



LOUISIANA Addictive Disorder Regulatory Authority

STATE AGENCY NAME: Addictive Disorder Regulatory Authority

POLICY NUMBER: Version 1

EFFECTIVE DATE: September 30, 2022

SUBJECT: AMERICANS WITH DISABILITIES ACT (ADA)

I. POLICY

The **State Agency** is fully committed to ensuring compliance with the requirements of the Americans with Disabilities Act and its Amending Act of 2008 (collectively ADA) and Louisiana Revised Statute 46:2594. This includes engaging in the interactive process and providing reasonable accommodations to qualified individuals with a disability for purposes of:

- Participating in the application and interview process;
- Performing the essential functions of the job;
- Providing equal opportunity to access the benefits and privileges of employment;
- Ensuring effective communication, through the provision of auxiliary aids and services, for individuals with speech, hearing or vision impairments; and/or
- Providing equal opportunity to access the agency's programs, services, activities and facilities.

II. APPLICABILITY

This policy applies to all **State Agency** employees, applicants for employment, and members of the general public that receive services from **State Agency**.

III. ACCOMMODATION REQUEST PROCEDURE

It is the responsibility of the qualified individual with a disability to request a reasonable accommodation(s) when needed. To do so, the individual may initiate a request either verbally or in writing to the Agency ADA Coordinator, whose name and contact information is provided below:

Name: **Lauren Smith**
Section: **ADRA Executive Director**
Address: **4919 Jamestown Avenue, Suite 203**
Baton Rouge, LA 70808
Phone #: **(225) 361-0698**
Email: lauren.smith@la-adra.org

Upon receipt of an accommodation request, the ADA Coordinator is responsible for engaging in the interactive process with the Requestor to evaluate and determine an appropriate resolution. Documentation of the interactive process shall be maintained by the ADA Coordinator, including: the accommodation requested and discussed; any equally effective accommodation(s) identified; business



LOUISIANA Addictive Disorder Regulatory Authority

reasons for decisions made; and action taken on the accommodation request. This documentation is necessary in order to satisfy annual reporting requirements pursuant to La. R.S. 46:2596.

IV. INTERNAL COMPLAINT PROCEDURE

Individuals with disabilities may file an internal complaint regarding the disposition of an accommodation request or asserting any action that would be prohibited by the ADA. Complaints may be elevated to the **ADRA Board Human Resources representative, Adrian Perron**, by writing to: **4919 Jamestown Avenue, Suite 203, Baton Rouge, LA 70808**; email to: adrianperron@cox.net; or calling (225) 361-0698.

V. PROTECTIONS

No individual shall be discriminated or retaliated against, coerced, intimidated, threatened, harassed or interfered with for:

- Making an accommodation request;
- Opposing any act or practice made unlawful by the ADA;
- Filing a charge, testifying, assisting or otherwise participating in an investigation, proceeding or hearing to enforce any provision of the ADA;
- Aiding or encouraging another individual in the exercise of any right granted or protected by the ADA; or having a family, business, social or other relationship or association with an individual with a known disability.

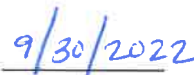
VI. PUBLIC NOTICE

To ensure accessibility by all interested persons, this policy is available on the **State Agency's** public website located at www.la-adra.org, as well as posted conspicuously for access by the public in each of the **State Agency's** facilities.

AUTHORIZED BY:



Lauren Smith, Executive Director



DATE



LOUISIANA

Addictive Disorder Regulatory Authority

Reasonable Accommodations / Americans with Disabilities Policy

Overview

The Americans with Disabilities Act ("ADA") requires employers to reasonably accommodate qualified individuals with disabilities. The Addictive Disorders Regulatory Authority ("ADRA") understands and complies with all Federal, State, and local laws and obligations concerning the employment of persons with disabilities. This policy sets forth the standards for which the ADRA will accommodate employees and candidates for hire based upon the ADA.

The ADRA does not discriminate or retaliate against qualified individuals with disabilities regarding application procedures, hiring, advancement, discharge, compensation, training, or other terms and conditions of employment. If you have been or if you reasonably believe you have been subjected to discrimination or retaliation you must report this conduct immediately to Human Resources Representative.

Definitions

Direct Threat to Safety

A significant risk to the health of an individual that cannot be eliminated by reasonable accommodation.

Disability

A physical or mental impairment that substantially limits one or more of the major life activities of an individual.

Essential Job Functions

Those activities of a job that are core to performing said job for which the job exists, that cannot be modified.

Qualified Individual with a Disability

An individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.

Reasonable Accommodation

Making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time, or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, and similar activities.

Undue Hardship

An action requiring significant difficulty or expense by the ADRA. The factors to be considered in determining an undue hardship include, but are not limited to:

- a. The nature and cost of the accommodation.
- b. The number of persons employed with the ADRA.
- c. The effect on expenses, resources, and/or other impact upon the ADRA.
- d. The operations of the ADRA.



