

Equal Employment Opportunity & ADA Policy

Effective August 26, 1996

The Manitowoc Public Library seeks to employ those individuals who are most qualified. The Library does not discriminate in its employment practices against:

- individuals based on race, religion, color, sex, or national origin;
- individuals over 40 years of age; or
- qualified individuals with disabilities.

The Library does not discriminate against individuals who have successfully completed a drug rehabilitation program and who are not engaging in current use of drugs, or individuals who are currently in such a program or are erroneously regarded as engaging in illegal drug use.

This policy applies to job applicants and current Library employees. It applies to all employment practices of the Library, including: job announcements and postings, employment application procedures, interviewing, hiring, promotion, job descriptions and assignments, performance standards, leaves of absence, transfers, layoffs, demotions, discipline, discharge, compensation, fringe benefits, and job training.

Job Descriptions

The Library considers job functions essential when the position exists to perform a particular function; there is limited availability of other staff to perform the function; and/or, the person employed has special expertise, knowledge or ability to perform the particular function.

Individuals with disabilities are qualified if they satisfy the job requirements and can perform the essential functions of the job, with or without reasonable accommodation.

Job requirements are identified in the Library's job descriptions which contain the following elements:

- principal duties and responsibilities that distinguish between essential functions and other job duties;
- job specifications that identify the knowledge, skills and abilities required to perform the essential functions and other job duties;
- working conditions that describe the job environment; and
- minimum qualifications.

The Library may set legitimate nondiscriminatory performance standards.

Reasonable Accommodation

The Library recognizes that it is the responsibility and choice of each job applicant or current library employee with a disability to request any needed and/or preferred accommodation in a timely manner.

The Library is not required to offer or provide accommodation when:

- a reasonable accommodation would not overcome the effects of an applicant's or employee's disability; or
- a reasonable accommodation would cause undue hardship to the Library.

The Library seeks to provide reasonable accommodation in its employment practices through a mixture of program, structural and technological modifications as appropriate to each individual situation. Reasonable accommodation will be given to those employees who need accommodation to perform an essential function of the job.

The Library Director will use an interactive process with the qualified individual with a disability to determine potential accommodations. The Library Director will make the decision of whether or not an accommodation is reasonable and can be made. Employees have the right not to accept reasonable accommodation, but in so doing may change their status of being qualified.

Employment

The Library is not required to employ or to continue to employ an individual with a disability when:

- an applicant or employee with a disability, with or without accommodation, is not otherwise qualified to perform the job; or
- an applicant or employee would pose a direct threat or substantial harm to the health or safety of himself or others.

Application for Library Positions

The Library will notify all applicants of the availability of accommodation to ensure that the hiring process is accessible to qualified applicants with disabilities. After a request is made by an applicant, it is the Library's responsibility to provide reasonable accommodation at no cost to the applicant.

All questions asked by the Library's supervisory staff at employment interviews will relate directly to the duties of the position. Applicants will not be asked questions of a discriminatory nature.

The Library may condition a job offer on the satisfactory result of a post-offer-medical examination or medical inquiry if this is required of all entering employees within the same job category.

Confidentiality of Employee's Medical Records

The Library Director will maintain separate and confidential files regarding the medical condition or medical history of any employee. Access to these files will be restricted to the Library Director. Files will be made available to government officials investigating compliance.

The Director will inform individual employees' supervisors only of:

- necessary restrictions;
- special equipment;
- accommodations on the work or duties of the employee; and/or
- first aid and safety, when appropriate.

Grievance Procedures

After following procedures identified above, employees who are dissatisfied with the Library's employment practices may seek redress through established grievance policies and procedures.

Applicants who feel their rights under this policy have been violated may seek redress by writing to the Library Director within 10 days of notification that employment will not be offered. Response will be made to the complaint within 30 days. After this time, if the applicant remains dissatisfied, a request may be made in writing to have the matter be considered by the Manitowoc Public Library Board of Trustees. This is done by writing to the Library Director to request that the matter be placed on the agenda for a regular monthly meeting of the Board.