

FACT SHEET

REQUEST FOR REASONABLE ACCOMMODATIONS

The Americans with Disabilities Act, Amendments Act of 2008 (ADAAA) mandates that effective reasonable accommodations be provided to qualified persons with disabilities, as defined by law, to ensure benefits and privileges of employment are applied to everyone.

DEFINITION OF KEY TERMS

- **Reasonable Accommodation:** Any change in the work environment or in the way things are customarily done that would enable a qualified individual with a disability to enjoy equal employment opportunities.
- **Disability:** A physical or mental impairment that substantially limits one or more major life activities; a record of such an impairment; or being regarded as having an impairment. **Major life activities** include, but are not limited to, walking, speaking, breathing, hearing, seeing, learning, thinking, performing manual tasks, and caring for oneself.
- **Functional Limitation:** The inability to perform an action or a set of actions, either physical or mental, because of a physical or emotional restriction or limitation.
- **Qualified Individual with a Disability:** An individual with a disability is qualified if (1) he/she satisfies the requisite skill, experience, education, and other job related requirements of the position; and (2) he/she can perform the essential functions of the position, with or without reasonable accommodations.
- **Essential Job Functions:** Fundamental job duties of the employment position that the individual with a disability holds or desires. Essential functions are the primary job tasks of why the position exists.
- **Undue Hardship:** A specific type of reasonable accommodation that causes significant difficulty or expense and focuses on the resources and circumstances of the particular employer in relationship to the cost or difficulty of providing a specific accommodation. Undue hardship refers not only to financial difficulty, but also to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentally alter the nature or operation of the business.
- **Reassignment:** In accordance with the Equal Employment Opportunity Commission Guidelines, "Reassignment to another position will be considered **ONLY** when an accommodation is not possible in an employee's present job or when an accommodation in the employee's present job would cause an undue hardship." In addition, an employer is **not** required to create a new job or to "bump" another employee from a job in order to provide a reasonable accommodation; nor is an employer required to promote an individual with a disability to make such an accommodation. If reassignment is the accommodation, the employee will be given a "reasonable amount of time" in which to seek alternate employment with the District. The employee must be qualified for, and able to perform the essential functions of the **vacant** position with or without reasonable accommodation.