

# Human Resources Division

**Procedures for Reasonable Accommodations**

**in Employment for Individuals with Disabilities**

**Bulletin Number:** 2017-0001

**Issue Date: March 3, 2017**

**HR Bulletin**

# PURPOSE

The Human Resources Bulletin is intended to describe the process of, and provide guidance for providing reasonable accommodation in King County employment, under the Executive Policy PER-22-4-3-EP Reasonable Accommodation in Employment for Individuals with Disabilities.

The Department of Executive Services – Human Resources Division – Safety & Claims Management Section’s Disability Services Group will serve as the consulting agency for providing reasonable accommodations to individuals with disabilities.

# PROCEDURES

#  Requesting and Providing Reasonable Accommodations:

1. King County applicants and employees requesting reasonable accommodations shall provide King County, either orally or in writing, with timely notice of such requests.
	1. Job Applicants requesting reasonable accommodations should make their requests to the Human Resources representative identified in the vacancy announcement.
	2. Employees requesting reasonable accommodations should submit their requests to their supervisor, manager, Human Resources representative, or a representative of the Disability Services Program staff.
2. King County shall select which form of reasonable accommodation will be provided when more than one effective accommodation exists.
3. King County may periodically review on-going reasonable accommodations, as necessary.

**Medical Documentation:**

1. As part of the interactive process, King County may require applicants and employees requesting reasonable accommodations to provide clear medical documentation by a qualified health care professional. Medical documentation may include, but is not limited to the following:
	1. A description of the nature of the applicant’s or employee’s medical condition;
	2. any known or anticipated work-related medical restrictions; and
	3. any recommended reasonable accommodations.
2. Employees shall also provide timely updated medical documentation from a qualified health care professional when changes in restrictions render current accommodations insufficient or no longer necessary, or when requested by King County.
3. King County may require that applicants and employees requesting reasonable accommodations provide additional medical documentation from a different health care professional, or may request that applicants or employees sign a medical release.
4. Applicants and employees who fail to provide medical documentation from a qualified health care professional as requested by King County or who otherwise fail to participate in the interactive process may be ineligible to receive a reasonable accommodation.

King County shall keep applicants and employees medical information confidential to the extent provided by law. Among those times an applicant’s or employee’s medical information may be shared include:

* 1. Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
	2. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment;
	3. Government officials investigating compliance with confidentiality requirements shall be provided relevant information on request;
	4. King County may give information to state workers’ compensation offices, state second injury funds, and workers’ compensation insurance carriers in accordance state workers’ compensation laws;
	5. King County may use the information for insurance purposes.

**Medical Separation and Reassignment Process:**

1. King County shall propose to medically separate an employee who is not able to perform one or more of the essential functions of his or her position with or without reasonable accommodation.
2. Once it is appears that an employee’s disability prevents him or her from performing one or more of the essential functions of his or her job, with or without reasonable accommodation, and prior to proposing a medical separation from the employee’s position, Disability Services will conduct a search of current non-promotional job vacancies, first within the employee's agency and then countywide (King County executive branch departments and non-executive branch departments adopting this policy), in an effort to reassign the employee.
3. Disability Services will refer the employee to the position if the employee meets the qualifications for the vacant position. If the agency offers the position to the employee, the employee may accept or reject the offer. If the employee rejects the agency's offer, the employee is still eligible for Reassignment Program services.

**Reassignment Program:**

1. Employees who are eligible for Reassignment Program services may defer their entry into the Reassignment Program for up to one year from the date of their medical separation from King County.
2. Reassignment Program participants must meet the following conditions before receiving Reassignment Program services: (a) King County is satisfied that the employee cannot perform one or more essential function of his or her job due to the employee’s disability; (b) King County is satisfied that no reasonable accommodation will enable the employee to remain in his or her current job; and (c) the employee has provided the Disability Services Program staff with all requested medical documentation, information, work history, and job application materials.
3. Reassignment Program participants may conclude their participation in the Reassignment Program at any time by providing notice to the Disability Services Program staff.
4. Reassignment Program services must begin within one year from the effective date of the medical separation unless an applicable collective bargaining agreement indicates otherwise.
5. Once an employee begins Reassignment Program services, services will be provided for a period of time not to exceed six consecutive months. Reassignment Program services cannot be stayed, interrupted, or otherwise put on hold once the employee begins program services.
6. King County will offer Reassignment Program participants the rate of pay for the new job that is closest to but not more than the rate of pay earned by the program participant in the position he or she formerly held, except where otherwise prohibited.
7. King County may withdraw Reassignment Program job referrals at any time consistent with collective bargaining agreements or for other appropriate reasons.