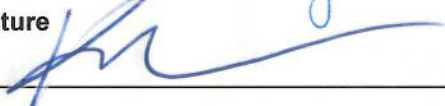


LOUISIANA HOUSING CORPORATION		
Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012
Issuing Department Human Resources		Revision Dates 09/30/2022, 07/28/2026
Contact Denise Ackoury, HR Director		Signature 
Appointing Authority Kevin Delahoussaye, LHC Executive Director		Signature 

I. Objective

The Americans with Disabilities Act of 1990 (ADA), as amended by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), prohibits discrimination against qualified individuals with disabilities and requires employers with fifteen (15) or more employees to provide reasonable accommodations when necessary to enable qualified applicants and employees to perform the essential functions of a position.

Title I: Prohibits discrimination against qualified individuals with disabilities in all employment practices, including recruitment, hiring, advancement, compensation, benefits, training, and other terms, conditions, and privileges of employment. Upon request, the Louisiana Housing Corporation (LHC) shall engage in an interactive process to determine whether a reasonable accommodation can be provided. LHC may approve a reasonable accommodation unless the individual is not qualified, the accommodation would create an undue hardship on agency operations, or the accommodation would pose a direct threat to the health or safety of the individual or others.

Title II: Ensures that qualified individuals with disabilities have equal access to the full range of LHC programs, services, activities, and facilities. Upon request, LHC may provide a reasonable accommodation unless the individual is not qualified, the accommodation would fundamentally alter the nature of the program, service, or activity, or the accommodation would pose a direct threat to the health or safety of the individual or others.

II. Purpose

LOUISIANA HOUSING CORPORATION		
Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012

The purpose of this policy is to outline LHC standards and procedures for purposes of ADA compliance.

III. Applicability

This policy applies to all LHC employees, applicants for employment, and members of the general public who receive services from LHC.

IV. Definitions

A. Disability: Under the ADA, an individual with a disability is a person who:

1. Has a physical or mental impairment that substantially limits one or more major life activities;
2. Has a record of such impairment; or
3. Is regarded as having such an impairment as described in item #1 above.

B. Impairment: Any physiological, mental, or psychological disorder or condition, including those that are episodic or in remission, that substantially limits one or more major life activities when active.

C. Substantially Limits: An impairment that substantially restricts an individual's ability to perform one or more major life activities as compared to most people in the general population, regardless of mitigating measures such as medications, assistive devices, or auxiliary aids (except ordinary eyeglasses or contact lenses).

D. Major Life Activities:

1. Include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working.
2. Include the operation of major bodily functions, such as immune, digestive, neurological, respiratory, circulatory, endocrine, musculoskeletal, reproductive, and other bodily functions.

E. Essential Functions: The fundamental job duties of a position. Factors considered include the written job description, the reason the position exists,

LOUISIANA HOUSING CORPORATION		
Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012

the number of employees available to perform the function, and the expertise required.

F. Qualified Individual:

1. Under Title I, an individual with a disability who meets the skill, experience, and education requirements for a position and can perform the essential functions of the position with or without reasonable accommodation.

2. Under Title II, an individual with a disability who meets the essential eligibility requirements to participate in LHC programs, services, or activities, with or without reasonable accommodation(s).

G. Reasonable Accommodation:

1. Under Title I, a modification or adjustment that enables a qualified individual with a disability to:

- a) Participate in the application, testing, or interview process;
- b) Perform the essential functions of a job; or
- c) Enjoy equal employment benefits and privileges.

2. Under Title II, a modification that enables effective communication and equal access to LHC's programs, services, activities, and facilities.

H. Undue Hardship: An accommodation that would be significantly difficult or costly, extensive, substantial or disruptive, considering factors such as the size of the agency, the resources available and the nature of the agency's business operational needs.

I. Direct Threat: A significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced through reasonable accommodation.

J. ADA Coordinator: The ADA Coordinator is the LHC representative responsible for facilitating the interactive evaluation process for accommodation requests.

