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Approved:	President Kimberly P. Blosser
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Policy on Reasonable Accommodation

1.0 Purpose

To provide a process by which a qualified disabled individual (applicants and employees) may request an accommodation in accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), and ADA Amendments Act of 2008, regarding matters of employment with Lord Fairfax Community College (LFCC).

2.0 Revision History

Original Policy: May 1, 2019

3.0 Applicability

This policy applies to applicants and all Lord Fairfax Community College employees (full-time teaching and administrative faculty, classified staff, adjunct faculty, and wage).

4.0 Policy

- A. Lord Fairfax Community College does not discriminate on the basis of disability or other non-merit factors with respect to employment, personnel actions, and employee benefits, or in connection with job-related programs, activities, or accessibility regarding the use of college facilities.
- B. Specifically, the prohibition against employment discrimination applies to all aspects of the hiring process and employment practices, including:
 1. hiring, demotion, promotion, reallocation, role change, in-band adjustment, layoff and transfer;
 2. performance management and employee development;
 3. corrective actions, including disciplinary actions; and
 4. compensation, faculty compensation actions, classified staff pay practices, benefits, and other terms, conditions, and privileges of employment.
- C. The College shall, when requested, provide reasonable accommodations to qualified disabled applicants and employees so that he or she may perform the essential job functions of the position held or sought, unless to do so would constitute an undue hardship.

5.0 Definitions

Disability: a physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such impairment, or being regarded as having such an impairment.

EEO officer: LFCC HR Analyst I (Recruitment Specialist)

Essential job functions: those job activities that are determined by the employer to be essential or core to performing the job.

Licensed treating professional (LTP): a doctor of medicine or osteopathy who is licensed to practice medicine or surgery by the state in which the doctor practices; a podiatrist, optometrist, chiropractor, clinical psychologist, or clinical social worker licensed to practice in the state and performing within the scope of his or her practice as defined under state law, and Christian Science practitioners listed with the first Church of Christ, Scientist in Boston, MA.

Major life activities: may include, but not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working; includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Qualified individual: an individual who, with or without reasonable accommodation, can perform the essential job functions of the employment position that such individuals holds or desires.

Reasonable accommodation: changes to the work environment that may include: making existing facilities readily accessible and useable by individuals with disabilities; job restructuring of non-essential duties; temporary reduction of work hours; alternate work schedules; reassignment to a vacant position; acquisition or modification of equipment or devices; appropriate adjustment or modifications of written or computer-provided employee information (training materials, demonstration of ability); the provision of qualified readers or interpreters; and other similar accommodations for individuals with disabilities.

Undue hardship: significant difficulty or expense incurred by an employer with respect to the provision of reasonable accommodation, which means that an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business. Among the factors to be considered in determining whether an accommodation is an undue hardship are the cost of the accommodation, the employer's size, financial resources, and the nature and structure of its operation.

6.0 Responsibilities

7.0 Procedures

A. Accommodation requests

Applicants

1. An applicant for a position at LFCC who may require an accommodation for a disability so that he or she may participate in the selection process, should contact the College's EEO officer at (540) 869-0760, to request the accommodation. This information can be conveyed to the EEO officer verbally or in writing.
2. The EEO officer will make every effort to comply with the request, in order to assist the applicant with the interview process, unless the request would constitute an undue hardship to the College.
3. In those instances where an accommodation is granted, the EEO officer will follow-up with the applicant at the conclusion of the interview process to verify the adequacy of the accommodation and compliance with the law.

Employees

1. A disabled employee may initiate a request for workplace accommodation by completing the Request for Accommodation form.
2. Completed form(s) should be returned to the College's EEO officer at Lord Fairfax Community College, Attention Human Resources, 173 Skirmisher Lane, Middletown, VA 22645. The telephone number is (540) 869-0760.
3. Requests for accommodation will be considered on a case-by-case basis. Depending on the nature of the disability and the accommodation requested, it may be necessary for the employee to have a licensed treating professional (LTP) complete the Medical Verification in Response to Accommodation Request form.
4. Upon receipt of the Request for Accommodation, the EEO officer will determine within three (3) workdays whether additional medical information is required.
5. If additional medical information is not required, the College's EEO officer will discuss the accommodation request with the employee's immediate supervisor and will notify the employee of the decision, in writing, within ten (10) workdays following receipt of the Request for Accommodation form.
6. If the EEO officer determines that additional medical information is required, the employee will be notified within three (3) workdays of receipt of the Request for Accommodation form, that his or her licensed treating professional (LTP) must complete the Medical Verification in Response to Accommodation Request form, and return it to the College's EEO officer at Lord Fairfax Community College, Attention Human Resources, 173 Skirmisher Lane, Middletown, VA 22645.

7. Upon receipt of the completed Medical Verification in Response to Accommodation Request form, from the employee's licensed treating professional (LTP, the College's EEO officer will discuss the accommodation request with the employee's immediate supervisor and will notify the employee in writing within ten (10) workdays of the decision.

B. Appeal process

1. In the event the employee disagrees with the determination and/or proposed accommodation, he or she may contact the College's Chief of Human Resources Officer (CHRO). The CHRO will make a determination within ten (10) workdays of such request.
2. An employee may file a formal complaint with the Office of Equal Employment Services at the Department of Human Resource Management, 12th Floor, 101 North 14th Street, Richmond, Virginia, 23219. The telephone number is (804) 225-2136.

8.0 Sanctions

9.0 Interpretation

The authority for interpretation of this policy rests with the CHRO.

10.0 Authority/Reference

Department of Human Resource Management (DHRM) Policy 2.05, Equal Employment Opportunity

Department of Human Resource Management (DHRM) Policy 2.10, Hiring Virginia Community College System (VCCS) Policy 3.14, Equal Employment Policy