Grant County Fire Protection District 3

POLICY AND PROCEDURE

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1. NUMBER: 5.4.06

2. SUBJECT: ***Americans with Disabilities Act (ADA)***

3. POLICY: It is the policy of Grant County Fire District 3 to comply with all federal, state, and local laws concerning the employment of persons with disabilities as outlined in Title II of the ADA of 1990. This Policy and Procedure is established to define that process.

4. SCOPE: This Policy and Procedure is applicable to all personnel of Grant County Fire District 3.

5. RESPONSIBILITIES:

   A. The District Fire Chief is responsible for ensuring that this Policy and Procedure is adhered to.

   B. All personnel are responsible for complying with this Policy and Procedure.

6. DEFINITIONS: As used in this policy the following terms have the indicated meaning and will be adhered to in relation to the ADA policy.

   A. DISABILITY: refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. These may include, but are not limited to seeing, hearing, speaking, lifting/carrying, using stairs or walking. An individual who has such an impairment is a "disabled individual".

   B. DIRECT THREAT TO SAFETY: means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.

   C. QUALIFIED INDIVIDUAL WITH A DISABILITY: means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.

   D. REASONABLE ACCOMMODATION: means making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.

E. UNDUE HARDSHIP: means an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship includes:

1. The nature and cost of the accommodation
2. The overall financial resources of the District at which the reasonable accommodation is to be made
3. The number of persons employed at the District
4. The effect on expenses and resources or other impacts on the District:
5. The overall financial resources of the District
6. The operations of the entire District. These are not all the factors, but merely examples of "undue hardship"

F. ESSENTIAL JOB FUNCTION: refers to those activities of a job that are the core to performing said job for which the job exists and cannot be modified.

7. PROCEDURE:

A. The District shall not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

B. The District shall reasonably accommodate, without undue hardship to the District, disabled employees in order that they can perform their essential job functions.

C. The District shall not hire an applicant who poses a direct threat to the health or safety of other individuals in the workplace if that threat cannot be eliminated by reasonable accommodation without undue hardship to the District.

D. Employees who pose a direct threat to the health or safety of other individuals in the workplace shall be placed on appropriate leave or assigned appropriate duty responsibilities while the employee's ability to perform essential functions safely is determined.

E. Full time, part time, or volunteer personnel with a permanent or temporary disability that affects job performance should notify the District Fire Chief or the Board of Commissioners and their supervisor as soon as possible.

F. Grant County Fire District 3 will discuss, with a qualified individual in the area of a disability, the reasonable accommodations the District may be able to provide to enable an individual to perform the essential functions of their job should a reasonable accommodation be medically necessary.