Reviewed: 6/3/2025

ADMINISTRATIVE POLICIES/PROCEDURES

Issuance No: A-19
Issuance Date: July 1, 2023
Subject: Reasonable Accommodation Policy and Procedure Guide

I. Introduction

The purpose of this guide and policy is to assist the staff of the Workforce Development Board of North Missouri (WDB) and its service providers in establishing programmatic and physical accessibility practices as well as processing accommodation requests. This policy and procedure guide is to provide a framework for serving individuals with disabilities and handling accommodation requests, not to replace the policies of the service provider's organization.

It is the policy of the WDB to comply with the Americans with Disabilities Act and provide program accessibility and reasonable accommodations to qualified individuals with disabilities to enable them to:

- Be considered for the aid, benefits, services, training, or employment as desired; and/or
- Perform the essential functions of their jobs; or receive aid, benefits, services, or training equal to that provided to qualified individuals without disabilities; and/or
- Enjoy benefits and privileges of the aid, benefits, services, training, or employment equal to those that are enjoyed by other similarly situated individuals without disabilities unless providing such accommodation would impose an undue hardship.

II. Key Terms:

- **Disability:**
  - A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
  - A record of such an impairment; or
  - Being regarded as having such impairment.
  - Refer to §1630.3 for exceptions to this definition.
- **Essential Functions***:*
  - Fundamental job duties of the employment position the individual with a disability holds or desires.
  - The term "essential functions" does not include the marginal functions of the position.

- Refer to §1630.2 for additional information regarding essential functions.

- **Major Life Activities:**
  - Functions such as caring for oneself, performing manual tasks, walking seeing, hearing, speaking, breathing, learning, and working.

- **Reasonable accommodation:**
  - Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position such as the qualified applicant desires; or
  - Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or
  - Modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.
  - Refer to §1630.2 for additional information regarding "reasonable accommodation".

- **Undue hardship:**
  - Significant difficulty or expense incurred by a covered entity, when considered in light of the factors set forth in paragraph (p)(2) of this section (§1630.2).
  - Refer to §1630.2 for additional information regarding "undue hardship".

III. Effective Communication and Other Assistance

Workforce Innovation and Opportunity Act (WIOA) Title I-financially assisted programs and activities must be programmatically accessible. This includes providing reasonable accommodations for individuals with disabilities and communicating with persons with disabilities as effectively as with others. Recipients must provide appropriate auxiliary aids or services, including Assistive Technology devices and services, upon request, where necessary to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of, the program or activity.

Assistive Technologies are mitigating measures to aid people with disabilities that substantially limit their abilities to receive or communicate information about themselves, programs, or services. Assistive Technologies usually take the form of auxiliary aids or services but also may include modifications to the physical environment related to the use of devices.

Each service provider shall be responsible for establishing a procedure that ensures effective communication between the qualified individual with a disability and service provider staff throughout the service provision and accommodation process. Effective

communication may require arranging for sign language interpreters, assistive listening equipment, alternative formats for people with visual impairments, or other approaches. In addition, the service provider shall also be responsible for providing such other reasonable assistance as is requested throughout the accommodation process, as well as through the process of any necessary appeals.

The definition of auxiliary aids or services includes:

Communications accessibility for individuals with hearing impairments

Qualified interpreters, on-site or through video remote interpreting (VRI) services;

Note takers;

Real-time computer-aided transcription services;

Written materials;

Exchange of written notes;

Telephone handset amplifiers;

Assistive listening devices;

Assistive listening systems;

Telephones compatible with hearing aids;

Closed caption decoders;

Open and closed captioning, including real-time captioning;

Voice, text, and video-based telecommunications products and systems, including TTY;

Videophones, captioned telephones, or equally effective telecommunications devices

Videotext displays; or

Accessible electronic and information technology.

Staff will use the “Sign Language Interpreter Desk Aid and Checklist” to further assist individuals with hearing impairments.

Communications for individuals who are blind or have low vision

Qualified readers;

Taped texts;

Audio recordings;

Brailed materials and displays;

Screen reader software;

Magnification software;

Optical readers;

Secondary auditory programs (SAP);

Large print materials; or

Accessible electronic and information technology.

Assistive technologies must be provided in accordance with current OWD Issuance.

