

111 – AMERICANS WITH DISABILITIES ACT

A. Discrimination Prohibited

1. The Court System prohibits discrimination against any qualified individual on the basis of disability with regard to any terms or conditions of employment because of that individual's disability or perceived disability.
2. Consistent with this policy of nondiscrimination, the Court System will provide reasonable accommodations to qualified individuals who have made the Court System aware of the disability and the need for accommodation.
3. A qualified individual is an individual who, with or without reasonable accommodations, can perform the essential functions of the employment position that the individual holds or desires.

B. Accommodation Request

1. A qualified employee or applicant with a disability who believes a reasonable accommodation is necessary to perform the essential functions of the job, participate in the application and hiring process, or to enjoy equal benefits and privileges of employment must inform the supervisor as soon as the need for accommodation becomes apparent. The supervisor will then contact the Human Resource Director.
2. A qualified applicant requiring accommodation must inform the Human Resource Director of the need for accommodation as early in the applicant process as possible.
3. On receipt of an accommodation request from a qualified employee, the supervisor must meet with the employee to discuss the request, possible accommodations, and determine if additional information is necessary.
 - a. The Court System may ask for additional medical information from an employee requesting reasonable accommodation to assist in responding to the accommodation request.
 - b. In such instances, the Court System may seek authorization from the employee to contact the individual's health care provider(s) directly and may:
 - (1) Ask the employee to provide the requested information from the health care provider; or
 - (2) Suggest a joint discussion involving the employee, the employee's medical provider, and the Court System.

C. Accommodation

1. The Court System will determine the feasibility of the requested accommodation considering such information as:

- a. The nature and cost of the accommodation;
 - b. The Court System's overall financial resources; and
 - c. The effect on expenses and resources and the impact of the requested accommodation on its operations, among others.
2. The Court System is not required to provide the following:
- a. The best possible accommodation;
 - b. Reallocation of essential job functions;
 - c. Personal use items (e.g., eyeglasses, hearing aids, wheelchairs, etc.);
 - d. An accommodation that would be an undue hardship; or
 - e. An accommodation that would pose a direct threat to the safety of the employee or others.

D. Inquiries or Complaints

An employee or applicant who has questions regarding this policy or believes that discrimination on the basis of disability has occurred must notify the Human Resource Director. All such inquiries or complaints will be treated as confidential to the extent possible and as required by law.

Approved by the Supreme Court 4/1/12