

# Section 2: Employment

---

## Policy #3: Americans with Disability Act

Effective Date: July 1, 2011

### I. Purpose

This policy establishes guidelines for compliance with the Americans with Disabilities Act.

### II. Scope

This policy shall apply to all persons holding a paid position as an employee of the Town, except the Town Manager, Town Attorney, a member of any appointed or volunteer board or committee, or any others that may be appointed or hired by the Town Board. For this purpose, and subject to the exceptions set out herein, Town employees shall be defined as those employees in departments and offices for which the Town Board serves as the final budget authority.

### III. Background

None

### IV. Definitions

None

### V. Legislation

The Americans with Disabilities Act of 1990

### VI. Policy

The Americans with Disabilities Act prohibits discrimination in any terms or conditions of employment for qualified individuals with a disability. The Americans with Disabilities Act requires that employment decisions be based on the ability of a person to perform the essential functions of a job and not the person's disability or limitations. Further, it requires management to reasonably accommodate individuals with disabilities, if possible.

### VII. Provisions

#### A. Compliance

To comply with the employment provisions of the Americans with Disabilities Act, the Town will:

- 1) Evaluate whether a person with a disability is qualified to perform the essential functions of his or her position with or without reasonable accommodation; and

- 2) Determine whether a reasonable accommodation can be made for a qualified individual.

**B. Accommodation**

If an employee believes he or she is protected by the provisions of the Americans with Disabilities Act and needs some type of accommodation, the Human Resources Director should be notified. The Town will work with the employee to determine if a reasonable accommodation is necessary or possible.

**VIII. Authorization**

Approved by:

*Erskine Smith*

Town Manager

*July 1, 2011*

Date