Name: **Deniece Holliday**

Section: **Department of Human Resources**

Address: **2415 Quail Drive, Baton Rouge, LA 70808**

Phone: **(225) 358-5309**

LOUISIANA HOUSING CORPORATION		
Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012

Email: dholliday2@lhc.la.gov

V. Policy

It is the policy of the Louisiana Housing Corporation (LHC) to comply fully with provisions of Title I and Title II of the Americans with Disabilities Act (ADA), the Americans with Disabilities Act Amendments Act (ADAAA), and all applicable federal and state laws protecting the rights of qualified individuals with disabilities.

LHC is committed to providing equal employment opportunities to qualified applicants and employees with disabilities and ensuring equal access to its programs, services, activities, communications, and facilities for qualified individuals with disabilities.

Pre-employment medical examinations shall not be required except as permitted by law. Any medical information obtained during the employment process or through a request for accommodation shall be maintained separately from personnel records and treated as confidential in accordance with applicable law.

Qualified applicants and employees with disabilities may request reasonable accommodation. LHC will engage in an interactive process to evaluate accommodation requests and will provide reasonable accommodations when appropriate, unless doing so would create an undue hardship, fundamentally alter a program, service, or activity, or pose a direct threat to the health or safety of the individual or others.

Employment decisions shall be based on legitimate business and job-related considerations and shall not be influenced by an individual's disability, history of disability, perceived disability, or association with a person with a disability. Qualified employees with disabilities shall be afforded equal access to compensation, benefits, leave, training opportunities, professional development, promotional opportunities, and all other terms and conditions of employment.

LOUISIANA HOUSING CORPORATION		
Policy Number	Policy Name	Original Effective Date
2	Americans with Disabilities Act (ADA)	July 10, 2012

LHC shall ensure that its facilities, programs, services, and activities are administered in a manner that provides qualified individuals with disabilities an equal opportunity to participate and benefit.

LHC prohibits discrimination, harassment, intimidation, coercion, interference, or retaliation against any individual who requests an accommodation, files a complaint, participates in an investigation, or otherwise exercises rights protected under the ADA.

LHC will comply with any federal, state, or local law that provides greater protection to individuals with disabilities than that afforded under the ADA. This policy is not intended to be exhaustive and shall be interpreted in a manner consistent with the ADA, ADAAA, and all applicable federal and state laws.

VI. Procedures for Requesting a Reasonable Accommodation

It is the responsibility of a qualified individual with a disability to request a reasonable accommodation when one is needed. To request an accommodation, an individual:

- May initiate a request verbally or in writing. Individuals are encouraged to complete the applicable Request for Accommodation Form; however, a specific form is not required. Assistance shall be provided to any individual who requires help completing a request.
- Must submit the request to the appropriate LHC representative identified in this policy.
- Must participate in the interactive process in a timely and cooperative manner to assist in evaluating the request and identifying an effective accommodation.

When the disability or need for accommodation is not readily apparent, LHC may request reasonable medical documentation necessary to evaluate the request. Any medical information obtained during the accommodation process shall be maintained separately from personnel records and treated as confidential.

A. Employment (Title I)

LOUISIANA HOUSING CORPORATION		
Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012

1. Application/Testing Process

Applicants requiring accommodation during the application or testing process should submit their request to the appropriate entity identified in the vacancy announcement. Applicants for unclassified positions should contact the Department of Human Resources.

- For Classified Jobs: Contact State Civil Service, Test and Recruiting Office at (225) 925-1911. For more information regarding accommodations, applicants may go to: <https://jobs.civilservice.louisiana.gov/TestInformation?Accommodations.aspx>.
- For Unclassified Jobs: Contact LHC's Department of Human Resources.

2. Interview Process

Applicants selected for an interview should notify the hiring manager if an accommodation is needed to participate in the interview process. The hiring manager shall coordinate with the ADA Coordinator to evaluate and address the request.

3. Performance of Essential Functions

A qualified individual with a disability may request an accommodation related to the performance of essential job functions.

- a) Prior to or at the time of hire, requests should be submitted to the hiring manager or interviewer.
- b) Current employees should submit requests to Human Resources.

