formalize reasonable accommodation(s) to be implemented. The employee shall be notified in writing of the reasonable accommodation(s) that the Agency is providing to accommodate the request.
- h. At any point during the interactive process, the employee and/or Agency can revisit the request for an accommodation and continue with the interactive process if there is a need for an adjustment or modification for the accommodation.

6. Reasonable Accommodations Process for Qualifying Individuals Other Than Employees.

- a. DOC will reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability, unless the accommodation would impose an undue burden or would impose on the safety and security of the agency or institution.
- b. DOC shall attempt to make every reasonable effort to determine and provide the appropriate reasonable accommodation to a qualified individual upon request.
- c. DOC, in its discretion, may require the individual and his or her healthcare provider to provide additional information about his or her disability or limitations and the need for an accommodation.

7. Complaints and Non Retaliatory Provisions

- a. Complaints that this policy has been violated may be filed in writing with the DOC Equal Opportunity Office to DOC Equal Employment Opportunity Office 24 Wolcott Hill Road, Wethersfield, CT 06109.
 - i. The Agency's Affirmative Action Discrimination Complaint Procedure, outlined in Administrative Directive 2.1, Equal Employment Opportunities and Affirmative Action also applies to alleged violations of this policy.
- b. DOC strictly forbids retaliation against individuals who request an accommodation or otherwise exercise their rights under the ADA and/or the Connecticut General Statutes Sec. 46a-60.
- c. DOC shall not retaliate, coerce, intimidate, threaten, harass, or interfere with any individual exercising or enjoying his/her rights under this policy.

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d. Any individual who feels he or she is being retaliated against for exercising his or her rights under this policy should contact the Equal Employment Opportunity Office at the address listed above.

8. Forms and Attachments.

a. Attachment A, Request for ADA Accommodation.

9. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.