



Legislation Details (With Board Report)

File #: 21-138 **Name:** Review, approve, and adopt the proposed RA Policy
Type: General Agenda Item **Status:** General Government - Consent
File created: 2/9/2021 **In control:** Board of Supervisors
On agenda: 2/23/2021 **Final action:** 2/23/2021

Title: Review, approve, and adopt the proposed revised Reasonable Accommodation Policy.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - 2021 Proposed Revised Reasonable Accommodation Policy, 3. Attachment B - 2012 EO ADA and RA Policy, 4. Completed Board Order Item 21

Date	Ver.	Action By	Action	Result
2/23/2021	1	Board of Supervisors	approved - civil rights office	Pass

Review, approve, and adopt the proposed revised Reasonable Accommodation Policy.

RECOMMENDATION:

It is recommended that the Board of Supervisors review, approve, and adopt the proposed revised Reasonable Accommodation Policy.

SUMMARY/DISCUSSION:

The Civil Rights Office recommends that the Board of Supervisors review, approve, and adopt the recommended revised Reasonable Accommodation Policy.

The County’s Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy was last updated in 2012. The new Reasonable Accommodation Policy includes proposed changes to reflect current case law updates and make the document more accessible. The revisions also incorporate several statutory and case law updates and make the policy easier to follow for its users by eliminating antiquated terms and incorporating best practices. In addition, the revised Policy is designed to comport to with the County’s current policy format.

In addition to shortening the policy’s name and accurately reflecting the Civil Rights Office’s name change, the proposed updates contain two substantive changes outlined below.

Significant Change No. 1: Updated Terms and Definitions: Some definitions, such as the Major Life Activities definition, were updated to reflect the California Department of Fair Employment and Housing’s (DFEH) current definitions. Additionally, antiquated terms that have fallen into disuse, such as the term “mental retardation,” were updated or removed, where necessary.

Significant Change No. 2: Examples Removed: The current policy contains several pages of examples that make the policy an unwieldy document. The proposed policy is shortened by several pages by eliminating unnecessary examples, making it a more workable and practical document.

With these proposed changes, the proposed Reasonable Accommodation Policy will be more accessible for our

Human Resource Department personnel, Monterey County employees and applicants for employment, and Monterey County residents.

The Civil Rights Office worked with an experienced Human Resources Associate Personnel Analyst to update the policy. The Civil Rights Office consulted and provided an opportunity for comments to the Commission on Disabilities, the Human Resources Department, Natividad's Human Resources, Department of Social Services Human Resources, and the Health Department's Human Resources.

The Civil Rights Office proposes significant changes to the Reasonable Accommodation Policy. Consequently, a redlined version of the proposed changes is hard to follow. Instead, a copy of the last-adopted policy is appended to this Report.

OTHER AGENCY INVOLVEMENT:

The Civil Rights Office consulted with the Commission on Disabilities, the County Counsel's Office, the Human Resources Department, and representatives of Human Resources from the Health Department, Department of Social Services, and Natividad in developing the revisions of the Reasonable Accommodation Policy.

FINANCING:

Approval of this recommendation will not impact the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The proposed Reasonable Accommodation Policy will help constituents who receive County services, County employees, and those applying for employment understand the County's accommodation process. The proposed policy will also improve compliance with State and federal laws and decrease the County's liability exposure.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Naudia Velarde, Associate Equal Opportunity Analyst, x6615

Approved by: Juan P. Rodriguez, Civil Rights Officer, x6614

Attachments: (Attachments on file with the Clerk of the Board)

Attachment A - 2021 Proposed Revised Reasonable Accommodation Policy

Attachment B - 2012 Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy

