POLICY AND PROCEDURE

DIVISION:	ADMINISTRATION	NUMBER: 04-001	
SUBJECT:	**AMERICANS WITH DISABILITIES ACT (ADA)**		
SECTION:	HUMAN RESOURCES	PAGE: 1 OF: 3	
REVIEWED BY:	HR ADMINISTRATORS P&P COMMITTEE, AND MLKOC ADMINISTRATION	EFFECTIVE DATE:	11/01/07
		REVIEWED DATE:	Start Here
TO BE PERFORMED BY: ALL SERVICE AREA MANAGERS		REVISED DATE:	10/03/14

PURPOSE

The purpose of this policy is to ensure departmental compliance with the Americans with Disabilities Act.

POLICY

The Americans with Disabilities Act is to ensure civil rights protection to individuals with disabilities. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, and state and local government services, and telecommunications.

The Department of Health Services (DHS) does not discriminate on the basis of disability in employment or in admission and access to services, programs, or activities. This policy applies equally to DHS workforce members and members of the public who access services through our clinics, hospitals and administrative offices.

PROCEDURE

Workforce members and the public may file a complaint with MLK OPC on-site Human Resources (HR). Workforce members may request reasonable accommodation with their immediate supervisor or with MLK OPC on-site HR. Workforce members may also contact DHS Office of Human Resources, Risk Management Division for additional consultation. Additionally, workforce members may contact the following organizations with complaints and questions:

LOS ANGELES COUNTY EQUITY OVERSIGHT PANEL

Kenneth Hahn Hall of Administration

500 West Temple Street; Room #B-26

Los Angeles. California 90012

(Hot Line: 1-855-999-CEOP (2367)

STATE OF CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

Employment/Public Accommodations:

- 1-800-884-1684 (Within California)
- 1-916-227-0551 (Outside California)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Roybal Federal Building

255 East Temple Street, 4lh Floor

Los Angeles, CA 90012

(213) 894-1000

(213) 894-1121 (TTY)

GUIDELINES

Title I of ADA - Employment

The ADA protects qualified persons with disabilities from discrimination in hiring and promotion, pay, job training, benefits, referral, and other aspects of employment. A "qualified" individual with a disability is an individual who meets the skill, experience, education and other job-related requirements of a position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of the job.

The DHS/MLK OPC will provide reasonable accommodations that do not impose undue hardship. Based upon request, reasonable accommodations will be provided for qualified individuals to enable them to perform the essential functions of the job. These accommodations might include removing architectural barriers, adjusting a work schedule, and making changes to equipment.

Title II of ADA - Access to Public Services/Programs

Qualified individuals with disabilities may not be denied access to or use of hospital or clinic services, programs or activities. A "qualified" individual is one who meets the eligibility criteria for the services being offered.

To ensure treatment, a program access standard must be met; each service must be accessible to and usable by people with disabilities when viewed in its entirety. Effective communication will be ensured in the form of auxiliary aids or service, including sign language interpreters, alternate format materials, or assistive listening devices, to the extent possible.

All access services will be provided at no cost to the user, as long as they do not create undue hardship on County resources.

Medical Examinations and Inquiries

Managers/Supervisors may not ask job applicants about the existence, nature or severity of a disability. Applicants may be asked about their ability to perform specific job functions. A job offer may be conditioned on the results of a medical examination, but only if the examination is required for all entering workforce members in similar jobs. Medical examinations of workforce members must be job related and consistent with the department service area's business needs and can only be performed after all other hiring conditions have been met (1-9 verification and Live Scan background check) and an offer for employment.

DEFINITIONS

DISABILITY

To be covered by the Americans with Disabilities Act (ADA) provisions an individual is considered to have a "disability" if that individual meets at least one of the following criteria:

1. Have a physical or mental impairment which substantially limits one or more major life activities (e.g., caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working);

2. Have a history or record of such an impairment; or

3. Be perceived by others as having such impairment.

WORKFORCE OR WORKFORCE MEMBER

Workforce member is defined as employees, volunteers, trainees, affiliates, students, and any other persons who perform work under the control of DHS, whether or not they are paid by the County.

CROSS REFERENCES

Americans with Disabilities Act-Informal Complaint Procedure

Voluntary Request for Reasonable Accommodations (ADA) Board of Supervisors Policies:

> 3.060 Non-Discrimination on the Basis of Disability

> 3.070 County-Sponsored Events to be Disabled Accessible

> 9.010 Equal Employment Opportunity Non-Discrimination Policy Statement and Poster

> 9.102 Discrimination Prevention Training for Managers and Supervisors

AUTHORITY

Americans with Disabilities Act (ADA)
California Civil Code Section 51 (Unruh Civil Rights Act)
California Civil Code Sections 54-55.2
Title 24 California Building & Standards Code (Physical Access Regs)
California Government Code Sections 11135-11138
California Government Code Sections 12900-12951, 12927-12928, 12955-12956.1, 12960-12976
(The Fair Employment & Housing Act)
Los Angeles County Code

NOTED AND APPROVED:

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Cynthia M. Oliver, Chief Executive Officer   Date

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Ellen Rothman, M.D., Chief Medical Director   Date

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_____
Lessie Barber, Nursing Director   Date

Signature(s) on File.