

Commissioner's Policy Statement and Implementing Procedures

SUBJECT/POLICY NAME:	Reasonable Accommodation Request Policy
POLICY CHAPTER:	Human Resources / Employee Services
APPROVED BY:	Commissioner's Policy Group
EFFECTIVE DATE:	DATE: 11/5/2015
LAST REVISED DATE:	DATE: 3/28/2025
POLICY OWNER:	Equal Employment Opportunity Office

STATEMENT OF PURPOSE: To notify all Department of Mental Health and Addiction Services (DMHAS) employees of their rights under Title I of the Americans with Disabilities Act (ADA) and provide an interactive process to grant reasonable accommodations for DMHAS employees and applicants for employment that remove barriers preventing qualified persons with disabilities from enjoying the same employment opportunities that are available to those who do not have disabilities.

DEFINITIONS: The following terms defined in Title I of the ADA, shall have the same meaning as interpreted by applicable Connecticut law:

Disability: A person with a disability is someone who has a physical or mental impairment that substantially limits one or more major life activities.

Essential Job Functions: These are the fundamental, essential duties of a position as distinguished from the marginal duties of a position. A function is essential if the position exists for the purpose of performing that function, and/or if the function is highly specialized and the person has been hired for his or her expertise or ability in performing that function.

Qualified person: To be protected, an employee/applicant must be a qualified individual with a disability. This means that you must have a disability as defined by the ADA. (See Disability above.)

Reasonable accommodation: A reasonable accommodation is any change or adjustment to a job, the work environment, or the ways things usually are done that would allow a person to apply for a job, perform job functions, or enjoy equal access to benefits available to other individuals in the workplace.

POLICY: DMHAS is committed to providing opportunities for qualified persons with disabilities. This commitment includes following the mandates of the Americans with Disabilities Act (ADA) of 1990, as amended by the ADA Amendments Act of 2008, the CT Fair Employment Practices Act (CFEPA) and other pertinent federal and state disability and anti-discrimination laws, that make it unlawful to discriminate against qualified persons with disabilities in all aspects of the employment process and in the provision of services and benefits.

This policy applies to DMHAS employees and applicants for employment. See also Commissioner's Policy, Chapter 4.4 ADA Title II: Effective Communication and Equal Access to Services, Programs, and Activities, which expresses the DMHAS' commitment to compliance with Title II of the ADA. Along with the Americans with Disabilities Act, qualified persons with a disability may be entitled to protection under the Family and Medical Leave Act (FMLA), the Connecticut workers' compensation laws and other pertinent laws.

In accordance with the ADA, CFEPA and other pertinent state and federal laws, DMHAS will reasonably accommodate the known physical or mental disability of an otherwise qualified person to enable that person to perform his/her essential job functions, unless the accommodation would eliminate essential job functions. DMHAS will make every reasonable effort to provide the appropriate reasonable accommodation to a qualified individual upon request. DMHAS, in its discretion, may require the individual to provide additional information about his or her disability and the need for an accommodation. The ADA does not require DMHAS to take any action that would fundamentally alter the operations of its programs or services or impose an undue financial or administrative hardship.

The Commissioner of DMHAS will designate an ADA Title I Coordinator who will have overall responsibility for ADA Title I compliance. The Title I ADA Coordinator is responsible for ADA compliance statewide.

Designated DMHAS ADA Title I Coordinator:

Equal Employment Opportunity Specialist
Department of Mental Health and Addiction Services (DMHAS)
410 Capitol Avenue
Hartford, CT 06103
Office (860) 262-5907, Fax 19592004775@ct.fax

REASONABLE ACCOMMODATION PROCESS:

1. The employee/applicant initiates the reasonable accommodation request by contacting the Equal Employment Opportunity (EEO) Office. The EEO Office is responsible for coordinating reasonable accommodations. If a supervisor or director becomes aware that an employee has an impairment and may need a reasonable accommodation, the supervisor or director should immediately refer the employee to the EEO Office. Additionally, facility human resources, the DAS FMLA unit, or the DAS Workers' Compensation unit may also refer employees to the EEO Office to initiate the interactive reasonable accommodation process.
2. An Equal Employment Opportunity Specialist (EEO Specialist) from the EEO Office will respond to reasonable accommodation requests once aware and will send the employee the following forms: Reasonable Accommodation Request form, Medical Provider Information form and the Authorization for Disclosure and Release of Medical Information Form. In some cases, human resources may refer the employee and/or send them the forms, with a copy of the letter or email to EEO Office.
3. The employee completes the Reasonable Accommodation Request form, and his/her medical provider completes the Medical Provider Information form. If the employee/applicant is unable to complete paperwork or needs assistance, the EEO Specialist may help him/her complete the form. The EEO Specialist will confirm with the employee that all forms have been received, and the interactive process may begin.
4. The EEO Specialist will schedule a meeting to discuss the accommodation request, to understand what the employee is requesting and determine if the employee may be a qualified person with a disability as defined by the ADA and interpreted by applicable Connecticut law. In this meeting, possible accommodations will be identified and discussed with the employee.
5. The EEO Specialist then meets with human resources and relevant department managers to determine what impact the reasonable accommodation may have on the unit or facility operations.
6. The EEO Specialist recommends an appropriate reasonable accommodation, if warranted, which may be the same or different from the initial employee accommodation request and presents the case to the ADA Review Committee. The recommendation to grant or deny the accommodation request or grant a modified/alternative accommodation is determined by the ADA Review Committee. The EEO Specialist sends the employee/applicant who made the request a letter with the ADA Review Committee's decision either granting or denying the accommodation.

7. The **Reasonable Accommodation Review Committee (ADA Review Committee)** meets monthly. The ADA Review Committee is comprised of two DMHAS managers designated by the Commissioner, the DAS Human Resources Director, a DAS Human Resource Generalist 3 and one clinical representative. The ADA Review Committee is charged with ensuring that all decisions are uniform throughout the agency. All discussions and documents are confidential except to advise the employee and responsible parties, or to facilitate legitimate agency business on a need-to-know basis. The ADA Review Committee will determine the final decision on each request after a thorough review and discussion. The ADA Review Committee, aware of union contracts and agency procedures, will also determine whether the request would fundamentally alter the operations of its programs or services, or impose an undue financial or administrative hardship.
8. Any accommodation requests for non-standard equipment should be sent to the EEO Office to follow the process outlined above.

APPEALS PROCESS: If the accommodation request is denied, the letter from ADA Review Committee will inform the individual of the right to appeal this decision to the EEO Director at 410 Capitol Avenue; Hartford, CT 06134. Appeals must be made within 10 business days of receiving the ADA Review Committee's denial letter. The employee will be contacted by the ADA Appeals Administrator and asked if there is any additional documentation/information relevant to the employee's case that has not been previously submitted. The ADA Appeals Administrator will perform a thorough review of the documents provided in the original accommodation request and any additional information submitted, before determining the final decision. Prior to finalizing any reversal of the ADA Review Committee's decision, the ADA Appeals Administrator will confer with the Commissioner or his/her designee.

DISCRIMINATION COMPLAINTS: Additionally, the individual may utilize the Internal Discrimination Complaint Procedure as described the Internal Discrimination Complaint Policy, or the individual may file a discrimination complaint with an external discrimination investigative agency, such as the United States Equal Employment Opportunity Commission (EEOC), Department of Health and Human Services or the Connecticut Commission on Human Rights and Opportunities (CHRO).

RECORDS RETENTION: Upon completion of this process, all records of the employee's reasonable accommodation request and supporting documents will be kept confidential in the employee's ADA Reasonable Accommodation file.