

## NORTHCARE NETWORK

<b>POLICY TITLE:</b> Americans with Disabilities Act	<b>CATEGORY:</b> Personnel	
<b>EFFECTIVE DATE:</b> 1/1/15	<b>BOARD APPROVAL DATE:</b> 12/10/14	
<b>REVIEW DATE:</b> 1/27/22	<b>REVISION(S) TO POLICY STATEMENT:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>OTHER REVISION(S):</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>RESPONSIBLE PARTY:</b> HR Coordinator	<b>CEO APPROVAL DATE:</b> 2/1/22 Dr. Timothy Kangas, CEO	

### **APPLIES TO**

NorthCare Network Personnel

### **POLICY**

NorthCare Network will comply with all applicable provisions of the Americans with Disabilities Act ("ADA").

### **PURPOSE**

This policy provides guidelines and procedures for employees and candidates for employment who are requesting an accommodation due to a qualifying disability as defined by the Americans with Disabilities Act "ADA."

### **DEFINITIONS**

1. **Disability** - A person is "disabled" under this policy if that person has a physical or mental impairment that substantially limits him or her in one or more major life activities
2. **Essential Job Functions** - The basic job duties that an employee must be able to perform in his or her assigned job, with or without reasonable accommodation. Factors to consider in determining if a function is essential include: (a) whether the reason the position exists is to perform that function, (b) the number of other employees available to perform the function or among whom the performance of the function can be distributed, (c) the degree of expertise or skill required to perform the function, (d) the time spent performing a function, and (e) the consequences of not requiring that an employee perform a function.
3. **Qualified individual with a Disability** - An employee or candidate with a disability who has the necessary skill, education, experience and other job-related requirements to perform the essential functions of a position with or without a Reasonable Accommodation.
4. **Reasonable Accommodation** - Reasonable Accommodation is any modification or adjustment to a job, job schedule or the work environment that will enable a qualified candidate or employee with a disability to participate in the application process or to perform essential job functions or enjoy other benefits of employment without imposing an undue hardship on the Company or imposing a direct threat of safety to the individual or others in the workplace. Examples of Reasonable Accommodation may include making existing facilities used by employees readily accessible to and

usable by an individual with a disability; restructuring a job; modifying work schedules; acquiring or modifying equipment; providing qualified readers or interpreters; or appropriately modifying examinations, training, or other programs. Reasonable accommodation also may include reassigning a current employee to a vacant position for which the individual is qualified; if the person is unable to do the original job because of a disability even with an accommodation and no other accommodations exist. However, there is no obligation to find or create a position as an accommodation. The Company is not required to lower quality or quantity standards as an accommodation; nor is it obligated to provide personal use items such as glasses or hearing aids. The Company is not required to reallocate essential functions of a job as a reasonable accommodation.

5. **Undue Hardship** - The point at which an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business.

## **REFERENCES**

- Americans with Disability Act

## **HISTORY**

NEW POLICY 1/1/15

REVISION DATE: 6/20/17, 4/6/18, 2/12/19, 10/29/20

REVIEW DATE: 12/3/14, 10/16/15, 8/21/16, 6/20/17, 4/6/18, 2/12/19, 12/1/19, 10/29/20, 1/27/22

CEO APPROVAL DATE: 12/3/14, 11/9/15, 8/21/16, 7/13/17, 5/10/18, 3/14/19, 12/3/19, 11/3/20, 2/1/22

BOARD APPROVAL DATE: 12/10/14

## **PROCEDURES**

NorthCare Network does not discriminate against any qualified employee or applicant regarding terms or conditions of employment because of an individual's disability or perceived disability as long as the employee can perform the essential functions of the job.

Consistent with this practice of nondiscrimination, NorthCare Network will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made NorthCare Network aware of his or her disability, provided that such accommodation does not constitute an undue hardship on NorthCare Network. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the HR Coordinator. NorthCare Network encourages individuals with disabilities to come forward and request reasonable accommodations.

### **Procedure for Requesting an Accommodation:**

Upon receipt of accommodation request, the HR Coordinator will meet with the employee to discuss and identify the precise limitations resulting from the disability and the potential accommodations that NorthCare Network might make to help them overcome those limitations.

NorthCare Network will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, outside funding, NorthCare Network's overall financial resources, and the accommodation's impact on the operation of NorthCare Network, including its impact on the ability of other employees to perform their duties and on NorthCare Network's ability to conduct business.

NorthCare Network will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, the employee will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request to the CEO. If the request on appeal is denied, that decision is final.

The ADA does not require NorthCare Network to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs, etc.)

An employee or job applicant who has questions regarding this policy/procedure or believes that he or she has been discriminated against based on a disability should notify the HR Coordinator. All such inquiries or complaints will be treated as confidential to the extent permissible by law.