Requests should identify the job duties affected and the accommodation sought. Accommodations may include job restructuring, modified work schedules, leave, reassignment, assistive technology, equipment, or other effective accommodations.

4. Benefits and Privileges of Employment

LOUISIANA HOUSING CORPORATION		
Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012

Employees may request accommodations necessary to access employment benefits and privileges. Accommodations may include modifications to workspaces, training areas, restrooms, break rooms, lunchrooms, meeting spaces, or other employment-related facilities.

NOTE: Guidelines that govern facility standards are based on the date of the original construction. Additional guidelines may apply when renovations or alterations are undertaken. LHC shall coordinate construction and renovation in conjunction with appropriate state departments, as well as building code, regulatory, and leasing entities, as applicable.

5. Pregnancy, Childbirth, or Related Medical Condition

In accordance with La. R.S. 23:341-342, an applicant or employee with limitations arising from pregnancy, childbirth, or related medical conditions may request an accommodation from Human Resources. Such accommodations may include, but are not limited to: providing more frequent, compensated break periods; providing a private place, other than a bathroom stall, for purposes of expressing breast milk; modifying food or drink policy; and other accommodations that permit the individual to reduce or eliminate the need for leave.

NOTE: Accommodation requests and information collected during the associated interactive process shall be limited to only those individuals with a business need-to-know.

B. Effective Communication (Title II)

Qualified individuals with speech, hearing, vision, or other communication-related disabilities may request accommodations through the ADA Coordinator. LHC will provide appropriate auxiliary aids, services, or other reasonable accommodations necessary to ensure effective communication and equal participation in programs, services, and activities.

Whenever possible, requests should be submitted at least forty-eight (48) hours before the scheduled event.

C. Modifications to Policies, Procedures, or Facilities (Title II)

LOUISIANA HOUSING CORPORATION		
Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012

A qualified individual with a disability seeking modifications to policies, procedures, or facilities for equal opportunity to enjoy LHC's programs, services, and activities should contact the ADA Coordinator. Such requests should include the specific program, service, or facility that the individual is unable to access and the accommodation(s) requested.

VII. Interactive Process – Evaluation of Accommodation Requests

Upon receipt, the individual to whom an accommodation request was submitted must immediately notify the ADA Coordinator and Human Resources.

The ADA Coordinator shall:

- Document the request on the Request for Accommodation Form if the request was not submitted in writing;
- Notify the Requestor whether additional information or medical documentation is required to evaluate the request;
- Engage in an interactive process with the Requestor, Human Resources, management, and the Requestor's health care provider, when appropriate, to identify the limitations resulting from the disability and potential reasonable accommodations;
- Consult with external resources, including Louisiana Rehabilitation Services and/or the Job Accommodation Network (JAN), when appropriate, to identify effective accommodation options and available resources;
- Evaluate the effectiveness, feasibility, and operational impact of proposed accommodations;
- Discuss alternative accommodations with the Requestor when a requested accommodation is not reasonable, would impose an undue hardship, or when another equally effective accommodation is available;
- Make a recommendation regarding the accommodation request and obtain approval from the Executive Director or designee, as appropriate; and
- Notify the Requestor in writing of the final determination, including any approved accommodation, alternative accommodation, denial, and information regarding the internal complaint procedure.

LOUISIANA HOUSING CORPORATION		
Policy Number	Policy Name	Original Effective Date
2	Americans with Disabilities Act (ADA)	July 10, 2012

Individuals requesting accommodations are encouraged to suggest accommodations based on their personal, educational, or work experiences. LHC will consider all accommodation requests and proposed accommodations. However, LHC reserves the right to select an effective accommodation that best meets the needs of both the individual and the agency.

All accommodation requests shall be evaluated on an individualized, case-by-case basis. No accommodation request shall be denied without first engaging in the interactive process and considering all relevant information available at the time of the request.

VIII. Roles & Responsibilities

Managers/Supervisors who receive a request for accommodation from an applicant or employee shall promptly notify the ADA Coordinator and Human Resources. Managers and supervisors shall participate in the interactive process as needed, provide relevant information regarding job duties and operational needs, assist in evaluating accommodation options, and implement approved accommodations in a timely manner.

