



REASONABLE ACCOMODATION POLICY

Purpose

The Northwest Wisconsin Workforce Investment Board (NWWIB) will make a reasonable effort to enable individuals with disabilities to participate as independently as possible in employment and program activities at facilities leased by NWWIB and at area job centers. NWWIB will provide reasonable accommodations, where appropriate, promptly, and efficiently. In compliance with 29 CFR Part 38, "Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act," the Reasonable Accommodation Policy supports NWWIB commitment to meeting individuals with disabilities needs in employment and service delivery activities.

Policy

Following Federal obligations under the Americans with Disabilities Act, Section 503 of the Rehabilitation Act, and Section 188 of the Workforce Innovation and Opportunity Act (WIOA), and other applicable state and local disability-related regulations, NWWIB shall provide reasonable accommodations and modifications to qualified persons with disabilities who are employees, applicants for employment and program participants unless to do so would cause undue hardship or pose a direct threat.

About any aid, benefit, service, training, and employment, NWWIB shall provide reasonable accommodations to qualified individuals with disabilities who are applicants, registrants, eligible applicants/ registrants, participants, employees, or applicants for employment, unless providing the accommodation would cause undue hardship.

Unless determined an "undue hardship," NWWIB shall, at a minimum, provide reasonable accommodation when:

- A qualified applicant with a disability needs an accommodation to have an equal opportunity to compete for a job;
- An eligible employee with a disability needs an accommodation to perform the essential functions of the employee's employment;
- A qualified employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., training, office-sponsored events); and
- A qualified program participant with a disability needs an accommodation to enjoy equal access to its policies, practices, and procedures for registering and providing core, intensive training, and support program services.

Determining undue hardship is a detailed process that incorporates factors relating to NWWIB's financial resources, operations, and facilities/sites. This process is detailed in NWWIB Procedure, B-560-1 Reasonable Accommodation Determination.

Concerning any aid, benefit, service, training, and employment, NWWIB shall also make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination based on a disability unless making the modifications would fundamentally alter the nature of the service, program, or activity.

A determination that an accommodation request would fundamentally alter the nature of NWWIB's services, programs, or activities is a detailed process that is listed in NWWIB Procedure, B-560-1 Reasonable Accommodation Determination.

The term "reasonable accommodation" means a modification or adjustment to the job, the work environment, or the way things usually are done that enables a qualified individual with a disability to enjoy an equal employment opportunity. Essential functions are, by definition, those that the individual who holds the job would have to perform, with or without reasonable accommodation, to be considered qualified for the position.

Not all Accommodation requests can be honored. For example, sometimes an applicant, employee, or program participant may ask for an accommodation that is not reasonable or necessary, that poses an "undue hardship" (i.e., too costly, or disruptive to operation) on the organization or its employees or that might threaten the safety of the individual who has made the request or of others. However, NWWIB will discuss whether other forms of workplace accommodation may be effective even in those cases.

It shall be the responsibility of the applicant, employee, or program participant to inform NWWIB that accommodation is needed. An accommodation request may be made to any of the following:

- NWWIB's Equal Opportunity Officer
- Immediate supervisor or program career specialist/case manager
- NWWIB's Chief Executive Officer (CEO)

An applicant, employee, or program participant may request a reasonable accommodation at any time, even if the individual has not previously disclosed the existence of a disability or the need for an accommodation. A request is any communication in which an individual asks or states that they need NWWIB to provide or change something because of a medical condition.

The reasonable accommodation process begins as soon as possible after the request is made.

The applicant, employee, or program participant is responsible for requesting a reasonable accommodation or providing sufficient notice to NWWIB or partner agency that an accommodation is needed. An initial request for accommodation may be made in any manner (e.g., writing, electronically, in person, or orally).

The individual requesting an accommodation does not have to use any particular words and does not have to mention the ADA or use the phrase "reasonable accommodation" or "disability." However, oral requests must be documented on the given request form to ensure the efficient processing of requests.

The Reasonable Accommodation Policy was developed to ensure individuals with disabilities are provided full access to employment opportunities and NWWIB administered program benefits. In addition, it provides an

overview of NWWIB's intent to address reasonable accommodation requests proactively. This policy is supported by NWWIB Procedure, B-560-1.

Reasonable Accommodation Determination.

NWWIB's Equal Opportunity Officer (EOO), appointed by the Chief Executive Officer (CEO), shall provide technical implementation guidance relating to this policy and monitor service providers to ensure their compliance with this policy and corresponding procedure.

Equal Opportunity Officer

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NWWIB expects all employees, clients, program participants, vendors, associates, and agencies receiving funding from NWWIB to comply with this reasonable accommodation policy and, as appropriate, develop their suitable accommodation policies and procedures.

Non-response to requests or retaliation against a person's request for an accommodation(s) or information on accommodations is prohibited. Non-compliance to this policy or any retaliation will be subject to disciplinary action or sanctions, including employment termination, discharge, or expulsion from NWWIB sponsored activities, and/or non-renewal of contracts.

The Chief Executive Officer (CEO) shall ensure the Reasonable Accommodation Policy complies with government regulations. It provides applicants, employees, and participants a reasonable accommodation to the fullest extent allowed within this policy's guidelines and corresponding procedures. In addition, the CEO shall ensure staff members, including service providers, receive reasonable accommodation training. Under the direction of and in consultation with the CEO, the Equal Opportunity Officer shall be operationally responsible for the documentation, training, and compliance efforts relating to this policy.

Reference: Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act, 29 CFR Part 38 (§38.4 (yy), §38.4 (rr), §38.14, and §38.4(z); NWWIB Procedure, B.560.1 Reasonable Accommodation Determination

Northwest Wisconsin Workforce Investment Board is an equal opportunity employer and service provider. If you have a disability and need assistance with this information, please call us through Wisconsin Relay Service (7-1-1) or at 800-947-3529. To request information in an alternate format, including language assistance or translation of the information, please get in touch with us at (715)-685-1425.

