

Disability Accommodation and Prohibition of Disability Discrimination for DCF Employees

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Purpose

The Department of Children and Families (DCF) strictly prohibits discrimination on the basis of disability and shall not exclude persons with a disability from participation in any program or activity. Accordingly, DCF shall provide access to all its programs, services, and facilities to persons with disabilities in accordance with the Americans with Disabilities Act of 1990(ADA), the Connecticut Fair Employment Practices Act (CFEPA), and the Rehabilitation Act.

DCF shall not discriminate against a qualified individual on the basis of disability in regard to job application procedures, hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.

Legal references: 42 U.S.C. section 12112, C.G.S. section 46a-60

Definitions

The ADA and Rehabilitation Act defines a person with a disability as someone who:

- has a physical or mental impairment that substantially limits one or more major life activities or
- has a record or history of such an impairment or
- is perceived or regarded as having such impairment.

Major life activities include but are not limited to caring for oneself, walking, seeing, hearing, speaking, breathing, learning, working, and performing manual tasks.

The definition of an "individual with a disability" in Connecticut statute is more expansive than the ADA's definition and includes the following:

1. an individual with a physical disability is any individual who has any chronic physical handicap, infirmity or impairment, whether congenital or resulting from bodily injury, organic processes or changes or from illness, including, but not limited to, epilepsy, deafness or being hard of hearing or reliance on a wheelchair or other remedial appliance or device

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2. an individual with a learning disability is an individual who exhibits a severe discrepancy between educational performance and measured intellectual ability and who exhibits a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in a diminished ability to listen, speak, read, write, spell or to do mathematical calculations
3. an individual with a mental disability is an individual who has a record of, or is regarded as having one or more mental disorders, as defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders
4. an individual with an intellectual disability is an individual with significant limitation in intellectual functioning existing concurrently with deficits in adaptive behavior that originated during the developmental period before eighteen years of age.

Legal references: 42 U.S.C. section 12102, C.G.S. section 46a-51

Reasonable Accommodations

DCF shall provide reasonable accommodations to an individual with a disability upon request unless the accommodation would impose an undue hardship to the agency or alter an essential job function.

An accommodation is any change in the work environment, or the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities but does not change the essential functions of the job.

Request an Accommodation

Qualified employees or applicants with disabilities may request a reasonable accommodation to perform the essential functions of their jobs or to gain access to the hiring process.

Requests by employees are to be made via the UKG Self-Service Employee Portal at: <https://ct.employee.us.people-doc.com/login>. All general inquiries or requests by employment applicants can be sent to DAS.ADA@ct.gov. An ADA Specialist with the Department of Administrative Services will review the request and

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communicate with the requestor, the HR Generalist and/or the immediate supervisor/manager regarding the request for a reasonable accommodation as part of the interactive process. The requestor may be required to submit documentation from their physician, licensed healthcare practitioner or other appropriate professional explaining the disability and why an accommodation is necessary.

Although a specific accommodation may be requested, if more than one possible accommodation is available that will meet the requestor's needs, DCF can choose which accommodation to provide.

The requestor will be notified of the decision in writing.

If an employee would like to request a review of a denial based on their protected class, a request can be made to the Office of Diversity and Equity via email to DCFOFFICEOFDIVERSITYEQUITY@CT.GOV.

Aggrieved individuals may file a complaint with the Commission on Human Rights and Opportunities.

Retaliation or coercion

Agents of DCF shall not retaliate against, coerce, intimidate, threaten, harass, or interfere with any individual exercising or enjoying his or her rights under the ADA, or CFEPA or because an individual aided or encouraged any other individual in the exercise of rights granted or protected by the ADA, or CFEPA.

Legal reference: C.G.S. section 46a-60b(4)