



# AMERICANS WITH DISABILITIES ACT Reasonable Accommodation Policy

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## **I. POLICY**

It is the policy of the Town of Webster not to discriminate on the basis of disability against any qualified person. All decisions relating to employment including, but not limited to recruitment, selection, training, assignment, promotion, compensation, transfer, benefits, and education, will be determined by the applicant's or employee's ability without consideration of any requested reasonable accommodation. This policy is applicable to all employment policies and practices. The Town also provides reasonable accommodation in connection with the provision of Town services, programs, and activities. The Town Engineer has been designated as the ADA coordinator for the Town of Webster.

Contact Information: Theodore G Tetreault III  
ADA Coordinator  
508-949-3800x4005  
ttetreault@webster-ma.gov

## **II. SCOPE**

This policy provides guidance and procedure by which individuals may request reasonable accommodation, and the manner in which departments should consider and review those requests.

## **III. PURPOSE**

This policy is intended to assist applicants for employment, current employees, individuals desiring to participate in Town sponsored programs or activities, and department supervisors and managers in requesting and processing reasonable accommodation requests. It covers the following: Guidelines for filing a Request for Reasonable Accommodation, Guidelines for considering and evaluating a Request for Reasonable Accommodation, and the Appeal process.

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#### **IV. FILING A REQUEST FOR REASONABLE ACCOMMODATION**

A. Any applicant for employment, current employee, or individual with a disability seeking to participate in a Town program or activity, or his/her representative, may request reasonable accommodation. The applicable department shall provide persons requesting an accommodation the contact information for the ADA Coordinator. It is the responsibility of the requester to contact the ADA Coordinator. It is the responsibility of the ADA Coordinator to ensure the request is resolved appropriately.

- 1) Individuals seeking, or supervisors wanting to provide informally, a reasonable accommodation may do so; a formal request would follow if the informal request is rejected.
- 2) Although the responsibility for requesting the reasonable accommodation rests primarily with the applicant, employee, or participant, the ADA Coordinator or designated representative is available as a resource in the preparation, explanation, and dissemination of reasonable accommodation information or technical assistance.

B. All formal requests for accommodation must be made in writing to the ADA Coordinator and indicate the following:

- 1) Name, address, and telephone number of the person requesting accommodation.
- 2) The specific limitation, the type of accommodation requested, and an explanation of how the accommodation will allow the performance of the essential functions of the position or the participation in a program or activity.

#### **V. REVIEW OF REQUESTS FOR REASONABLE ACCOMMODATION**

A. Because of the personal nature of some disability issues, every reasonable effort should be taken to ensure confidentiality during the entire review process.

B. The determination whether to provide an accommodation is made on a case-by-case basis. This is an individual process through which the ADA Coordinator and the individual with a disability discuss and arrange for the necessary (and reasonable) changes through an interactive process. The Town must make a “reasonable effort” to determine the appropriate accommodation. Primary consideration should be given to the preferences of the individual when deciding on an accommodation; however, the ADA Coordinator has the ultimate discretion to choose between effective accommodations.

C. The Town may not compel an individual with a disability to use an accommodation that is not necessary to perform the job.

D. In reviewing a request for accommodation the ADA Coordinator will consider the following:

- 1) Analyze the job or activity to determine the essential functions;



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- 2) Determine with the employee, applicant, or participant how the disability limits their performance of the essential functions or participation in the program or event;
- 3) Identify accommodation options that overcome limitations and determine the effectiveness and feasibility of the proposed accommodations;
- 4) Considering the requester's preference, the department selects the accommodation most appropriate for the requester and the Town.

E. If the request is approved, the ADA Coordinator or representative will notify the requester and make the necessary implementation arrangements. If the request is denied, the requester may appeal to the Board of Selectmen within thirty (30) calendar days.

F. The review process concluding with the approval or denial recommendation shall be completed within fifteen (15) working days from the date of the request, unless the requester and the Town agree to an extension of time.

## **VI. APPEAL PROCESS**

- A. In the event an applicant or individual is not satisfied with the outcome of a request, he/she may file a written appeal with the Webster Board of Selectmen. The appeal must be received within 30 days of the applicant's or individual's notification of the city's decision.
- B. The Board of Selectmen will complete a review of the appeal and provide written response to the applicant or individual within 30 days of the receipt of an appeal.