IV. What Accommodations Are Reasonable?

The reasonableness of an accommodation will depend upon the circumstances of each case. For additional clarification as to what are reasonable accommodations in the employment context, refer to 29 CFR Part 32. Reasonable accommodations include, but are not limited to:

- Making facilities that are not otherwise required to comply with Federal accessibility standards physically accessible to and usable by people with disabilities (*e.g.*, providing ramps, restroom grab bars, signage, etc.);
- Restructuring of job or training tasks (*e.g*., reallocating non-essential typing, telephone, or other clerical assignments among employees, assignment of non-essential tasks to others, eliminating non-essential tasks, etc.);
- Modifying schedules
- Providing or modifying equipment, devices, or materials (*e.g*., raising a desk on boards for a person who uses a wheelchair, providing flashing lights and volume controls on intercoms and telephones, installing text telephones [TTYs], providing large-print computer display programs, or materials in alternative formats, including Braille, audio tape or enlarged print, etc.);
- Providing qualified readers, interpreters, or other support services for all aspects of programs and activities including the application, interview, and testing processes, and during training and employment-related activities.
- Permitting the individual with a disability to use aids or services that the program is not otherwise required to provide. For example, although a program generally would not be required to provide a motorized scooter to an individual with mobility impairment, reasonable accommodation may include providing an area to stow such a mobility aid, if necessary.

The providers are not required to provide personal items to individuals with disabilities. Such items include hearing aids, prosthetic limbs, wheelchairs, or eyeglasses. However, such items may constitute reasonable accommodation where they are specifically designed to meet needs that are related to the program or activity in which the person is participating, or the job the person is performing. For example, eyeglasses designed to enable the individual to view a computer monitor, but which are not otherwise needed outside of the program or activity in which the person is participating, or the job the person is performing, may constitute a reasonable accommodation.

Where more than one possible reasonable accommodation exists, the provider should give primary consideration to the individual's preference in determining what accommodation it will provide.

Accommodations may be considered "unreasonable" only if they impose an undue hardship for the specific program/job in question. For example, shifting tasks among clerical employees to accommodate an employee with a disability may be reasonable where a sufficient number of employees exist among whom the tasks can be distributed; however, such an accommodation may be unreasonable in a very small office with few employees.

The factors listed in the definition of "undue hardship" in 29 CFR 38.4 must be considered in making this determination. Where the service provider determines that the accommodation requested by the individual would impose an undue hardship, or the modification requested would result in a fundamental alteration, the service provider must propose an alternative accommodation or modification that would ensure that, to the maximum extent possible, the person with a disability receives the aid, benefits, services, training, or employment offered by the program.

V. Process for Customers and General Public

Customers and members of the general public may request accommodations through any staff member of the service provider. Signage notifying customers and the general public of the availability of accommodations shall be posted prominently in the reception area of each service provider. Literature (in the appropriate format) shall be provided to customers by the service provider as part of the registration process.

Individuals desiring accommodations shall meet with a member of the service provider staff to discuss their need for an accommodation. Requests for accommodations can be made verbally or in writing.

Each service provider shall designate a staff member responsible for reviewing accommodation requests.

Within 10 business days of receipt, the designated staff person shall either grant or deny the request in writing. Provisions of this accommodation should commence immediately, once the request is granted.

Where the request is denied based on undue hardship or fundamental alteration, the program must propose an alternative accommodation or modification that would ensure that, to the maximum extent possible, the person with a disability receives the aid, benefits, services, training, or employment offered by the program.

Customers and members of the general public who are not satisfied with the final decision/outcome of a service provider of the WDB may file a complaint by following the non-discrimination complaint and grievance policies set forth by the Board and OWD.

VI. Process for Service Provider Staff

It is the responsibility of each service provider's organization to disseminate to their employees, their respective reasonable accommodation policy. Each service provider's reasonable accommodation policy shall include an internal appeals process.

Employees shall also be made aware that if they are not satisfied with the final decision/outcome of their employer, they may file a complaint by following the non-discrimination complaint and grievance policies set forth by the Board and OWD.

VII. Process for WDB of North Missouri Staff

The staff of the WDB will follow the policy as set forth by the grant recipient, North Central Missouri College (NCMC). WDB staff shall also be made aware that if they are not satisfied with the decision of NCMC, they may file a complaint by following the non-discrimination complaint and grievance policies set forth by the Board and OWD.

The Workforce Development Board of North Missouri is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri TTY users can dial 711. This information can be translated into another language if requested. Please contact the WDB Office for translation assistance.

Esta información se puede traducir a otro idioma si se solicita. Comuníquese con la Oficina de la Junta de Desarrollo de la Fuerza Laboral para obtener ayuda con la traducción.

Ces informations peuvent être traduites dans une autre langue sur demande. Veuillez contacter le bureau du Conseil de développement de la main-d'œuvre pour obtenir de l'aide en matière de traduction.