

Information Sheet on Requesting an Accommodation Under the Americans w/ Disabilities Act (ADA)

Please read this sheet before completing your request for accommodation

The ADA is a complex law and much of it has been defined by court cases since it was enacted in 1990. However, the following questions give you a general idea of what the law means for you, as an employee. The most important thing to remember about the ADA is that it is not a “one size fits all” statute. Decisions are made on a case by case basis based on each person’s type and degree of disability as well as the unique workplace situations of the employer. If you have specific questions you would like answered, call 602-506-1010, and press 5, then 2 for assistance.

1. Are you protected by the ADA?

If you have a disability and are qualified to perform a job, the ADA protects you from discrimination on the basis of your disability. The ADA, however, has its own unique definition of disability which may differ significantly from the definition used by social security or an insurance company.

The definition of “disability” under the ADA is a physical or mental impairment that substantially limits one or more major life activities.

- 2. What does it mean to be a qualified individual? Qualified means that you meet the education and experience requirements of the job and can successfully perform all the essential functions of the position with or without accommodation.**
- 3. What is a reasonable accommodation? The ADA defines this term by example only, but basically it is any change in the workplace surroundings or in the way things are done that provides an equal employment opportunity for an individual with a disability. The decision on what accommodations are reasonable is made on a case by case basis and depends on many factors including the requirements of the job, the particular type of disability and the extent to which modifications or auxiliary aids are available without posing an undue hardship on the employer’s business.**
- 4. Does my employer have to accept my suggested accommodation? No, the employer does not have to accept your suggested accommodation. The employer may suggest and decide to give you a different accommodation than what you requested. However, the accommodation must be an effective one. This means that it must enable you to successfully perform the essential functions of your position, for example.**
- 5. What will happen with my request for accommodation? You will be contacted by an Employee Disability Specialist from the Employee Health Initiatives Department. You may be asked to provide more documentation from a medical professional. The Employee Disability Specialist will work with you and your department representative (generally the HR Liaison) to resolve your issue. There will be an interactive discussion where you and the employer can jointly discuss your request and whether it is a reasonable one based on the department’s business needs.**
- 6. Will my request and the discussion with management and/or HR be confidential? Yes, under the ADA, any information provided by you or your medical professional will remain confidential and is released only to those with a “need to know”—this could include the Employee Disability Specialist, and management of your department (including your supervisor). “Need to know” means that the supervisor must know, for example, what your restrictions are so that he/she can provide whatever assistance is reasonable and still meet the business needs of the area.**
- 7. What if I disagree with my department’s decision on my request? The regulations implementing the ADA say that the employer makes the final decision on the accommodation.**

**MARICOPA COUNTY
ADA ACCOMMODATION REQUEST FORM**

A. POLICY STATEMENT ON REASONABLE ACCOMMODATIONS

The Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12101 et seq., prohibits discrimination in employment against qualified individuals with disabilities. Maricopa County is committed to ensuring it does not discriminate against qualified individuals with disabilities. The County will provide reasonable accommodations to qualified individuals with disabilities unless there is an undue hardship to the County. All requests for reasonable accommodations will be kept separate from the employee’s personnel file and will be kept confidential except the information will be provided to those supervisors/managers on a need to know basis. If an employee needs assistance in filling out this request for an accommodation, the employee should contact the Maricopa County Health Initiatives Department, Disability Management Unit (506-1010), then press 5, then 2.

B. TO BE COMPLETED BY EMPLOYEE:

Name of Employee: _____ Present Position: _____
Department: _____ Supervisor’s Name: _____ Phone Number: _____
Work Phone: _____ Home or Cell Phone: _____
Mailing Address: _____ City: _____ State: _____ Zip: _____

1. I am requesting the following reasonable accommodation(s) so that I can perform the essential functions of my present position:

2. I am making this request for an accommodation because I am an individual with a physical or mental impairment which substantially limits one or more major life activities. I have the following physical or mental impairment:

3. I have the following functional limitations as a result of this impairment:

Maricopa County may request medical documentation to verify the type, extent, and duration of my limitations by my Health Care Provider. I agree to provide such verification in the time requested if the Maricopa County Human Resources Department requests verification, in writing, after reviewing this request. I also agree to provide the essential functions of my position to my Health Care Provider.

(Date)

(Signature of Applicant/Employee)

Please return completed form to:
Maricopa County Employee Health Initiatives Department
Disability Management
301 W. Jefferson, Suite 160
Phoenix, AZ 85003

VERIFICATION OF REQUEST FOR
ADA REASONABLE ACCOMMODATION
BY HEALTH CARE PROVIDER

Instructions: The Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq., prohibits discrimination in employment against qualified individuals with disabilities. Maricopa County is committed to ensuring that it does not discriminate against qualified individuals with disabilities. The County will provide reasonable accommodations to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the County.

On _____ (date), _____ (name of Employee)
requested a reasonable accommodation under the ADA. The request for a reasonable accommodation is
attached. Please review the request and answer the questions below.

To be filled out by Employee's Health Care Provider:

1. Have you reviewed the attached Request for a Reasonable Accommodation?

Yes _____ No _____

2. Does your patient have a physical or mental impairment?

Yes _____ No _____

If yes, please describe the specific impairment below, using a DSM-IV description and code if the individual has a mental impairment.

3. A. What are the individual's limitations?

- B. What is the duration of the limitation(s)? Until _____ date or ___ Indefinite or ___ Permanent.

- C. What specific essential functions (refer to essential functions provided by individuals) are affected by these limitations?

_____(Signature of Medical Professional)

_____(Printed Name)

_____(Address)

_____(City) (State) (Zip)

_____(Phone Number)

_____(Date)

Return this information to the patient or to:
Employee Health Initiatives Department
Disability Management Unit
301 W. Jefferson, Suite 160
Phoenix, AZ 85003 Fax: (602)506-8974