

POLICY ON HIRING, ACCOMMODATING AND RETAINING EMPLOYEES WITH DISABILITIES

Applicability: This policy applies to all Oak Hill applicants and employees.

I. General Provisions

The policy of Oak Hill is to hire and advance in employment qualified individuals with disabilities.

No individual shall be discriminated against on the basis of physical or mental impairment. All employment decisions shall be based upon an objective determination of each person's job qualifications and job performance.

Oak Hill is committed to ensuring equal employment opportunities for qualified individuals with disabilities by offering reasonable accommodations for the known physical and mental disabilities of each individual in order to maximize the individual's abilities.

Oak Hill will take appropriate action to remedy any reasonable complaint concerning discrimination based upon disability, and to cooperate with all governmental investigations regarding compliance with state and federal laws concerning the employment of persons with disabilities.

Managers and supervisors shall be trained and are expected to become familiar with Oak Hill's requirements and the law regarding the employment of persons with disabilities. They are also expected to cooperate in making reasonable accommodations for employees with disabilities.

II. Job Applicants and Employees With Disabilities

For employment purposes, a person with a disability is one who: 1) has a physical or mental impairment that substantially limits one or more major life activities; 2) has a past history of impairment; or 3) any person who is treated as if he or she has impairment. Individuals with chronic impairments may also be disabled as defined under the Connecticut General Statutes.

Many job applicants and employees actively hide their physical or mental impairments because of fear that such information will be used against them. However, Oak Hill encourages post-offer job applicants and employees with disabilities to voluntarily identify themselves if they have any work restrictions or need for accommodations. No discrimination will be allowed against those who identify their disabilities. Instead, the information given shall be used to consider and, if appropriate, implement reasonable work accommodations.

III. Medical Examinations

Oak Hill reserves the right to request applicants and employees to undergo physical examinations as set forth below.

A. Post-Offer Medical Examinations.

All direct care positions require the ability to lift, bend, stand, walk and carry, among other skills. From time to time employees in non-direct care positions may also be required to perform direct care responsibilities. Consequently, all job applicants to whom conditional offers of employment are made are required to undergo fitness for duty examinations.

B. The Employment Stage

Once employed, staff may be asked to undergo medical examinations in limited circumstances. If an employee becomes disabled (regardless of whether the cause of the disability was work-related), appropriate medical personnel may be asked to confirm or deny the individual's disabled status, state any necessary work restrictions, and suggest reasonable accommodations, if appropriate. Oak Hill also reserves the right to send employees for medical testing if there is reasonable evidence to believe that an employee: 1) is incapable of performing job duties; or 2) poses a threat to the health and safety of himself/herself or others.

All information collected concerning employee health and disabilities shall be kept in a secured file maintained by the Director of Compensation and Benefits, separate from the employees' regular personnel records. This information shall be disclosed only on a "need to know" basis.

IV. Reasonable Accommodations

Oak Hill is committed to making reasonable accommodations for the known physical and mental disabilities of qualified job applicants and employees. Reasonable accommodations may include, but are not be limited to, devising changes to work procedures, equipment, or other non-essential job functions so that a person with a disability may successfully perform the major duties of the job.

Oak Hill recognizes its obligation to discuss reasonable accommodations with applicants and employees. Applicants and employees whose disabilities were not caused by work-related injuries and who desire workplace accommodations must submit a request to the Director of Compensation and Benefits. Employees whose disabilities are due to injuries or illnesses that occurred in the course of employment should submit requests for accommodations to the Workers Compensation Coordinator in the Human Resources Department.

To be eligible for a reasonable accommodation, an employee must declare his/her disability. Once Human Resources is provided with written documentation by a physician that describes the disability and recommends specific accommodations, the employee has fulfilled his/her responsibility.

Oak Hill is obligated to provide a “reasonable” accommodation”, which may not be the one requested. The process of identifying and providing a reasonable accommodation is an interactive one. While individuals with disabilities should be included in the decision-making process, all accommodation decisions shall be made by Oak Hill administrators and Human Resources on a case-by-case basis. Oak Hill is not required to make accommodations that would result in undue hardship to the agency or if the person requesting the accommodation poses a direct threat to the safety of himself/herself or others. Managers and supervisors should not engage in dialogues with or answer questions posed by applicants and staff regarding workplace accommodations, other than to refer them to this policy.

V. Confidentiality

Part of Oak Hill’s commitment to hiring and retaining employees with disabilities includes keeping the medical information confidential. Such confidentiality is required under state and federal laws. For that reason, **all requests for workplace accommodations, including leave time, information regarding an individual’s ability to return to work, and other medically-related questions, must be submitted or referred to the Director of Compensation and Benefits in the Human Resources Department.** Moreover, managers and supervisors should not question applicants and employees about their disabilities or accommodations, or engage in any conversations regarding such issues, even if the questions or remarks are out of genuine concern for the individual’s safety and well-being.

VI. Conclusion

Questions concerning this policy, complaints of discrimination, and requests for information concerning reasonable accommodations shall be made to the Human Resources Department.

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