

Wood County Board of Developmental Disabilities

POLICY

Policy #: 01-ALL-ALL-0085 **Subject:** ADA (American with Disabilities Act):
Title I and II
Effective Date: 07-26-92 **Last Revision:** 12-05-17
Person Responsible: Superintendent
Approvals/Date: Robert Chan 12/11/17 John A. ... 12/11/17
Superintendent, WCBDD Date Board President, WCBDD Date

Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.

Title II applies to State and local government entities, and, in subtitle A, protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs, and activities provided by State and local government entities. Title II extends the prohibition on discrimination established by section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, to all activities of State and local governments regardless of whether these entities receive Federal financial assistance.

The ADA states that a "covered entity" shall not discriminate against "a qualified individual with a disability". This applies to job application procedures, hiring, advancement and discharge of employees, job training, and other terms, conditions, and privileges of employment. An employer is not required to provide an accommodation that would involve undue hardship (significant difficulty or expense), and the individual who receives the accommodation must still perform the essential functions of the job and meet the normal performance requirements.

The Wood County Board of DD will ensure all employment decisions are based on the ability of the individual to perform the essential functions of the position. All requested accommodations will be provided unless the request creates undue hardship. See 02-ALL-ALL-0493 (HR) Complaint of Discrimination on the Basis of Disability regarding filing a complaint.

References: EEOC
Title I of ADA
Title II of ADA
ADA Amendments Act of 2008 (P.L. 110-325)
ORC 4112.02

Policy: 01-ALL-ALL-0073

Procedures: 02-ALL-ALL-0493 (HR)
02-ALL-ALL-0856 (HR)

Form: 03-ALL-ALL-0943

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