

**FRIENDS 4 RECOVERY WHOLE HEALTH CENTER**  
**ADA POLICIES AND PROCEDURES**  
Updated May 2020

Friends 4 Recovery Whole Health Center strictly adheres to the ADA policies and procedures regarding persons with disabilities. All such individuals have an equal opportunity to apply for jobs and to work in jobs for which they are qualified. Such individuals have:

- An equal opportunity to be promoted.
- Equal access to benefits and privileges of employment that are offered to other employees; and
- Protection from harassment because of their disability.

Furthermore, Friends 4 Recovery Whole Health Center (hereafter “F4R”) is committed to providing reasonable accommodations as directed by the ADA.

**Disability Accommodation:**

Friends 4 Recovery Whole Health Center reserves the right to modify, revoke, suspend, terminate, or change any and all such policies and procedures as the Company deems appropriate, with or without notice, at any time, provided such changes remain within the purview of the ADA. The content of this Employee Information Guide neither creates substantive rights for employees nor changes the at-will employment status of employees. The content of this Employee Information Guide does not create any contracts or make any promises of any kind to employees about the terms and conditions of their employment. It should not be relied upon as doing so. We are committed to complying fully with the Americans with Disabilities Act (ADA) and other applicable federal, state, and local laws.

We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities. We make our employment decisions based on the merits of the situation in accordance with the criteria, not the disability of the individual. Further, F4R is committed to not discriminating against any qualified employee or applicant because the person is related to or associated with a person with a disability.

- The procedures for requesting an accommodation should be clearly stated in the policy including the requirement that requests be submitted in writing. It is strongly recommended that the policy direct the employee to submit the following information in writing:
  - 1. What is the reason you believe you need an accommodation? Please include a statement regarding the nature of your limitations and restrictions imposed by this disability;
  - 2. the job duties or assignments the employee is having difficulty performing;
  - 3. F4R will keep a written description of the accommodations requested by any/all the employee(s); and

- 4. How will these accommodations be helpful to you to perform your essential job functions. All of this information will be fully discussed during the interactive process;
- The F4R reserves the right to request medical information concerning the employee's disability and need for an accommodation. Any medical information received because of a request for a reasonable accommodation will be kept confidential and maintained in a separate file.

**Reasonable Accommodation:**

Reasonable accommodation is available to any employee with a disability when the disability affects the performance of job functions. F4R will attempt to reasonably accommodate qualified individuals with a temporary or long-term disability so that they can perform the essential functions of the job, unless doing so would create an undue hardship for the operations of the Company. If you are currently disabled or become disabled during your employment and are in need of a reasonable accommodation, you should contact your HR Business Partner to assist you with evaluating reasonable accommodations that may enable you to perform the essential functions of your job.

**POLICY**

It is the Friends 4 Recovery (Hereafter 'F4R') policy to fully 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). Furthermore, it is the organization's policy not to discriminate against qualified individuals with disabilities regarding application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. Beyond its legal obligations, F4R is committed to providing accommodations that will allow its employees with disabilities to contribute at the highest levels.

**PROCESS:**

When an individual with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired. F4R 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 F4R. All employees are required to comply with F4R 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 has been made regarding the employee's immediate employment situation. Individuals who are currently using illegal drugs are excluded from coverage under the company ADA policy. The Executive Director, Chris Newcomb, is responsible for implementing this policy,

including the resolution of reasonable accommodation, safety/direct threat and undue hardship issues.

### **PROCEDURE:**

Requesting Accommodation: Employees or applicants with disabilities may request reasonable accommodations of the employer, regardless of title, salary, or employment status. This request should be made by the employee in writing to their supervisor or to the human resources department. The reasonable accommodation does not have to be requested at the beginning of employment. However, a reasonable accommodation request will not cancel out any prior performance improvement or disciplinary actions. Identifying need upon receiving the reasonable accommodation request, the Executive Director along with the President of the Board of Directors will meet with the employee to conduct an informal, interactive discussion.

