

Ohio EPA

## **AMERICANS WITH DISABILITIES ACT (ADA)**

### **I. Purpose**

To set forth policy and procedure in accordance with the Americans with Disabilities Act (ADA) prohibiting discrimination of individuals due to disabilities.

### **II. Applicability**

This policy applies to all persons employed by or under contract employment, as well as applicants for employment with the Ohio Environmental Protection Agency (EPA).

### **III. Definitions**

The Americans with Disabilities Act is a civil rights law that protects *qualified* persons with disabilities from discrimination in employment, transportation, telecommunications, and accessibility of state and local government services. Only applicants or employees who, with or without a reasonable accommodation, can perform the essential functions of a job are qualified.

- Essential job functions: Duties that are fundamental to the performance of a job.
- Disability: A physical or mental impairment that substantially limits one or more major life activity, such as caring for oneself, walking, seeing, hearing, or speaking.
- Temporary conditions, such as broken legs, are not disabilities covered by the ADA, nor are minor impairments, such as vision problems that are correctable with glasses.
- An individual who poses a threat to the health and safety of others is not qualified.

#### **IV. Policy**

It is the policy of the OEPA that an equal employment opportunity exists for all individuals regardless of race, color, religion, gender (including sexual harassment), sexual orientation, gender identity, national origin, ancestry, age, military status, veteran status, or disability.

It is the policy of the OEPA that all programs and services are accessible to and usable by staff and visitors with disabilities.

#### **V. Procedure**

##### **A. Title I (Employment)**

The Chief of EEO or a designee will monitor and coordinate compliance with ADA Title I with regard to the job application process, hiring, training, advancement, compensation, termination, access to workplace facilities, and any other terms, conditions, or privileges of employment.

##### **B. Title II (Public Services)**

The Chief of EEO or a designee will:

1. Be responsible for reviewing and monitoring the accessibility and accommodations for all offices and facilities of the OEPA.
2. Coordinate the development of plans to obtain compliance with ADA Title II for all offices and facilities of the OEPA.

##### **C. Request for Accommodations**

1. Employees who wish to request accommodation may obtain a request form from the Office of EEO or Office of Employee Services.
2. Reasonable accommodation decisions will be based on being medically necessary to perform daily functions, the issue of undue hardship on the OEPA, and the health and safety of others.

## **VI. Complaint Procedure**

Employees or applicants who believe they may have been discriminated against on the basis of their disability may:

Contact the Office of Equal Employment Opportunity to discuss the matter, attempt to resolve the problem informally, and/or file a complaint.