



# **POLICIES & PROCEDURES**

## **CITY OF FLINT, MICHIGAN**

### **AMERICANS WITH DISABILITIES ACT (A.D.A) MICHIGAN PERSONS WITH DISABILITIES CIVIL RIGHTS ACT**

**PURPOSE:** To define and provide procedures to: (1) ensure compliance with the Federal Americans With Disabilities Act and the Michigan Persons with Disabilities Civil Rights Act , (2) ensure that the employment and promotion system is free from discrimination based on disability, (3) to address reasonable accommodation requests and make appropriate decisions regarding undue hardship in regard to public accommodations and telecommunications.

**STATEMENTS OF POLICY:** The American's with Disabilities Act prohibits discrimination against disabled applicants and employees in job application procedures, hiring, discharge, promotions, compensation, training and other terms and conditions of employment. The Michigan Persons with Disabilities Civil Rights Act guarantees the opportunity to obtain employment, housing, and other real estate and full and equal utilization of public accommodation, public services, and educational facilities without discrimination because of a disability. Both Acts require accommodation of a person with a disability for purposes of employment, public accommodation, public service, education and housing, unless the proposed accommodation would create an undue hardship.

The City of Flint does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities. **Individuals with disabilities are responsible for reporting and supplying documentation verifying their disability. Request for accommodations must be initiated through the Department of Human Resources.**

#### **ADA DEFINITION OF DISABLED:**

The ADA's protection applies primarily, but not exclusively, to "disabled" individuals. An individual is "disabled" if he or she meets at least one of the following test:

1. He or she has a physical or mental impairment that substantially limits one or more of his/her major life activities;
2. He or she has a record of such an impairment
3. He or she is regarded as having such impairment.

**MICHIGAN PERSONS WITH DISABILITIES CIVIL RIGHTS ACT:**

Pursuant to the Michigan Persons with Disabilities Civil Rights Act, “Disability” means one or more of the following:

1. A determinable physical or mental characteristic of an individual, which may result from disease, injury, congenital condition of birth, or functional disorder, if the characteristic:
  - A. Limits one or more of the major life activities of that individual and is related to the individual's ability to perform the duties of a particular job or position or
  - B. Substantially limits one or more of the major life activities of that individual and,
  - C. Is unrelated to the individual and is unrelated to the individual's qualifications for employment or promotion.

Persons with disabilities in the City of Flint are encouraged to visit the Department of Human Resources to identify suitable accommodations and services. Any questions, difficulties, or concerns should be referred to the Department of Human Resources

**POLICY & PROCEDURE DEFINITIONS:**

**Qualified Individual:** An individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position held or sought.

**Reasonable Accommodation:** A change or adjustment to a job or work environment which does not impose an undue hardship or direct threat on an employer, or which permits a qualified applicant or employee with a disability to participate in the job application process, perform essential functions of the job, or enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Reasonable accommodation may include, but is not limited to:

- Making existing facilities readily accessible to and usable by person(s) with disabilities,
- Job restructuring, modifying work schedules, reassignment to a vacant position
- Acquiring or modifying equipment or devices
- Adjusting or modifying examinations, training materials, or policies,
- Providing qualified readers or interpreters.

**Undue Hardship:** Any action requiring significant difficulty or expense and includes accommodations that:

- Are unduly costly
- Are expensive

- Are substantial and disruptive
- Fundamentally alter the nature or operation of the business

**Direct Threat:** A significant risk to the health or safety of the applicant or employee with a disability, or to others, which cannot be eliminated or reduced to an acceptable level by reasonable accommodation.

**Essential Functions of the Job:** Those duties and activities in the position description, which establish the major factors of the job, eliminating non-essential functions.

All employees and applicants for employment are protected under the terms of this policy. Any individual with a disability may request reasonable accommodations or raise an issue of discrimination as described under Title 1 of the Act directed to the Department of Human Resources.

**Major Life Activities:** Walking, seeing, speaking, breathing, learning and working.

**PROCEDURES:**

**An employee or applicant must:**

1. Must notify the Director of Human Resources after knowledge that an accommodation is needed.

The request should include the following information:

- A medical statement from a physician documenting disability. The diagnosis must reflect the present level of functioning of the major life activity affected by the disability.
  - Specifics of accommodation request.
  - Duration of request
2. After a qualified individual request reasonable accommodation, the City of Flint will make every reasonable effort to determine and provide appropriate accommodation.

**AMERICANS WITH DISABILITIES ACT (ADA)  
MICHIGAN PERSONS WITH DISABILITIES CIVIL RIGHTS ACT**

ADOPTED: February 24, 2003

DEPARTMENT: Human Resources

RESOLUTION#: 03EFM0111

APPROVAL: \_\_\_\_\_  
Human Resource Director

LAST REVISED: February 14, 2003

**POSTED**

**CITY OF FLINT POLICY STATEMENT ON  
THE AMERICANS WITH DISABILITIES ACT AND  
THE MICHIGAN PERSONS WITH DISABILITIES CIVIL RIGHTS ACT**

It is the policy of the City Government of Flint to: (1) ensure compliance with the Federal Americans With Disabilities Act and the Michigan Persons with Disabilities Civil Rights Act , (2) ensure that the employment and promotion system is free from discrimination based on disability, (3) to address reasonable accommodation requests and make appropriate decisions regarding undue hardship in regard to public accommodations and telecommunications.

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The City of Flint does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs or activities.

Individuals with disabilities are responsible for reporting and supplying documentation verifying their disability. Request for accommodations must be initiated through the Department of Human Resources.

It is the policy of the City Government of Flint to comply with all state and federal laws which prohibit illegal discrimination, including the Americans With Disabilities Act and the Michigan Persons with Disabilities Act.

For additional details on the City of Flint's policy and written information on requesting an accommodation, contact the Human Resources Department for an Employee Copy of the City of Flint's policy.

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James W. Rutherford, Mayor  
City of Flint

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Dated: