EMPLOYMENT DISABILITIES

It is the District's policy to comply proactively with the applicable employment provisions of disability laws, including without limitation the Americans with Disabilities Act (ADA), and Nevada Law. The District does not tolerate discrimination against any qualified individual with a disability in regard to any terms, conditions, or privileges of employment and prohibits any type of harassment or discrimination based on the physical or mental impairment, history of impairment, or perceived impairment of an individual holding or seeking employment with the District.

The District is committed to provide *reasonable* accommodation wherever the need for such is known to the District or when the applicant or employee indicates a need for *reasonable* accommodation, provided that the individual is otherwise qualified to perform the essential functions of the assigned job and the employee's performance of the assigned job duties does not pose an obvious threat to the safety of oneself or others.

References: NRS 613.310-435, 281.370, and 233.010

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EMPLOYMENT DISABILITIES - ADMINISTRATIVE REGULATIONS

1. Determination of Disability

In determining whether an employee or an applicant has a disability under the law, the employee/applicant must have a physical or mental impairment that substantially limits one or more life activities, have a record of such an impairment, or being regarded as having such an impairment.

2. Disability-Related Inquiries

The District shall adhere to the provisions of applicable laws ~~regarding an employer's limitations~~ on making disability-related inquiries or requiring medical examinations for employees and applicants, regardless of disability status.

~~The District's restrictions regarding disability-related inquiries and medical examinations apply to all employees/applicants, whether or not they have disabilities.~~

The District may require the employee to provide a fitness-for-duty certification from a~~n appropriate~~ qualified health care provider whenever the District has reason to believe the employee may be unable to perform the essential functions of the job, poses a direct threat to oneself or to others, and is consistent with the business necessity of the District.

3. ~~Confidentiality of Medical Records~~

~~The District shall treat any medical information or genetic information obtained from a disability-related inquiry or medical exam, as well as any medical information voluntarily disclosed by an employee, as a confidential medical record. Confidential medical records also include medical information from voluntary health or wellness programs and the subsequent injury fund questionnaire.~~

~~4.~~ Accommodation

~~a. Accommodation for Applicants~~

Whenever ~~an applicant requests accommodation in applying for, testing, or interviewing for a position with the District,~~ a supervisor/manager becomes aware that an employee or applicant has a need for an accommodation due to a disability, the supervisor/manager should promptly notify the District's ADA Coordinator (Safety and Benefits Risk Manager)~~ shall determine whether the~~

~~request for accommodation for a covered disability is reasonable or if another type of accommodation can be provided. In making that determination of reasonableness, the ADA Coordinator may consider whether granting such requests might impose an undue hardship on the District~~ The District is committed to providing reasonable accommodation, as listed in the *Accommodation Process* section.

~~b. Accommodation for Employees~~

~~The District shall provide a *reasonable* accommodation where the need for such is known by the District, and the applicant or employee requests such reasonable accommodation, provided that the individual is otherwise qualified to perform the essential functions of the assigned job and the employee's performance of the assigned job duties does not pose a threat to the safety of oneself or others. Whenever an administrator or manager/supervisor becomes aware that an employee has requested or may require some type of accommodation, the administrator or manager/supervisor should promptly notify the ADA Coordinator who shall arrange to meet with the administrator or manager/supervisor and the employee to discuss the accommodation request, the need for any reasonable documentation to support the request, the associated functional limitations, and the impact of the proposed accommodation on the District. Review of an employee's particular situation by a health care provider may assist the District in determining appropriate accommodation.~~

4. Accommodation Process

The District is committed to providing reasonable accommodations to qualified applicants and employees with disabilities in accordance with applicable law, as outlined in the following process procedures:

- ***Accommodation for Applicants:*** Whenever an applicant requests accommodation in applying for, testing, or interviewing for a position with the District, the District's ADA Coordinator shall determine whether the request for accommodation for a covered disability is reasonable or if another type of accommodation can be provided. This evaluation will consider whether the request might impose an undue hardship on the District.
- ***Accommodation for Employees:*** When an employee requests or the District becomes aware of the need for an accommodation, and the employee is otherwise qualified to perform the essential job functions without posing a threat to self or others, the supervisor/manager shall promptly notify the ADA Coordinator. The ADA Coordinator shall arrange to meet with the supervisor and the employee to discuss the accommodation request, the need for any reasonable documentation to support the request, the associated

functional limitations, and the impact of the proposed accommodation on the District. Review of an employee's particular situation by a health care provider may assist the organization in determining appropriate accommodation.

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