The discussion will include the following steps:

1. A review of the employee's position description or job announcement delineating the essential functions from the marginal or auxiliary functions.
2. A determination of how the employee's disability limits their ability to perform the essential functions of their job to identify the employee as a qualified individual with a disability.
3. Identify potential accommodations and assessment of the effectiveness of such accommodations on the employee's job performance.]
4. Identification of the type of accommodation needed. The Job Accommodation Network can be contacted for assistance in making this assessment at 1-800-526-7234 (Voice/TTY) or through their website.
5. The employee's preference of accommodation will be considered. F4R has the right to select among the alternatives available, if they are effective.
6. Selection and implementation of the effective reasonable accommodation by F4R will occur as soon as possible. The Executive Director will continue to communicate with the employee to discuss timelines for obtaining the accommodation and any possible delays.

### **Medical Documentation and Confidentiality:**

If the disability is not obvious and there is no other medical information already on record for the employee, F4R may require the employee to provide documentation from a physician or other medical professional concerning the existence and extent of the disability. The employee's medical information will be maintained in a separate confidential file. Any information regarding the employee's condition will only be made available on a need to know basis and held in the strictest confidence. F4R highly values confidentiality.

### **ADA Determination:**

After meeting and reviewing medical documentation, F4Rs' Executive Director along with the President of the Board will determine whether the employee is a qualified individual with a disability and develop a reasonable accommodation plan for the employee.

The plan will:

1. State whether the employee is a “qualified individual with a disability” as defined by the ADA.
2. Outline the employee’s essential job functions needing accommodation.
3. Recommend types of accommodation.
4. Determine whether any accommodations cause an undue hardship or poses a direct threat.

### **Types of Reasonable Accommodation:**

Accommodation will be determined on a case by case basis. The Executive Director and the President of the Board will collaborate closely with the employee to ensure that reasonable accommodation is provided and effective. The employee’s preference of accommodation will be considered. F4R has the right to select among the alternatives available, if they are effective.

1. Some accommodations cost little or no money. Changes may include support from supervisor, additional time to complete assignments or small changes in worksite setup.
2. Some accommodations are technologically simple and easily achieved in most offices. Examples: accessible door handle, magnifier, additional lighting.
3. Accommodations requiring advanced or sophisticated devices may take more time and expense to achieve. Examples: screen reading software, CCTV, speech synthesizer. Within 90 days after the accommodations have been provided, the Executive Director will assess the effectiveness of the accommodations in enabling the employee to perform the essential functions of the job. Additional accommodations or changes to the existing accommodations may be considered.

### **Complaint Form and Procedures:**

Any individual who believes that they have been subjected to unequal treatment or discrimination prohibited by the ADA may file a written complaint with Chris Newcomb, Executive Director. A formal complaint must be filed within 180 days of the alleged occurrence or when the alleged discrimination became known to the complainant. A complaint form follows this policy. It can also be found on website at <https://www.friends4recoverychesterfield.org> as well as our Facebook page which can be find under the name ‘friends 4 recovery chesterfield’.

### **Terms Used in This Policy:**

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

- 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 being regarded as having such an impairment.
- 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.
- Major bodily functions: Term includes physical or mental impairment such as any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin and endocrine. Also covered are any mental or psychological

disorders, such as intellectual disability (formerly termed “mental retardation”), organic brain syndrome, emotional or mental illness and specific learning disabilities.

- **Substantially limiting:** In accordance with the ADA, 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 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.

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

- **Qualified individual:** An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such 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, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

- **Undue hardship:** An action requiring significant difficulty or expense by the employer. In determining whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include:

- o The nature and cost of the accommodation.

- o The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation, the number of persons employed at such facility, the effect on expenses and resources, or the impact of such accommodation on the operation of the facility.

- o The overall financial resources of the employer; the size, number, type and location of facilities.

- o The type of operations of the company, including the composition, structure and functions of the workforce; administrative or fiscal relationship of the particular facility involved in making the accommodation to the employer.

- **Essential functions of the job:** Term refers to those job activities that are determined by the employer to be essential or core to performing the job; these functions cannot be modified. 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 disabilities, impairments or reasonable accommodations covered by the ADA policy.