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**STATE OF CONNECTICUT – COUNTY OF TOLLAND
INCORPORATED 1786**

TOWN OF ELLINGTON

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**Americans With Disabilities Act (ADA)/
American with Disabilities Amendments Act (ADAAA)
POLICY STATEMENT**

Purpose: The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of the Town of Ellington (the Town) to comply with all federal and state laws concerning the employment of individuals with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Further, it is the Town's policy not to discriminate against qualified individuals with disabilities regarding application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions, and privileges of employment.

Procedures: When an applicant with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, the employee will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

The Town will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to the Town. Contact Human Resources (HR) with any questions or requests for accommodation.

All employees are required to comply with the Town's safety standards. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision has been made in regard to the employee's immediate employment situation.

Individuals who are currently using illegal drugs are excluded from coverage under the company ADA policy. The HR Department with the ADA Coordinator is responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

Terms Used in This Policy: As used in this ADA policy, the following terms have the indicated meaning:

- **Disability:** A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment.
- **Major life activities:** Term includes caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
- **Major bodily functions:** Term includes physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. Also covered are any mental or psychological disorders, such as intellectual disability, organic brain syndrome, emotional or mental illness and specific learning disabilities.
- **Substantially limiting:** In accordance with the ADAAA final regulations, the determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. An impairment, such as cancer that is in remission but that may possibly return in a substantially limiting form, is also considered a disability under the final ADAAA regulations.
- **Direct threat:** A significant risk to the health, safety or well-being of individuals with disabilities or others when this risk cannot be eliminated by reasonable accommodation.
- **Qualified individual:** An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.
- **Reasonable accommodation:** Includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.
- **Undue hardship:** An action requiring significant difficulty or expense by the Town. In determining whether an accommodation would impose an undue hardship on the Town, factors to be considered include:
 - The nature and cost of the accommodation.
 - The overall financial resources of the Town in the provision of reasonable accommodation, the number of persons employed at the Town, the effect on expenses and resources, or the impact of such accommodation on the operation of the Town.
- **Essential functions of the job:** Term refers to those job activities that are determined by the employer to be essential or core to performing the job; these functions cannot be modified.

The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities, impairments or reasonable accommodations covered by the ADA/ADAAA policy.

An individual with a disability is any person who (1) has a physical or mental impairment which substantially limits one or more of that person's major life activities, (2) has a record of such an impairment, (3) is perceived or regarded as having such an impairment, or (4) falls within one or more of the disabling conditions protected by the state constitution and statutes.

Titles I and II of the ADA, Section 504, and the Connecticut Fair Employment Practices Act prohibits discrimination based on race, color, religious creed, age, sex, gender identity or expression, marital status, national origin, ancestry, past or present history of mental disability, learning disability physical disability, genetic information, pregnancy, veteran status, or status as a victim of domestic violence.

Requests for accommodation submitted to HR will be forwarded to the ADA Coordinator. The ADA Coordinator will contact the employee promptly and a meeting may be arranged to discuss the details of the request. Each request for reasonable accommodation will be considered on a case-by-case basis. The Town will not permit employees to refuse to work with any individual who has, or is perceived as having, a disability.

When the Town makes accommodation for the needs of a particular employee, it does not make any commitment that the accommodation is permanent, or that a similar accommodation will automatically be extended to any other employee. Rather, the Town retains its discretion and flexibility to independently evaluate each individual request for an accommodation, based on the specific circumstances present, or to reorganize work and to redefine job requirements considering the overall needs of the Town.

Any employee requesting accommodation may (when permitted by law) be expected to provide medical information necessary for the Town to cooperatively develop a reasonable accommodation under the ADA/ADAAA and relevant state statutes. Failure of the employee to provide the necessary medical information may result in a delay in processing any accommodation request. The Town's Human Resources Coordinator is responsible for contacting the employee's physician, when necessary, to obtain the requisite medical documentation to support the employee's request for accommodation. No medical information is to be requested or maintained by any supervisor or manager. Employees' medical information related to their disability and any accommodation request will remain confidential unless release is authorized by the individual or permitted (or required) under legal authority.

This policy statement will be provided to all Town of Ellington employees and will be posted in Town Hall and on the Town website. It is also expected that each supplier, union, consultant, developer or other state agency with which the Town does business will comply with the ADA, Section 504, and the Connecticut Fair Employment Practices Act, as amended.

Ms. Mary Bartley has been designated the ADA-504 Coordinator for the Town of Ellington. Ms. Bartley may be reached at (860) 870-3118. Questions, concerns, complaints or requests for additional information regarding the ADA may be forwarded to Ms. Bartley.

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE FROM THE ADA-504 COORDINATOR BY CALLING (860) 870-3118.

04/23/2025

Date

Matthew Reed, Town Administrator