

Return to Work/Reasonable Accommodation Process

City of San Jose Reasonable Accommodation Policy

The City of San Jose will make reasonable accommodation for qualified applicants or employees with physical or mental disabilities when such applicants or employees are able to perform the essential functions of their jobs unless the accommodation creates an undue hardship or jeopardizes the health or safety of employees.

What is “Reasonable” Accommodation?

A reasonable accommodation is a modification or adjustment to a job or the work environment. These modifications enable an individual with a disability to have an equal opportunity to successfully perform their job tasks to the same extent as people without disabilities. The law requires reasonable accommodations as they relate to enabling a qualified individual with a disability to perform the essential functions of a job and making it possible for an employee with a disability to enjoy equal benefits and privileges of employment.

Interactive Process

- Employee must provide written medical restrictions from a healthcare provider stating the work restrictions are permanent.
- Permanent work restrictions are provided to the City's Return to Work Coordinator.
- Return to Work Coordinator schedules an Interactive Process meeting with employee and department representative.
- If reasonable accommodation can be provided so employee can perform essential duties of their position, the employee remains in their current position.

Interactive Process (continued)

- If reasonable accommodation cannot be provided in order for the employee to perform the essential duties of their position, the Return to Work Coordinator will attempt to identify another position that can accommodate the employee's work restrictions.
 - Analysis is conducted of all eligible vacant positions to determine any placement options.
 - Employees must meet the minimum qualifications for any position into which they might be placed.
- If no placement options are identified, then the employee may be separated from City service.

Disability Retirement Process

- When an employee applies for a disability retirement under the Federated Plan, ORS provides the City's Return to Work Coordinator with the Board's Independent Medical Examiner's permanent restrictions.
- The Return to Work Coordinator evaluates the permanent restrictions to determine if the applicant can be provided with reasonable accommodation in any appropriate position within the City.
- The Return to Work Coordinator provides a memo to the Disability Committee on whether the restrictions could or could not be accommodated.

Questions?