

SUPERVISOR TIPS

PERMANENT RESTRICTIONS/ACCOMMODATIONS

When an employee has permanent work restrictions due to a disability, the District is required by law to enter into an interactive discussion process to determine whether the individual can continue to perform the essential functions of his/her job, with or without reasonable accommodation. It is the employer's sole decision as to whether a specific accommodation is considered "reasonable" for the employer's operation; however, the decision not to accommodate has to be well documented and meet a "reasonable person" standard test.

As the employee's supervisor, you will be involved in the process and will be asked by HR/Risk to provide input regarding job tasks and ability to accommodate.

If the District is able to accommodate the employee, a record is maintained in Human Resources that documents the agreement with the employee regarding specific accommodations. The supervisor is provided with a copy of that record. It is important that you are aware of the permanent restrictions so that you can ensure the agreed upon accommodation is provided, and that the employee is working within their restrictions.

If an employee is moving into another position (even if temporarily), these permanent restrictions must be reviewed and evaluated based on the new position's job task analysis and job description to assure that the District is able to accommodate the employee. HR coordinates this effort if the change is the result of a bid or promotion. However, the Supervisor needs to be aware that the employee's restrictions must be reviewed prior to a time sheet upgrade. HR is not going to be aware of those types of temporary upgrades; ask for HR's help if needed.

It's also important to understand that an accommodation, or the existence of a disability, does not mean that the employee isn't held to the same standards of performance as any other employee within the same classification. An employee needs to perform the essential functions of his/her job, with or without accommodation, and perform that work in a satisfactory manner.

If there are any questions, please contact Margaret Ramirez, Human Resources Supervisor (925) 688-8038 or Trisha Brittain, ARM, Risk Management Officer (925) 688-8126 or (925) 260-4163 (cell).

