

SLAAY Accommodation Policy

Definitions

Disability: A physical or mental impairment that substantially limits a major life activity, a record of such an impairment, or being regarded as having such an impairment.

Major Life Activities: Include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Person with a Disability: A client who has a known physical or mental impairment that substantially limits a major life activity, has a record of such impairment, or is regarded as having such an impairment whether or not the impairment limits or is perceived to limit a major life activity.

Physical or Mental Impairment: Any physiological disorder or condition, cosmetic disfigurement, or an anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin and endocrine; or any mental or psychological disorder.

Reasonable Accommodation: A modification or adjustment to the library's policies or environment that does not cause undue hardship and permits an individual with a disability to participate in the resources and services that the clinic offers. Reasonable accommodations may include making existing facilities used by clients readily accessible to and usable by individuals with disabilities, screen magnifiers, readers, use of transparent masks, use of service animals in the office, assistance via telephone and email, and other similar accommodations for individuals with disabilities.

Undue Hardship: An action requiring significant difficulty or expense, when considered in light of the nature and cost of the accommodation needed, the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation, the overall size of the facility, and the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility. Undue hardship not only applies to financial burdens, but also to accommodations that are unduly disruptive, extensive, endanger the safety of others, or those that would fundamentally change the operation of the clinic. Requested accommodations that impose risk of COVID-19 transmission upon clinic employees or clients will be considered to be undue hardships.

Applies to

A person with a disability who would like to use SLAAY's resources.

Policy

1. The clinic does not discriminate when providing resources and services to individuals with a disability.
2. The clinic will provide reasonable accommodation to an individual with a disability to enable them to access the clinic's resources and services, as long as the accommodation can be provided without undue hardship.
3. Each request for accommodation will be reviewed on a case-by-case basis. As a goal, the process of reviewing and providing a decision on a request for accommodation will be completed within five (5) working days.

Procedures for Requests for Accommodation

1. The client requesting the accommodation is responsible for alerting an employee of the nature of their disability and their need for reasonable accommodation.
2. Any SLAAY employee notified of a client's disability and request for accommodation shall inform the client of the procedure for submitting a request for consideration. The request must be submitted in a way that will protect its confidentiality. The confidential written notification shall state the name of the client, the client's contact information, the disability claimed, the accommodation requested, and the date reported. A copy shall be provided to the client.
3. After receiving a client's request for accommodation, the Executive Director will determine if the client is a qualified person with a disability, as defined in this policy, and identify and evaluate possible reasonable accommodation. At this time, the individual will be consulted for input as to possible accommodation and whether they will meet the needs of the individual. The requested accommodation will be considered but will not be given preferential ranking. If the requested accommodation cannot be provided due to undue hardship, alternative accommodation will be offered.
4. The Executive Director will determine what, if any, reasonable accommodation will be made and provide a written decision for the individual.
5. If the accommodation constitutes an undue hardship for the agency, the agency will provide an explanation of the hardship and documentation required to support the explanation. An undue hardship must conform to definition provided by the court and the Americans with Disabilities Act.
6. The agency shall make a good faith effort to provide reasonable accommodation to the individual with a disability unless it poses an undue hardship for the agency.

Procedures on Accommodation

A reasonable accommodation can be any change that will enable a client to access SLAAY's resources and services. The accommodations that may be provided include, but not limited to, any of the following alternatives:

1. Adaptive technology: Use of equipment or devices to facilitate access to the clinic's resources.
2. Use of alternate methods of communication: Communicating via telephone, email, mail, or zoom.
3. Assistance with physical navigation of the office: Clinic employees can help clients retrieve documents in the office.

Procedures for ADA Grievances

SLAAY will provide a prompt and fair resolution of complaints alleging violations of the Americans with Disabilities Act. If a client believes that they have been discriminated against or retaliated against on the basis of being a person with a disability, they may submit a grievance in the following manner.

Use the procedure outlined below for the following:

- A grievance alleging discrimination in public accommodations due to the client's disability
- A grievance regarding an accommodation request
- A grievance regarding an accommodation request and alleging disability discrimination

To pursue an ADA Accommodation Grievance, the client must submit the grievance in writing to the Executive Director within five (5) business days after the client receives the last written response regarding their request for accommodation. The written grievance must contain a brief description of the grievance, all pertinent facts and information, and the requested accommodation. If the client fails to appeal the grievance within the allotted time, the grievance is considered concluded.

Upon receiving an appeal from a client, the Executive Director will review the appeal. Management must meet with the client within five (5) business days of receiving an appealed grievance to hear and consider it and will respond in writing to the client within five (5) business days of the meeting.

The grievance process concludes with this review by the Executive Director.

Confidentiality

Requests for accommodation are confidential and may only be disclosed for purposes directly related to a request for accommodation or a grievance related to a request for accommodation.

Prohibition Against Retaliation

No person shall be subject to any form of retaliation for submitting a request for ADA accommodation, a grievance related to ADA accommodation, or discrimination due to a disability. Retaliation against anyone participating in the grievance procedure is also prohibited. Retaliation is a violation of SLL policies and may be the basis of corrective action, including termination without warning.