

## **1650.01 Reasonable Accommodations, ADA Title I**

Issued: October 23, 2019  
Revised:

### **PURPOSE**

---

Title I of the Americans with Disabilities Act of 1990 prohibits private employers, State and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment.

In compliance with Title I of the Americans with Disabilities Act (ADA), this procedure details the process all departments and agencies of the state of Michigan (the Employer) should follow in order to provide reasonable accommodations in the workplace for qualified individuals with disabilities, who are currently employed or seeking employment, unless such accommodation would result in an undue hardship for the Employer.

### **APPLICATION**

---

Executive Branch Departments, Agencies, and Sub-units.

### **CONTACT AGENCY**

---

Office of the State Employer  
Capitol Commons Center, 4<sup>th</sup> Floor  
P.O. Box 30026  
Lansing, MI 48909-7526

Telephone: 517-335-7400

Fax: 517-335-7087

### **SUMMARY**

---

A reasonable accommodation is the process of removing or diminishing barriers that interfere with an individual's ability to perform essential job functions because of a disability.

A qualified employee with a disability, who is seeking a reasonable accommodation, must complete and submit a Disability Accommodation Request and Medical Statement (CS-1668), along with a current Position Description (CS-214) to their agency's Reasonable Accommodation Coordinator (RAC).

The employee must be able to perform the essential functions of his or her job with or without a reasonable accommodation.

Additional guidance on reasonable accommodations can be found in Civil Service Rule 1-8 and Civil Service Regulation 1.04.

Should there be a conflict between the Civil Service rules and regulations and any collective bargaining agreement, exclusively represented employees shall be governed by their collective bargaining agreement.

## **APPLICABLE FORMS**

---

### [CS-1668 Disability Accommodation Request and Medical Statement](https://www.michigan.gov/documents/CS1668_14483_7.pdf)

([https://www.michigan.gov/documents/CS1668\\_14483\\_7.pdf](https://www.michigan.gov/documents/CS1668_14483_7.pdf))

### [CS-1669 Response to Disability Accommodation Request](https://www.michigan.gov/documents/CS1669_14592_7.pdf)

([https://www.michigan.gov/documents/CS1669\\_14592\\_7.pdf](https://www.michigan.gov/documents/CS1669_14592_7.pdf))

### [CS-1670 Evaluation of Disability Accommodation](https://www.michigan.gov/documents/CS1670_14598_7.pdf)

([https://www.michigan.gov/documents/CS1670\\_14598\\_7.pdf](https://www.michigan.gov/documents/CS1670_14598_7.pdf))

## **PROCEDURES**

---

### **Step 1 – Employee:**

---

1. Submits a completed Disability Accommodation Request and Medical Statement form (CS-1668) from a treating healthcare provider and a current Position Description (CS-214) to the agency's Reasonable Accommodation Coordinator (RAC).

Note: All applicable forms and documents should be made available through the employee's Human Resources office.

### **Step 2 – RAC:**

---

1. Reviews any medical documentation provided to verify the employee qualifications for a reasonable accommodation under the ADA.
2. Verifies the employee's essential job functions by reviewing the CS-214. Consultation with the employee's supervisor may be necessary.
3. In accordance with the ADA, engages in an interactive process with the employee to ascertain precise limitations and possible accommodations. Consultation with the employee's supervisor and/or external resources (i.e., Michigan Rehabilitation Services) to determine impacts of requested accommodations may be necessary.

4. Requests additional medical documentation, when necessary.

5. Evaluates and prepares a final written decision on the Response to Disability Accommodation Request form (CS-1669). The response must include a description of the approved accommodation or, an explanation for denial.

A final decision must be issued within eight weeks after the date the employee filed the CS-1668 unless there are mitigating circumstances which extends the processing time.

6. Retains documentation for the life of the accommodation, for auditing purposes.
7. Provides a copy of the CS-1669 to employee.

### **Step 3 – Employee:**

---

1. Completes and signs the relevant portions of the CS-1669.

2. Returns the signed CS-1669 to the RAC.

#### **Step 4 – RAC:**

---

1. Makes all necessary arrangements for the implementation of the approved accommodation.
2. Completes an Evaluation of Disability Accommodation form (CS-1670) within six weeks after the implementation of the accommodation and as needed thereafter.

**Note: If the employee is dissatisfied with the response of the RAC, or the RAC fails to issue a final response within eight weeks, the employee may file a grievance through the Civil Service or collective bargaining agreement grievance procedure, whichever is applicable.**

#### **REFERENCES**

---

[Americans with Disabilities Act of 1990 \(ADA\), as amended in 2008](https://www.eeoc.gov/laws/statutes/adaaa.cfm)

(<https://www.eeoc.gov/laws/statutes/adaaa.cfm>).

[Civil Service Rule 1-8.1 Prohibited Discrimination](https://www.michigan.gov/documents/mdcs/MCSCRules_625564_7.pdf#page=13)

([https://www.michigan.gov/documents/mdcs/MCSCRules\\_625564\\_7.pdf#page=13](https://www.michigan.gov/documents/mdcs/MCSCRules_625564_7.pdf#page=13)).

[Civil Service Rule 1-8.2 Accommodation of Disabilities](https://www.michigan.gov/documents/mdcs/MCSCRules_625564_7.pdf#page=13)

([https://www.michigan.gov/documents/mdcs/MCSCRules\\_625564\\_7.pdf#page=13](https://www.michigan.gov/documents/mdcs/MCSCRules_625564_7.pdf#page=13)).

[Civil Service Regulation 1.04 Reasonable Accommodation](https://www.michigan.gov/documents/mdcs/Reg_1.04_Reasonable_Accommodation_207278_7.pdf)

([https://www.michigan.gov/documents/mdcs/Reg\\_1.04\\_Reasonable\\_Accommodation\\_207278\\_7.pdf](https://www.michigan.gov/documents/mdcs/Reg_1.04_Reasonable_Accommodation_207278_7.pdf)).

[Collective Bargaining Agreements](https://www.michigan.gov/ose/0,4656,7-143-67281---,00.html) (<https://www.michigan.gov/ose/0,4656,7-143-67281---,00.html>).

[Michigan Persons with Disabilities Civil Rights Act 220 of 1976, as amended \(MCLA37.1101 et. Seq.\)](https://www.michigan.gov/documents/PWDCRA10-05_115444_7.pdf) ([https://www.michigan.gov/documents/PWDCRA10-05\\_115444\\_7.pdf](https://www.michigan.gov/documents/PWDCRA10-05_115444_7.pdf)).

[State of Michigan Digital Standards](https://www.michigan.gov/documents/som/State_of_Michigan_Digital_Standards_-eMi_team_052218_624467_7.pdf) ([https://www.michigan.gov/documents/som/State\\_of\\_Michigan\\_Digital\\_Standards\\_-eMi\\_team\\_052218\\_624467\\_7.pdf](https://www.michigan.gov/documents/som/State_of_Michigan_Digital_Standards_-eMi_team_052218_624467_7.pdf)) and [Web Content Accessibility Guidelines \(WCAG\) 2.0](http://www.w3.org/TR/WCAG20/) (<http://www.w3.org/TR/WCAG20/>).

\*\*\*