



Subject	Issued	Revised	Policy Section
<b>Accommodation Policy (Disabilities and Religious)</b>	4.01.2011	5.05.2014 11.14.2018 (Board approved 12.18.18)	<b>Equal Opportunity</b>

It is the policy of the Southwest Region Workforce Investment Board and its subcontractors to comply with the Americans with Disabilities Act (ADA) and Title VII of the Civil Rights Act of 1964. The Southwest Region WIB is committed to the fair and equal employment of people with disabilities, as well as all individuals based on their religious beliefs. The Southwest Region WIB and its subcontractors do not discriminate against qualified job applicants or employees with regard to job application procedures, hiring, employee compensation, advancement, training, discharge or other terms, conditions and privileges of employment.

Job applicants, employees and customers shall be provided reasonable employment-related accommodations when necessary, unless the accommodation would impose an undue hardship. This policy provides guidelines for job applicants, employees and customers who wish to apply for reasonable accommodations, based on disability or religion, with the Southwest Region WIB and its subcontractors.

## Resources

- U. S. Equal Employment Opportunity Commission, Chapter XIV – Part 1630–Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act: [www.eeoc.gov](http://www.eeoc.gov)
- Job Accommodation Network (JAN): A website funded by the U.S. Department of Labor for questions related to workplace accommodations and the Americans with Disabilities Act: [www.askjan.org](http://www.askjan.org)

## Definitions

**Disability:** means, with respect to an individual,

- A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- A record of such an impairment; or
- Being regarded as having such impairment.
- Refer to EEOC Chapter XIV §1630.3 for exceptions to this definition.



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**Essential Functions – In general:** The term *essential functions* means the fundamental job duties of the employment position the individual with a disability holds or desires.

- The term “essential functions” does not include the marginal functions of the position.
- Refer to EEOC Chapter XIV §1630.2 for additional information regarding essential functions.

**Major Life Activities:** means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

**Service Animal:** Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Service animals are working animals, not pets. The work or tasks performed by a service animal must be directly related to the individual’s disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. Only dogs and miniature horses (with limitations) are recognized as service animals under the ADA.

**Religion:** May include traditional, organized religions such as Christianity, Judaism and Buddhism. It also may include religious beliefs that are new, uncommon, not part of a formal church or sect, or only held by a small number of people. A practice is religious if the person’s reason for the practice is religious and not based upon personal preferences. Social, political or economic philosophies or personal preferences are not considered religious beliefs under Title VII of the Civil Right Act.

**Reasonable accommodation:** The term *reasonable accommodation* means;

- Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such as the qualified applicant desires; or
- Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or
- Modifications or adjustments that enable a covered entity’s employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.
- Refer to EEOC Chapter XIV §1630.2 for additional information regarding “reasonable accommodation”.



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**Undue hardship:** Exists if an accommodation:

- Would cause an employer to incur a significant difficulty or expense, in comparison to the financial resources available to the employer.
- Is overly extensive, substantial, or disruptive or would alter the nature or operation of the business.
- Would cause a lack of necessary staffing.
- Would jeopardize security or health.

An employer is not obligated to make an accommodation that would cause an “undue hardship.”

### **Accommodation Request Procedure for Employees**

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- Employees may request an accommodation with their employer of record.
- Employees should follow their employer’s appeal process if not satisfied with the result of the initial request.

### **Accommodation Request Procedure for Job Applicants**

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- The job applicant shall inform Human Resources of the need for an accommodation in writing to participate in the application and interview phases of hiring.
- The job applicant should follow the employer’s appeal process if not satisfied with the result of the initial request.

### **Accommodation Request Procedure for Job Center Customers**

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- Job Center customers may request an accommodation from any staff person either in person or in writing.
- Job Center customers may appeal the decision to a supervisor if not satisfied with the result of the initial request.



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## **Appeal Process**

- If the person making the accommodation request believes the decision is based on discriminatory reasons, he/she may file a complaint with the Southwest Region WIB's equal opportunity officer.

### **Contact Information**

Leslie Abram  
 Equal Opportunity Officer  
 Workforce Investment Board of Southwest Missouri  
 P.O. Box 1706  
 Joplin, MO 64802-1706  
 417-206-1717  
 Mo Relay Services 711  
 labram@sectorready.org

*The SW MO Workforce Investment Board is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services at 711. It is against the law for this recipient of federal financial assistance to discriminate on the following bases: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.*