

MDT - ADA Reasonable Accommodation Process

September-2025

Step	Issue	ADA Coordinator or Designee/ Human Resources (HR) Generalist	Supervisor (Sup)	Employee (EE)	Other information
1	<p>Employee [EE] may need or request an accommodation due to a barrier to employment arising from a disability to perform the essential functions of the position</p> <p>Interactive process begins upon notice for the above situation</p>	<p>ADA Coordinator and/or HR Generalist become aware of any of the following situations:</p> <ul style="list-style-type: none"> a. Know or should have known (obvious) b. Check on FMLA for EE c. EE depletes FMLA hours d. EE has Worker's Compensation injury e. EE requests remote work due to a medical reason f. EE depletes allowable leave balances and needs leave with or without pay due to a disability (Max 6 weeks for review) g. Needs for accommodation may also arise in other aspects of employment <p>Interactive process begins upon notice for the above situations</p>	<p>When the Sup knows or has reason to know EE faces a barrier to employment due to a disability, it is the responsibility of the Sup to contact HR</p> <p>If the Sup is unaware of the request or need, the Sup will be notified</p> <p>(includes request for remote work due to a medical reason)</p>	<p>EE should communicate their need and should request an accommodation orally or in writing unless the disability is obvious.</p> <p>The request does not to include the words "reasonable accommodation" or "disability."</p>	<p>The request can come from any source, including family members, friends, health care professionals, or other representatives and for any known or should have known situations- <i>Request should be forwarded to HR as soon as possible</i></p>

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2	<p>Is EE a qualified individual with a disability?</p> <p>Employees with a serious health condition may qualify for FMLA-referred to HR Generalist</p>	<p>ADA Coordinator verifies the EE is a qualified individual with a disability by reviewing medical information</p> <p>This medical request should be submitted by the EE within 15 business days of the request (suggest must unless extenuating circumstances)</p> <p>If there is not sufficient information to determine if EE is disabled, additional information is requested</p>	<p>Sup is notified of the status of the employee but not involved in confidential medical information unless the EE would like the Sup involved</p>	<p>EE should provide a signed medical release form to ADA Coordinator to better understand the EE's limitations and how it affects EE's performance when the need for a reasonable accommodation is not known or obvious</p> <p>EE's responsibility is to provide medical documentation within 15 business days upon justified request. (suggest must unless extenuating circumstances)</p> <p>The Agency may not be required to provide an accommodation if the disability and need for accommodation is not known or obvious and EE does not provide the medical information reasonably requested.</p>	<p>If EE is not a qualified individual with a disability, does not have a disability, or chooses not to participate, the process stops & documentation is provided to the individual from the ADA Coordinator ending the interactive process and closing the case</p>
3	<p>Accommodations requested or suggested are reviewed during interactive process meetings identifying an effective accommodation or determining a reasonable accommodation is not possible</p>	<p>ADA Coordinator or HR Generalist inform Sup of need to reengage in interactive process and will schedule the interactive process meeting</p>	<p>Sup participates in good faith in the interactive process by offering possible accommodations, approving a proposed accommodation, or denying a proposed accommodation where it results in an undue hardship</p> <p>Sup may offer an alternative or different accommodation; (cont.)</p>	<p>EE engages in the interactive process by discussing needs, limitations, and possible accommodations</p>	<p>The approved accommodation must be effective and may not be the accommodation initially suggested by EE</p>

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			If the Sup believes providing a reasonable accommodation will result in an undue hardship, Sup must provide documentation & justification and process moves to step 5		
4	Accommodation is implemented	ADA Coordinator completes ADA accommodation memo which is signed by EE, Sup, and ADA Coordinator. ADA Coordinator saves the signed memo to the ADA file	<p>Works with HR on implementation.</p> <p>Sup is responsible for monitoring the effectiveness of the reasonable accommodation</p> <p>If the accommodation is ineffective or results in an undue hardship at any point, Sup will communicate to HR</p> <p>Supervisor training on ADA reasonable accommodation is expected</p>	EE should communicate needs, changes in medical status, and the effectiveness of the accommodation provided.	<p>Accommodation is monitored for effectiveness; any leave accommodation is reviewed every 6 weeks or on an as needed basis i.e. Short term due to surgery or treatment plan</p> <p>All accommodations require a 6-month review</p> <p>If accommodation is no longer effective or results in undue hardship, another interactive process meeting will occur</p>
5	No accommodation available to enable EE to perform essential functions of current position or the only reasonable accommodation would result in an undue hardship – consider (cont.)	<p>EE should complete application to provide work experience for reassignment job search</p> <p>HR reviews current vacancies and assesses whether EE meets the minimum (cont.)</p>	Sup and EE must continue the interactive process to determine if an accommodation is needed in reassigned position	EE and Sup must continue the interactive process to determine if an accommodation is needed in reassigned position	<p>Communication on the timeline and process is crucial for all parties</p> <p>Timeframe of job search must be reasonable and determined on a case-by-case basis</p>

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	<p>reassigning EE to another open position</p> <p>EE has option to accept or deny reassignment however choosing to deny can lead to closure of ADA case</p> <p>If a position is identified, EE is transferred to a open position without going through the competitive hiring process and documented as an accommodation by ADA Coordinator</p>	<p>qualifications of openings in which they may be qualified</p> <p>EE must meet the minimum qualifications and be able to perform the essential functions of the position with or without an accommodation</p> <p>If a position is identified, the Sup & Administrator for the new position are consulted & availability of the position is determined. Any implications under a seniority system of a collective bargaining agreement must be considered.</p>			
6	<p>Reasonable Accommodations and Equal Access Policy -Montana Operations Manual see MDT Reasonable Accommodation and Equal Access Addendum Pol 2-01-004 2.21.4117 DENYING REASONABLE ACCOMMODATION REQUESTS (1) If agency managers determine they cannot reasonably accommodate a request or an accommodation would create an undue hardship, they shall forward the recommendation to their division administrator. If the division administrator is the manager receiving the request, the administrator shall make the recommendation to their supervisor. (2) If the division administrator or higher-level manager concurs with the recommendation, the administrator or manager shall notify the employee or applicant in writing within 30 working days of the initial request. (3) The written notification must include an explanation for the denial and the appeal process. (See Mont. Admin. R. 2.21.4119 for appeal process.) The MDT Director will be the final decision maker in any appeal.</p>				
7	No accommodation for current position and no other position available as an accommodation	<p>ADA Coordinator provides written documentation closing the case</p> <p>HR completes exit process ADA Coordinator may provide contact information outside of agency</p>	Works with HR on exit process	EE works with HR on the exit process	Communication on the timeline and process is crucial for all parties