

**TO:** ALL COUNTY PERSONNEL

**FROM:** ROBERT WEISMAN  
COUNTY ADMINISTRATOR

**PREPARED BY:** EMPLOYEE RELATIONS & PERSONNEL DEPARTMENT

**SUBJECT:** EMPLOYMENT OF QUALIFIED PERSONS WITH DISABILITIES  
AND THE ACCOMMODATION PROCESS

**PPM #:** CW-P-017

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**ISSUE DATE**  
March 1, 1993

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**EFFECTIVE DATE**  
March 1, 1993

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**PURPOSE:**

To assure compliance with federal and state equal opportunity/affirmative action regulations that prohibit discrimination on the basis of disability and require reasonable accommodation to employ and advance in employment qualified persons with disabilities.

**AUTHORITY:**

1. The Rehabilitation Act of 1973, as amended,
2. The Florida Human Rights Act of 1977 as amended,
3. The Americans with Disabilities Act (ADA) of 1990.

**POLICY:**

All managers and supervisors are responsible for EEO/AA compliance and must make reasonable accommodation, upon request, to the known physical or mental limitations of otherwise qualified applicants/employees with disabilities to enable them to perform the essential duties of a position.

**DEFINITIONS:**

A "person with a disability" is a person who has, is perceived as having, has a record of having, or is regarded as having a physical or mental impairment that substantially limits one or more major life activities, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

A "qualified person with a disability" is a person with a disability who meets the skill, experience, education, and other job-related requirements of a position held or desired, and who with or without reasonable accommodation, can perform the essential duties of the position.

"Reasonable accommodation" is considered on a case by case basis and is a modification or adjustment to a job, the work environment, or the way things usually are done that enables a qualified person with a disability to enjoy an equal employment opportunity. An equal employment opportunity means an opportunity to attain the same level of performance or to enjoy equal benefits and privileges of employment as are available to an average similarly-situated employee or applicant without a disability.

Reasonable accommodation includes but is not limited to, making facilities readily accessible; restructuring a job; altering when and how an essential duty is performed; part-time or modified work schedules; obtaining or modifying equipment or devices; modifying examinations, training materials or policies; providing qualified readers or interpreters; reassignment to a vacant position; permitting use of accrued paid leave or unpaid leave for necessary treatment; providing reserved parking; allowing an employee or applicant to provide equipment or devices that an employer is not required to provide; or making any other appropriate changes that do not impose an undue hardship on the County or its employees.

**PROCEDURE:**

Applicants are invited to request an accommodation in any part of the selection process. Accommodation requests are reviewed as to the reasonableness of the request and documented by the EEO/AA Specialist in Employee Relations & Personnel (E R & P) as to what, if any, accommodation may be necessary to enable an applicant to compete for, or if selected, be employed in the position for which they applied.

Employees can request an accommodation to enable them to perform the essential duties of their position through their supervisor/manager; the Occupational Health Clinic, or the Employee Assistance Program. All requests for accommodations are referred to the EEO/AA Specialist in E R & P for review who reviews the request in consultation with the employee with the disability prior to making a recommendation to the department.

A reasonable accommodation need not be the best accommodation available; however, it must be an effective accommodation in that it must provide an opportunity for a person with a disability to achieve the same level of performance or to enjoy benefits and privileges equal to those of an average similarly-situated person without a disability.

The reasonable accommodation obligation applies only to accommodations that reduce barriers to employment related to a person's disability. A qualified person with a disability has the right to refuse an accommodation. However, if the person cannot perform the essential duties of the position without the accommodation, the person may not be qualified for the job.

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**ROBERT WEISMAN**  
**COUNTY ADMINISTRATOR**

**Supersession History:**

1. A.O. 7-16, dated 10/9/84
2. CW-P-017, issued 7/1/88