STATE OF CONNECTICUT

OFFICE OF PROTECTION AND ADVOCACY FOR
PERSONS WITH DISABILITIES
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Office of Protection and Advocacy for Persons with Disabilities

Americans with Disabilities Act Compliance
Reasonable Accommodation Policy

The Office of Protection and Advocacy for Persons with Disabilities (OPA) recognizes its responsibility under Title I of the Americans with Disabilities Act (42 U.S.C. 12101 et. seq.) to provide reasonable accommodations to the known physical or mental limitations of a qualified applicant or employee with a disability. This ongoing obligation applies to all aspects of OPA employment, and may arise at any time that the applicant/employee's disability or job responsibilities change.

A reasonable accommodation is any modification or adjustment to a job, employment practice, or the work environment that makes it possible for an individual with a disability to enjoy an equal employment opportunity. Such modifications or adjustments include, but are not limited to, providing an accessible work environment, readers or interpreters for individuals with communication disabilities, assistive technology, reassignment of non-essential duties, and flexible work schedules.

It is the obligation of the applicant or employee to request a reasonable accommodation. OPA will give preference to the specific accommodation request made by the individual with a disability, but reserves the right to provide an alternative accommodation, as long as it is effective and allows the employee to perform the essential functions of his/her job.

OPA recognizes that a qualified individual with a disability has a right to refuse an accommodation. If the individual cannot perform the essential job functions without the accommodation(s) he/she may no longer be qualified for the job.

If for some reason the cost of the accommodation would impose an undue hardship on OPA, the employee should be given the option of providing the accommodation or paying that portion of the cost that would constitute an undue hardship.

NO RETALIATION

OPA strictly forbids retaliation against individuals who request an accommodation or otherwise exercise their rights under the ADA or Connecticut law. Agents of OPA shall not retaliate against, coerce, intimidate, threaten, harass, or interfere with any individual exercising or enjoying his or her rights under the ADA or Connecticut law, nor because an individual aided or encouraged any other individual in the exercise of rights granted or protected by the ADA or Connecticut law.

Reasonable Accommodation Request Procedure

1. An employee requiring a reasonable accommodation, including facility related matters/accommodations, should make a request to his or her immediate supervisor, either in writing or orally. The supervisor will meet with the employee within three (3) business days to discuss the proposed accommodation.

2. Within three (3) business days after meeting with the employee, the supervisor will submit a written request to the agency ADA Coordinator (Gretchen Knauff) for review and approval. The request should include, but is not limited to, the name of the employee requesting the accommodation, the specific accommodation requested, a list of alternative accommodations discussed with the employee (if any) and the supervisor's recommendation.

3. Within five (5) business days, the OPA ADA Coordinator will review and make a determination concerning the requested accommodation, including possible effective alternative means of providing an accommodation.

4. If the accommodation is approved, written notification will be sent to the Executive Director, supervisor, and employee requesting the accommodation. Should additional information be needed by OPA to support the request, either to document the presence of a disability or to obtain clarification of the specific accommodation needed, additional time may be required. Once approved, OPA will make a good faith effort to provide the agreed upon accommodation in a timely manner, consistent with required state purchasing and other administrative procedures.

5. If the accommodation is denied, the Executive Director, supervisor, and employee requesting the accommodation will be notified in writing of the denial. The notification shall include the reasons for the denial and possible alternative effective accommodations. Employees who are denied an accommodation may appeal the decision through the OPA ADA Grievance Procedure. (see section 9-3)

OPA ADA Internal Grievance Procedure

OPA Americans with Disabilities Act (ADA) Grievance Procedure

The Office of Protection and Advocacy for Persons with Disabilities and its contractors are committed to complying with both the letter and spirit of the Americans with Disabilities Act. This alternative dispute resolution process is available to OPA employees who feel they have been discriminated against by OPA under Title I of the ADA.

ADA Grievance Procedure

The following procedure does not replace or supersede any state or federal legislation. It is merely an alternative for resolving the complaint or issue. It should be noted that a formal ADA complaint must be filed with the appropriate federal agency within 180 days of the alleged violation. This procedure does not in any way alter the time lines for filing a formal ADA complaint or complaint in state or federal court.

1. Contact the ADA Compliance Officer: Jamila H. Goolgar (EEO Designee)

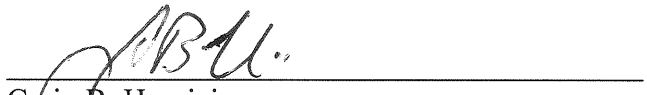
2. Within five (5) days of the initial contact, the ADA Compliance Officer will report the employee's complaint to the Executive Director and will schedule a meeting with appropriate OPA staff members to review circumstances and documents relative to the complaint.

3. Within ten (10) business days of the employee's contact with the ADA Compliance Officer, an investigation will be conducted by the ADA Compliance Officer and, if appropriate, other agency staff to gather pertinent facts and interview relevant individuals.

4. Within fifteen (15) business days, the ADA Compliance Officer will report his or her findings to the Executive Director.

5. Within twenty-one (21) days, the Executive Director, or designee, will render a decision in writing.

If the employee is not satisfied with the written response of the Executive Director, or designee, he or she has the right to file a formal complaint with the appropriate state or federal agency, or court.



10-24-14

Craig B. Henrici
Executive Director,
Office of Protection and Advocacy for Persons with Disabilities

Date