Managers and supervisors shall maintain the confidentiality of accommodation requests and any related medical information.

Human Resources

Human Resources shall:

- Provide accurate and timely information regarding this policy and related procedures;
- Assist in the interpretation and administration of applicable ADA requirements and related laws;
- Provide guidance to employees, applicants, managers, and supervisors regarding accommodation requests and the interactive process;
- Coordinate accommodation requests associated with recruitment, hiring, interviews, testing, and other employment-related activities;
- Maintain records related to accommodation requests, interactive process discussions, accommodations considered, decisions made, and actions taken; and

LOUISIANA HOUSING CORPORATION		
Policy Number	Policy Name	Original Effective Date
2	Americans with Disabilities Act (ADA)	July 10, 2012

- Maintain records necessary to satisfy applicable reporting and recordkeeping requirements, including those required pursuant to La. R.S. 46:2596.
- Prepares the ADA accommodation packet for submission to the Chief Administrative Office (CAO) and Executive Director for review and final determination, including:
 - The employee's ADA request;
 - Supporting medical documentation;
 - Notes from the interactive meetings;
 - Human Resources analysis and accommodation recommendations, if applicable.

ADA Coordinator

The ADA Coordinator shall:

- Serve as the primary point of contact for ADA accommodation requests;
- Coordinate and facilitate the interactive process;
- Review accommodation requests and supporting documentation;
- Consult with management, Human Resources, and external resources, as appropriate, regarding accommodation options;
- Maintain documentation related to accommodation requests and ADA compliance; and
- Ensure consistent administration of this policy.

Chief Administrative Officer (CAO) and Executive Director

The CAO and Executive Director shall:

- Review the ADA accommodation packet prepared by Human Resources and determine whether the requested accommodation will be approved, modified, or denied based on the requirements of the Americans with Disabilities Act (ADA), operational needs, and whether the accommodation would create an undue hardship.

Employees and Applicants are responsible for requesting accommodations when needed, participating in the interactive process in good faith, and providing information reasonably necessary to evaluate accommodation requests.

LOUISIANA HOUSING CORPORATION		
Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012

LHC Employees shall promptly report actual or suspected violations of this policy, including discrimination, retaliation, or interference with ADA rights, through the appropriate reporting channels.

IX. Internal Complaint Procedure

Individuals with disabilities may utilize the following procedures to address concerns regarding the disposition of an accommodation request, accessibility of LHC programs, services, activities, or facilities, or any action alleged to violate the Americans with Disabilities Act (ADA).

A. Employees: LHC Employees who believe they have been denied a reasonable accommodation, subjected to discrimination on the basis of disability, or otherwise adversely affected by a violation of this policy may file a grievance in accordance with LHC Policy No. 29, Grievances. ADA-related grievances may be initiated directly at Step 3 of the grievance process.

B. Applicants or General Public: Complaints regarding the application/testing/interview/ process or accessibility of a program, service, or activity of the LHC may be addressed to the Human Resources Director, by writing to: 2415 Quail Drive, Baton Rouge, LA 70808; or calling (225) 763-8700.

X. Protections

No individual shall be discriminated or retaliated against, coerced, intimidated, threatened, harassed, or interfered with for:

- Making an accommodation request;
- Opposing any act or practice made unlawful by the ADA;
- Filing a charge, testifying, assisting, or otherwise participating in an investigation, proceeding, or hearing to enforce any provision of the ADA;
- Aiding or encouraging another individual in the exercise of any right granted or protected by the ADA; or
- Having a family, business, social, or other relationship or association with an individual with a known disability.

LOUISIANA HOUSING CORPORATION		
Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012

XI. Questions

Questions relating to this policy and/or the employment provisions of the ADA (Title I) should be referred to the Human Resources Department.