LOUISIANA

Addictive Disorder Regulatory Authority

Standards

1. If a candidate for employment or an employee can perform the essential functions of the job, the ADRA shall reasonably accommodate qualified individuals who have a temporary or long-term disability unless the accommodation results in undue hardship for the ADRA.
2. If an individual can be reasonably accommodated for a job without undue hardship, the individual will be given the same consideration for a position for which they qualify as any other applicant.
3. All employees are required to comply with safety standards.
 - a. Candidates for employment who pose a direct threat to the health or safety of themselves or other individuals in the workplace which cannot be eliminated by reasonable accommodation will not be hired.
 - b. Current employees who pose a direct threat to the health or safety of other individuals in the workplace will be placed on appropriate leave until a determination has been made regarding the employee's immediate employment situation.
4. Determination of whether the employee presently creates a direct threat to him/herself or others in the performance of the job tasks shall be considered.
5. Upon determination that the employee creates a direct threat to himself or others, the concern must be documented by any relevant parties identified with final review and compilation by the Human Resources Representative. The documentation will include:
 - a. Identifying the risk caused by the limitation;
 - b. The potential harm that could result; and
 - c. The medical or observable facts whereon the risk is based.
6. The Human Resources Representative is responsible for implementing this policy including resolution of reasonable accommodation, safety, and undue hardship determinations.
7. The Human Resources Representative will interact and consult with the employee to discuss the employee's request for accommodations for leave and/or other alternatives. The employee is expected to cooperate in these interactive discussions.
8. The Human Resources Representative will review all reasonable accommodations, safety, and undue hardship determinations with the Executive Director.
9. The ADRA will not proactively inquire about the need for an accommodation unless there is an observable basis for concluding that the employee has a physical or mental condition or impairment that is affecting job performance.
10. If an employee or candidate for hire requests a reasonable accommodation or otherwise states that he/she requires some type of job modification to perform the job:
 - a. The accommodation request shall be evaluated by the Human Resources Representative and Executive Director to determine the status of the accommodation. See Procedure(s) 1.
 - b. Possible accommodations shall be discussed with the employee, medical providers, the Executive Director who has knowledge of the work site and the position, as appropriate. The employee must sign a medical release form before the ADRA requests any medical information.
 - c. The request for reasonable accommodation or the reason an accommodation is not needed shall be identified and documented on the Accommodations Request Form.
 - d. The ADRA shall engage in the accommodation process as required by the ADA.
11. The job description shall include the essential functions of the position. Non-essential job tasks may be reassigned to other employees for accommodations purposes.



LOUISIANA

Addictive Disorder Regulatory Authority

Procedures

1. Requesting a Reasonable Accommodation

- a. When the employee or applicant for hire recognizes a need for an accommodation, he/she will notify his/her immediate supervisor or the hiring manager of the request.
 - i. The request must include:
 1. The person's name.
 2. Essential functions of the position effected by the disability.
 3. Requested accommodation(s) which would enable the employee to perform the essential function(s) of the position.
 - ii. If the Executive Director recognizes a need for accommodation, he/she shall discuss with the employee after consultation with the Human Resources Representative.
- b. The Executive Director shall notify the Human Resources Representative of the request and provide the employee or applicant with a copy of this policy, a job description, and the Accommodation Evaluation Form.
- c. The employee or applicant shall complete the employee section of the Accommodation Evaluation Form.
- d. The employee or applicant is responsible for having his/her physician complete the physician's section of the Accommodation Evaluation Form, unless the accommodation is known or obvious and requires no additional medical information (e.g., employee in a wheelchair requests ramp to access work location).
- e. The completed Accommodation Evaluation Form should be submitted to the Human Resources Representative to initiate the interactive process whereby the employee, Executive Director, and Human Resources Representative shall discuss possible accommodations which would enable the employee to perform the essential functions of the position.
 - i. If additional information from the employee's physician is necessary to determine the necessity or reasonableness of the accommodation request, the employee is responsible for obtaining this information from his/her physician or sign a medical release form to enable ADRA to obtain this information.
- f. The Human Resources Representative will review the accommodation request with the Chairman of the ADRA and Executive Director for approval.
- g. The Human Resources Representative will provide a letter to the applicant/employee, with a copy to the application/employee file, stating the approved accommodation or the basis for denial of the request.
- h. Applicants or employees wishing to submit a grievance or complaint regarding disposition of accommodation requests or alleging any action prohibited by the Americans with Disabilities Act should submit their grievance or complaint in writing to the ADRA.
- i. Grievances or complaints will be reviewed by the Human Resources Representative, Chairman of the ADRA, Executive Director, and legal counsel and a response will be provided to the applicant or employee regarding the decision.