



DIVISION	ADOPTION DATE
II College Employees	02/1993
POLICY NAME	REVISIONS
02.01.08 Americans with Disabilities Act and Reasonable Accommodation	Revised: 09/2012, 02/2018, 06/2022

02.01.08 AMERICANS WITH DISABILITIES ACT AND REASONABLE ACCOMMODATION

The Americans with Disabilities Act (ADA/ADAAA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and, when needed, requires employers to provide reasonable accommodations to those individuals who are qualified for a job, so that they may perform the essential job duties of the position.

It is the policy of Joliet Junior College to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC).

In accordance with the Americans with Disabilities Act (ADA), no qualified individual with a disability shall, by reason of such a disability, be excluded from participation in, or be denied the benefits of the services, programs or activities of the college or be subjected to discrimination by the College. Any qualified individual, in regard to job application procedures, hiring, job training, advance or discharge of employees, employee compensation, and other terms, conditions and privileges of employment and/or student services shall not be denied any service, program, or activity of the College based on their disability.

The College will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job, unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to the College.

All employees are required to comply with the College’s safety standards. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision is made about the employee’s immediate employment situation.

The College’s ADA policy does not protect illegal drug use, including marijuana.

The Human Resources department is responsible for implementing this policy and related institutional procedures, including the resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

As used in this ADA policy, the following terms have the indicated meaning:

Direct threat: A significant risk to the health, safety, or well-being of individuals with disabilities or others when the risk cannot be eliminated by reasonable accommodation.

Disability: A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or is regarded as having such an impairment.

Essential job functions: Those activities of a job that are core to performing said job for which the job exists that cannot be modified.

Major bodily functions: Term includes physical or mental impairment including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Major life activities: Term includes caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.

Qualified individual: An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or desires.

Reasonable accommodation: Includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, temporary telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials, policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

Substantially limiting: In accordance with the ADAAA final regulations, the determination of whether an impairment substantially limits a major life activity requires an individualized assessment, and an impairment that is episodic or in remission may also meet the definition of disability if it would substantially limit a major life activity when active. Some examples of these types of impairments may include, but are not limited to, epilepsy, hypertension, asthma, diabetes, major depressive disorder, bipolar disorder and schizophrenia. An impairment, such as cancer that is in remission but that may possibly

return in a substantially limiting form, is also considered a disability under EEOC final ADAAA regulations.

Undue hardship: An action requiring significant difficulty or expense by the employer. In determining whether an accommodation would impose an undue hardship to the College, factors to be considered include the nature and cost of the accommodation, including impact on financial and non-financial resources.

The examples provided in the above terms are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered disabilities, impairments or reasonable accommodations covered by this ADA/ADAAA policy.