

	Subject of Procedure: <b>Interactive Process</b>	
	Section of Manual: Human Resources	Procedure Number: 187
	Originating Unit: Human Resources	Effective Date: 10/12/2021

**Scope:**

This procedure is applicable to all potential candidates and CareLink personnel with a disability as defined in the Americans with Disabilities Act (ADA) of 1990 in accordance with Arkansas DHS Policy 1078, Americans with Disabilities

**Definitions:**

ADA: The American with Disabilities Act of 1990, including changes made by the ADA Amendments Act of 2008 (P.L. 110-325), which became effective on January 1, 2009.

Request for Reasonable Accommodation: Notification to employer of the need for accommodation for a disability in order to perform the essential functions of his or her job.

Essential Functions: Basic job duties that an employee must be able to perform, with or without reasonable accommodation. Tasks that are considered fundamental, critical, primary, and necessary.

Interactive Process: The process of a cooperative dialogue or discussion between the employee and employer used to determine whether an effective and reasonable accommodation is available for an employee under the ADA.

Reasonable Accommodation: A modification in the work environment that enables a qualified person with a disability to perform the essential functions of a job without undue hardship to the employer.

**Procedural Requirements:**

- I. Applicant
  - A. Once a request for accommodation has been identified, Human Resources is notified, and an Interactive Process will be scheduled with the applicant.

- B. Human Resources will review the job description to determine the essential functions of the job.
- C. Human Resources will set up a meeting with employee within 5 days of request/identification of need for a reasonable accommodation to discuss possible accommodation.
- D. Human Resources will determine if there is medical documentation or other reliable, objective information that concludes that the employee has a physical or mental impairment that substantially limits a major life activity.
- E. Based upon the Interactive Process, if the accommodation does not affect the applicant's ability to perform the essential functions of the job, a reasonable accommodation will be provided for qualified individuals with a disability if the reasonable accommodation does not create an undue hardship to CareLink and is consistent with fulfilling the essential duties of the position.
- F. If the requested accommodation is deemed to be an undue hardship, the applicant will be notified by Human Resources that he or she is no longer a candidate for the position.
- G. Human Resources will notify the hiring official of the outcome of the Interactive Process.

## II. Employees

Same procedure above applies with the following exceptions:

- A. If there are no other reasonable accommodations that will enable employee to perform the essential functions of his/her current position the Agency will facilitate reassignment or transfer of employee with a disability to another vacant position for which the employee is qualified if one is available.
- B. If accommodations would impose undue hardship or would pose a direct threat to the employer or other employees, and no reassignment or transfer is available, the employee will be terminated.