



Administrative Policy No. 18.26

Title: Reasonable Accommodation

Applies To: All Department of Social and Health Services (DSHS) Employees

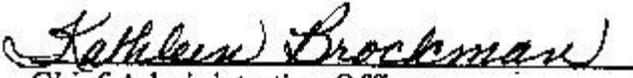
Authorizing Sources: [Chapter 41.06](#) RCW
[Chapter 357-26](#) WAC

Information Contact: Human Resources Division

Effective Date: July 1, 2005

Revised: July 1, 2007

Sunset Review Date: June 30, 2009

Approved By: 
Chief Administrative Officer

Procedure Background & Limitations:

[Chapter 357-26](#) WAC sets forth the requirements for reasonable accommodation procedures.

The information that is shaded is specific to DSHS employees only.

1. What is the purpose of this chapter? (WAC [357-26-005](#))

The purpose of [chapter 357-26](#) WAC is to provide guidance to employers regarding reasonable accommodation as it specifically relates to employment and separation due to disability within the provisions of the civil service rule.

2. When must an employer provide reasonable accommodation? (WAC [357-26-010](#))

An employer must reasonably accommodate a known disability of a qualified candidate or employee as required by [chapter 49.60](#) RCW and the federal Americans with Disabilities Act.

DSHS will acknowledge receipt of the employee's request for reasonable accommodation and begin processing the request within thirty (30) calendar days.

3. What actions may an employer take to provide reasonable accommodation? (WAC [357-26-015](#))

For persons with disabilities, as defined by state or federal law, reasonable accommodation may include, but is not limited to:

- a. Accommodation in application procedures, testing, and the interview process; or
- b. Modifications or adjustments to a job, work method, or work environment that make it possible for a qualified person with a disability to perform the essential functions of a position, or enjoy the benefits and privileges of employment equal to employees without disabilities.

4. What is the requirement for employers to have a policy and procedure covering reasonable accommodation? (WAC [357-26-020](#))

- a. In accordance with the policy statement requirements of WAC [357-25-025](#), employers must develop and maintain a policy statement on reasonable accommodation.

The policy statement on reasonable accommodation can be found in [Administrative Policy 18.25](#), paragraph #5.b.

- b. In accordance with state and federal laws, employers must develop and make readily available a procedure regarding reasonable accommodation of employees with disabilities.
 - i. Each employee who requests reasonable accommodation must be provided access to the employer's reasonable accommodation procedure in an accessible format.
 - ii. Employees who request reasonable accommodation must be notified in writing that in the event he or she cannot be accommodated in his or her current position, and placement in an alternative vacant position is not possible, the appointing authority may initiate a disability separation in accordance with WAC [357-46-160](#).

The Human Resources Division is responsible for developing and administering the DSHS reasonable accommodation procedures. The procedures can be accessed on the HRD webpage under: References, Guidelines and Best Practices, [Reasonable Accommodation, Guidelines](#)

for Managers and Supervisors. To facilitate placement in an alternative vacant position, each DSHS administration will provide to the Human Resources Division/Investigations and Reasonable Accommodation Unit a semi-monthly listing of vacant funded positions. Appointing authorities should consult with their Human Resources Division representative before taking disability separation actions. Disability separations must be in writing and must inform the employee of the option to apply for reemployment as provided in WAC [357-19-465](#).

5. **May an employee who is unable to perform the essential functions of a position request to be separated from employment? (WAC [357-26-025](#))**

An employee who is unable to perform the essential functions of the employee's position due to mental, sensory, or physical incapacity may notify the employer that he or she does not wish to pursue accommodation and would like to be separated from employment. In this case, the appointing authority is not required to consider a reasonable accommodation and may initiate a disability separation in accordance with WAC [357-46-160](#).

The employee should notify his/her immediate supervisor, and the supervisor must notify the appointing authority of the employee's request.