

**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Human Resources

Americans with Disabilities Act Policy	Effective date	Revised
Number: 1.05	July 5, 2006	March 28, 2019

The Department of Natural Resources is committed to providing a workplace where all employees can work to their fullest potential. In doing so, the Department provides assistance and support to employees who have disabilities that may affect their ability to perform the essential job functions as defined by the Americans with Disabilities Act. Employees cannot be discriminated or retaliated against for exercising their rights under this policy.

GENERAL PROVISIONS

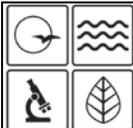
At any time during their tenure with the department, employees may request accommodation for a disability by identifying themselves as having a disability. If the disability is not obvious and there is no other medical information already on record for the employee that would clearly indicate the nature of the disability and suggested accommodations, the Department may request supporting documentation. This may include providing supporting medical verification and suggestions for accommodations. This request is made to the immediate supervisor who will notify Human Resources. The request also may be made directly to Human Resources.

Employees do not have to identify themselves as disabled, unless a request for an accommodation is made.

Medical information is confidential. The Human Resources Program will maintain any medical information related to a request for accommodation in a confidential file. This information is not maintained in an employee's official personnel file.

The Department is not required to provide an accommodation if it would impose an undue hardship on the operation of the business. The concept of undue hardship includes any action that is unduly costly, extensive, substantial, disruptive, or that would fundamentally alter the nature or operation of the business. Whether a particular accommodation will impose an undue hardship must be determined on a case-by-case basis. Some of the factors considered in determining whether an accommodation would impose an undue hardship on an employer include but are not limited to:

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



**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Human Resources

Americans with Disabilities Act Policy	Effective date	Revised
Number: 1.05	July 5, 2006	March 28, 2019

- The type of operations of the employer, 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.
- Whether the accommodation would fundamentally alter the nature or operation of the business.

Request for Reasonable Accommodation

Employee’s responsibility

If an employee is in need of an accommodation to successfully perform work duties, they should discuss this matter with their supervisor and/or Human Resources. The employee should follow this discussion with a request in writing to the supervisor with a copy to Human Resources. This request must include the type of disability, a discussion of the disability and how it affects the employee and their ability to do the job, and any medical information appropriate to the request. The Department may write the employee’s physician asking for further information relative to the request, including an explanation of the disability and suggested accommodations. The employee should cooperate fully with the Department’s efforts to identify the reasonable accommodation best suited to their needs.

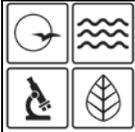
Human Resources, at the Department’s expense, may request a second opinion in regards to a diagnosis of an employee’s disability or recommended accommodations.

Supervisor’s responsibility

When an employee requests an accommodation, the supervisor must be sure the employee has provided the required information (see Employee’s Responsibility above).

Once the supervisor receives the employee’s request for accommodation, they should contact Human Resources to discuss the request. The supervisor, Human Resources, and employee may meet to further discuss the request. Human Resources should prepare documentation relative to this meeting and the request. This documentation should contain information about the accommodations requested, those selected, how they were obtained, and how they assisted the employee in successfully performing the essential functions of the job. If the employee is requesting the accommodation for a specific period of time, that information also should be included.

Supervisors should only inquire about the request and/or nature of the employee’s condition to the extent necessary to comply with the provisions of this policy.



**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Human Resources

Americans with Disabilities Act Policy

Effective date

Revised

Number: 1.05

July 5, 2006

March 28, 2019

Any accommodating device purchased by the Department is the sole property of the Department and is to be used for work-related purposes only.

The Human Resources Program is available to provide assistance in identifying accommodations.

Within 90 days after the accommodations have been provided, Human Resources 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.

Request for Temporary Accommodation

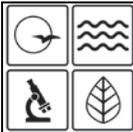
Temporary accommodation may be requested through the policy and procedures set out in the Temporary Modified Duty policy – 5.10.

Auxiliary Aids, Equipment and Services

The Department will furnish appropriate auxiliary aids, equipment and services when needed for training, meetings, interviews, conferences, hearings or public appearances (such as qualified interpreters, readers, Braille or large-print materials or closed-captioned video programs).

Training and technical assistance about the Americans with Disabilities Act and reasonable accommodations are available through Human Resources.

Any individual who believes that they have been subjected to unequal treatment or discrimination prohibited by the ADA may file a complaint to Human Resources.



**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Human Resources

Americans with Disabilities Act Policy

Effective date

Revised

Number: 1.05

July 5, 2006

March 28, 2019

DEFINITIONS

Disability: An individual has a physical or mental impairment that substantially limits a major life activity, has a record of such an impairment, or is regarded as having such an impairment.

Temporary disability: Disabilities of a limited duration that are not covered by the Americans with Disabilities Act (such as a broken leg).

Physical impairment: Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculo-skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.

Mental impairment: Any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

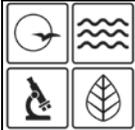
Substantially limits: The ADA allows consideration of the following factors: the nature and severity of the impairment, how long the impairment will last or is expected to last; and the impairment's permanent or long-term impact or expected impact.

Major life activity: Activities considered essential to life such as walking, speaking, breathing, performing manual tasks, seeing, hearing, learning, caring for oneself, working, sitting, standing, lifting, and reading.

Qualified individual: An individual who satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and who, with or without reasonable accommodation, can perform the essential functions of such position. The employer is not required to hire or retain an individual who is not qualified to perform the essential functions of a job.

Reasonable accommodation: A modification or adjustment to a 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.

Temporary accommodation: Accommodations not covered by the Americans with Disabilities Act but which the department tries to provide temporarily to the extent practical.



**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Human Resources

Americans with Disabilities Act Policy	Effective date	Revised
Number: 1.05	July 5, 2006	March 28, 2019

REFERENCES

Title 1, Americans with Disabilities Act

Missouri State Employee’s Retirement System (MOSERS) – Long-Term Disability Plan Handbook and Long-Term Disability Plan Handbook Supplement

Missouri Office of Administration, Central Accident Reporting Office 888-622-7694

Related DNR policies:

Employee Records 1.03

Non-Discrimination/Anti-Harassment Policy and Complaint Procedures 1.02-03

Temporary Modified Duty 5.10