



ADAAA

Excerpt from Guide to Personnel Policies

POLICY: PP-2.1.3.01

Authorized by: Lynne Saddler, MD, MPH

Replaces policy: ADAAA Excerpt from Personnel Policies, dated 1/1/2018

Date issued: 10/1/2011

Contact: Human Resources Administrator

Date reviewed/updated: 7/1/2019

2.1.3 Americans with Disabilities Act and Amendments

NKY Health complies with all applicable provisions of the Americans with Disabilities Act and subsequent amendments. It is NKY Health's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability including pregnancy/child birth related medical conditions or perceived disability as long as the individual can perform the essential functions of the job. Consistent with this policy of nondiscrimination, NKY Health will provide reasonable accommodation(s) to a qualified individual with a disability, as defined by the ADA, who has made NKY Health aware of her/his disability by request, provided that such accommodation does not constitute an undue hardship on NKY Health and its operations.

NKY Health will not participate in contractual or other arrangements or relationships that would subject qualified individuals with disabilities to the discrimination prohibited by the ADA.

2.1.3.1 Requesting an ADA Accommodation

NKY Health encourages an individual with a disability to come forward and request reasonable accommodation. An applicant or employee with a disability who believes she/he needs a reasonable accommodation to perform the essential functions of the job should contact the head of Human Resources.

Upon receipt of a request for accommodation, NKY Health will discuss with the individual the precise limitations resulting from the disability and the potential accommodation(s) that NKY Health might make to help overcome those limitations. The individual must provide written substantiation from her/his medical provider.

NKY Health management will determine the feasibility of the requested accommodation(s) considering various factors including but not limited to costs in relation to NKY Health's overall financial resources, the potential impact on the operation of NKY Health, the impact on the delivery of services to the public, and the employee's ability to perform her/his job duties.

NKY Health management will inform the individual of its decision pertaining to the accommodation request.

2.1.3.2 Appealing Denial of an ADA Accommodation

An employee or applicant may formally appeal denial of a request for accommodation(s) using the appeal procedures outlined in these policies ([see section 7.6.3](#)).

2.1.3.3 Questions or Complaints Regarding ADA

An employee or applicant who has questions about the ADA policy or believes that she/he has been harassed or discriminated against based on a protected disability must notify the head of Human Resources. All ADA-related inquiries or complaints will be treated as confidentially as possible to the extent that proper investigation and/or the law allow.

An investigation will be conducted in accordance with the policy for investigating claims of harassment ([see section 6.5.5](#)).

2.1.3.4 Retaliation and Coercion from Exercising ADA Rights

NKY Health will not coerce, intimidate, threaten, harass or interfere with any individual exercising or enjoying her/his rights under Title I of the ADA or because that individual aided or encouraged any other individual in the exercise of rights granted or protected by Title I of the ADA; nor will such conduct by other employees be tolerated by NKY Health.