



AMERICANS WITH DISABILITIES ACT

No one will be denied any employment opportunity including, but not limited to, hiring promotion or transfer or be discriminated against with respect to any term or condition of employment on the basis of disability. Whenever possible, we will make a reasonable accommodation to a known disability in order to allow an applicant to fairly apply for employment and to enable a disabled employee to perform the tasks essential to the job he or she holds or seeks, except where such an accommodation would create an undue hardship. The Agency cannot provide you with a reasonable accommodation if you do not inform us of your disability. Whenever possible, we will also make a reasonable accommodation to a known disability that would make it difficult for an employee to receive customary training or evaluations.

In fulfilling our commitment to comply with the ADA, we may have the need to call on our employees to help provide a reasonable accommodation to a disabled co-worker. You may be asked to assume additional duties if we modify a disabled employee's work schedule or reassign a non-essential task from their job to yours.

REASONABLE ACCOMODATIONS POLICY

The Reasonable Accommodations 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" as amended, "ADA AA" and the Rehabilitation Act of 1973, as amended "Rehabilitation Act". This policy applies to all employees and all candidates for employment.

Definitions: Direct Threat to Safety - A significant risk to the health or safety of the individual or others that cannot be eliminated by reasonable accommodation.

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.

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.

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.

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 Sunshine Village 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. However, there is no obligation to find or create a position as an accommodation. Sunshine Village 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. Sunshine Village is not required to reallocate essential functions of a job as a reasonable accommodation.

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.

Process: Reasonable Accommodation: Sunshine Village will make reasonable accommodations whenever necessary for all qualified employees or candidates for employment with disabilities (as defined by applicable law), provided that (1) the individual is otherwise qualified to safely perform the essential functions of the job and (2) such accommodations do not impose undue hardship on Sunshine Village. Where a job or work assignment is subject to health or medical standards required for assignments or deployments in support of the military, this Policy does not require employment of an employee or candidate who cannot satisfy those standards.

Requesting an Accommodation: If an employee has a disability that requires an accommodation in order to perform the essential functions of his or her job, or otherwise enjoy the benefits and privileges of employment, he or she must initiate a request for accommodation by contacting his or her direct supervisor/manager, or Human Resources Director and identify an adjustment or change at work that is needed because of a disability.

Candidates for Employment: If a candidate for employment has a disability that requires an accommodation in order to apply for a job, he or she must initiate the request for accommodation by contacting the Human Resources Director and identifying an adjustment or change in the application process or system that is needed because of a disability.

Participating in the Interactive Process: An employee seeking an accommodation under this policy will engage in an interactive dialogue "the interactive process" with his or her supervisor, manager and/or Human Resources to identify an accommodation that will allow the employee to perform the essential functions of the job effectively or engage in other benefits and

privileges of employment that are enjoyed by similarly situated employees without disabilities. If Sunshine Village is able to accommodate the request as a result of the interactive process, without the need for supporting medical documentation or other information, the employee does not need to proceed with any further steps outlined in this process.

If the employee's supervisor or manager(s) have questions regarding the implementation of an accommodation related to whether the medical condition is a qualifying disability under the ADA, or who need additional medical information to determine what accommodations may be available or effective, they must contact the Human Resources Director.

Upon receipt of a request for accommodation or for additional assistance in the interactive process, the Human Resources Director will provide the employee with the appropriate forms. The employee must return all forms and responsive information within 15 days of the request. Processing the request for accommodation may not proceed until all required forms have been completed and returned to the Human Resources Director.

The Human Resources Director will review the completed Request for Accommodation Forms received from the employee and/or the employee's health care provider. If the information provided is incomplete or requires further clarification, the Human Resources Director may request additional information from the employee or his/her health care provider.

Determination: If, based on medical and other information provided by the employee and/or his or her health care provider, the employee is determined to be a qualified individual with a disability, the Human Resources Director will notify the employee, supervisor or manager.

The Human Resources Director will work with the employee and the department supervisor or manager to identify and discuss reasonable accommodations that will enable the employee to perform the essential functions of the job or to participate in the same benefits and privileges of employment enjoyed by similarly situated employees without disabilities.

In instances where there is no reasonable accommodation that enables the employee to perform the essential functions of the job, the employee may be terminated.

Modifications Not Necessarily Determinative of Disability Status: When appropriate, temporary modifications may be made pending review of medical information or modifications may be made without relying on whether the employee has a disability as defined by law. These actions should not be construed as a finding by Sunshine Village that it has made a determination that an employee is a qualified individual with a disability under the ADA or Rehabilitation Act.

Confidentiality: Information obtained in the course of this process will be kept confidential in accordance with the Sunshine Village's record retention and Information Security Policies and will be disclosed only on a restricted need-to-know basis and as otherwise permitted or required by law.

Any and all medical documentation from a health care professional must be retained in Human Resources in a confidential file and not in the department or Human Resources personnel file.

Protection from Discrimination and Retaliation: Pursuant to the Sunshine Village's EEO policy, Sunshine Village prohibits discrimination or retaliation against an individual who has a disability and/or who requests a reasonable accommodation.

Employees/Candidates Responsibilities: Employees and/or candidates with a disability that interferes with their ability to apply for a job, perform their essential job functions or otherwise enjoy the benefits and privileges of employment that are available to other similarly situated employees without disabilities, and who desire an accommodation, must follow the process set forth above. The employee or candidate who requests an accommodation has the responsibility to submit all required documentation on a timely basis and to remain engaged in the interactive process with Sunshine Village while a determination is being made. It is the employee's responsibility to work with his or her supervisor/manager, and Human Resources and qualified health care professional to review and complete all forms required. Any failure by the employee to supply Sunshine Village with all relevant and requested medical information or to otherwise meaningfully cooperate in the interactive process may result in Sunshine Village's denial of the accommodation or delay in the process.

Managers' Responsibilities: Management is responsible for ensuring that all employees under their supervision are fully aware of the Sunshine Village's Reasonable Accommodation Policy and Equal Employment Opportunity and Non-Discrimination Policy. When an employee requests an accommodation, supervisors and managers must participate in the interactive process with the employee to determine if a reasonable accommodation can be made, with or without seeking additional information about the employee's medical condition through Human Resources. If the Human Resources Director determines that an employee's medical condition is a qualifying disability under the ADA, managers must continue to work with the employee to identify existing reasonable accommodations that will enable the employee to perform the essential functions of his or her job and not create an undue hardship for the Agency.

Human Resources Responsibilities: Human Resources, as applicable, are responsible for determining whether an individual is entitled to an accommodation under the terms of this policy, assisting in the interactive process to identify reasonable accommodations as necessary and informing employees of their rights and obligations pursuant to this policy. They are responsible for ensuring appropriate confidentiality of employees' and candidates' medical information, consistent with Sunshine Village's record retention and Information Security policies and consistent with both state and federal law.

This policy does not constitute an employment contract or implied promise of any kind. The terms of this policy may be modified or eliminated by Sunshine Village at any time with or without notice.