

# HUMAN RESOURCE MANAGEMENT

Workers with Disabilities

Policy 7-5

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## Policy

The Department of Children and Families shall comply fully with the Americans with Disabilities Act (ADA) and all federal and state laws pertaining to the employment of individuals with disabilities. DCF's employment practices shall not discriminate on the basis of present or past history of mental disorder, mental retardation or physical disability. This policy shall apply to all aspects of the employer-employee relationship including recruitment, selection, appointment, upgrade and promotion, evaluation, conditions and privileges of employment, training, educational assistance, compensation, benefits, transfer, discipline, layoff, recall and termination of employment.

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## Definitions

**Disability** means any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems or any mental or psychological disorder, emotional or mental illness or specific learning disability.

**Essential functions** means the fundamental tasks that are necessary to complete the duties of the particular position that the individual occupies or for which the individual has applied. These include the tasks that the individual must be able to perform unaided or with the assistance of a reasonable accommodation.

**Position** means a group of duties performed by one person in a work unit that must be performed in order to fulfill the needs for which the position was created.

**Reasonable accommodation** means modifications that are needed to allow a meaningful equal employment opportunity or the opportunity to attain the same level of performance or to enjoy the same level of benefits and privileges of employment as is available to non-disabled employees or applicants having similar skills or abilities or who are similarly situated. Such accommodations shall be "reasonable" in that they do not create a hardship for the employer, do not violate collective bargaining agreements and do not change the essential functions of the position.

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## Applicants with Disabilities

Applicants with disabilities may request reasonable accommodations for the application or interview process if it is necessary in order for the applicant to participate meaningfully in the process. Applicants requiring accommodations at this level shall be referred to Human Resource Management for a determination of necessary and reasonable accommodations.

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**Applicants with Disabilities (continued)**

Applicants with disabilities who are otherwise qualified for the job shall be afforded the same opportunity for employment as non-disabled applicants as long as they are able to perform the essential functions of the job with or without a reasonable accommodation. Any applicant who requires an accommodation to perform the duties of the position shall be referred to Human Resource Management for determination of whether such accommodation reasonably can be made.

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**Employees with Disabilities**

An employee who discloses a disability subsequent to employment and whose disability is having an impact on job performance shall be referred to Human Resource Management for review of what reasonable accommodations can be made to enable the employee to continue in his or her employment.

An employee may initiate a request for accommodation by contacting Human Resource Management directly to discuss his or her rights under the ADA and to engage in an interactive process to determine what accommodations will be needed to maintain employment.

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**Separation Due to Disability**

No employee shall be separated from employment with DCF due to a disability prior to attempts being made to identify reasonable accommodations under the ADA that may allow the employee to maintain employment. Should the employee's condition preclude him or her from remaining in his or her position, alternate positions that may accommodate the employee's disability shall be sought. Should no position be identified or should an identified position be rejected by the employee, Human Resource Management shall advise the employee of his or her options prior to seeking permission for separation.

**Legal Reference:** [Conn. Gen. Stat. § 5-244.](#)

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**Significant Threat Due to Disability**

DCF may refuse to hire or retain an individual who poses a significant threat to the health and safety of him- or herself or to others due to a disability when a reasonable accommodation cannot eliminate the risk.

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**Medical Information**

Medical information received by Human Resource Management relating to an employee's disability or request for an accommodation shall be maintained in the strictest confidence and shall be segregated from other personnel records pertaining to the employee.

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