LOUISIANA HOUSING CORPORATION

Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012
---------------------------	---	---

Reasonable Accommodation Request Form

Americans with Disabilities Act(ADA)

The purpose of this form is to assist LHC in determining whether, or to what extent, a reasonable accommodation is required for an employee with a disability to perform one or more essential functions of his/ her job safely and effectively. This form must be maintained separately from the employee's official personnel file and be treated with strict confidentiality.

INSTRUCTIONS

EMPLOYEE: Answer all questions to the best of your knowledge. Please be sure to sign and date the form. Give completed form and any other documentation relating to your request (i.e. physician notes, additional sheets, etc.) to the Human Resources Division.

SECTION I: EMPLOYEE INFORMATION

Name

Date of Request

Department

Personnel #

Job Title

Work #

Supervisor's Name

Work #

Reg. Work Schedule:

SECTION II: ACCOMMODATION REQUESTED

What specific accommodation(s) are you requesting?

Is your accommodation(s) request time sensitive?

☐ YES ☐ NO

If you are unable to explain what specific accommodation(s) you are requesting, please list any suggestions regarding what type of accommodation may be necessary.

What, if any, job function(s) are you having difficulty performing?

What limitations are interfering with your ability to perform your job? (It is not necessary to indicate a medical diagnosis or condition.)

Have you received any accommodations from previous employers for this same limitation? If yes, what were they and how effective were they?

☐ YES ☐ NO

I authorize the release of necessary confidential medical and health information regarding my medical and health condition to LHC Human Resources. I also attest to the fact that a copy of the job description (SF-3) has been given to me for review and reference.

Employee Signature

Date



LOUISIANA HOUSING CORPORATION

Policy Number 2	Policy Name Americans with Disabilities Act (ADA)	Original Effective Date July 10, 2012
---------------------------	---	---

Accommodation Medical
Certification

Americans with Disabilities Act (ADA)

SECTION 1: For Completion by Human Resources

INSTRUCTIONS:

Please complete Section 1 before giving this form to your employee. The employee's physical demands and job duties must be attached to this certification for the medical provider to review.

Employee Name

Date of Request

Job Title

Check box if attached:

Regular Work Schedule

- ☐ Job Description
☐ Physical Demands

SECTION 2: For Completion by the Health Care Provider

INSTRUCTIONS:

A request for a reasonable accommodation has been made by the above employee. We are requesting that you provide feedback to the following questions based on your medical expertise. Please answer each question fully and completely. Limit your responses to the condition for which the employee is seeking accommodation and you are specifically treating. Please be sure to sign and date the last page of this form.

The Genetic Information Nondiscrimination Act (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of an individual, except as specifically allowed by the law. To comply with this law, we are asking that you do not provide any genetic information when responding to this request for medical information. "Genetic information" as defined by GINA includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Provider's Name:

Provider's Business Address:

Type of Practice/Medical Specialty:

Telephone Number:

Please review the attached physical demands and job duties to answer the following:

- Is the employee able to perform the essential job functions of this position with or without a reasonable accommodation?
If yes, please continue to Question 2.
If no, how long will the employee be unable to perform these job duties?

Num. of Weeks:	Num. of Months:	Permanent:
		☐
- Does the employee have a physical or mental impairment?
If no, please sign and date this form and return to the employee.
If yes, what is the impairment?

☐ YES	☐ NO
------------------------------	-----------------------------
- What limitation(s) is interfering with the patient/employee's ability to perform his/her job functions?



LOUISIANA HOUSING CORPORATION

Policy Number	Policy Name	Original Effective Date
2	Americans with Disabilities Act (ADA)	July 10, 2012

Accommodation Medical Certification

Americans with Disabilities Act (ADA)

4. What adjustments to the work environment or positions responsibilities would enable the employee to perform the essential function of his/her position?
5. What, if any, adjustments need to be made to the employee's regular work schedule (see Section I) to enable the employee to perform the essential job functions of his/her position?
6. How would your suggestions improve the employee's ability to perform the essential job functions?
7. How long will the employee need the reasonable accommodation? If unable to provide a date, when will he or she be medically reevaluated?

Additional Information: Identify question number with your additional answer, if applicable.

Health Care Provider's Signature

Date

