
Series:	HR-Resources Practices	COA: 5.0, RPM 2 CFOP: NA
Procedure Name:	Americans With Disabilities	
Procedure Number:	HR-2202	
Revision #/Date:	(3) 1/18/11	
Effective Date:	09/04	
Applicable to:	All BFP Staff, Applicants, Direct Service Independent Contractors and Volunteers, Interns and Temporary Employees.	

PURPOSE: To ensure a workplace that is free from discrimination against individuals with disabilities who, with or without reasonable accommodation, are qualified for open positions and/or all other opportunities available to all employees including promotional, training, benefits, etc. To ensure that qualified applicants, Independent Contractors and Volunteers, interns and temporary employees with disabilities have access to our facilities and application process with or without reasonable accommodation. To comply with Section 504 of the Rehabilitative Act of 1973 and the Americans with Disabilities Act of 1990 as may be amended.

PROCEDURE:

References

BFP Policies/Procedures: HR2805, Operating Procedure OP-1110

Overview

Brevard Family Partnership (BFP) complies with all federal, state, regulatory and statutes impacting applicants, clients and employees. The Agency is committed to ensuring compliance with this law. To that end, ADA training is included in Supervisory Training, employees are trained in regulations under this law and this procedure is provided to all staff members.

1. Brevard Family Partnership prohibits any and all discrimination against a qualified individual with a disability. This includes, but is not limited to, discrimination with respect to hiring, assignment, transfer, promotion, discharge, compensation, benefits, training, and all other terms and conditions of employment.

Terms used in this section have the following general meanings:

- (a) Disability means a physical or mental impairment that substantially limits one or more of the major life activities of an individual;
- (b) A disabled individual is a person who has such an impairment, has a record of such impairment, or is regarded as having such an impairment;
- (c) A qualified person with a disability means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the position that the individual holds or has applied for.

2. Brevard Family Partnership also prohibits any discrimination against an employee because the employee has a family member with a disability. BFP seeks reasonable accommodations for qualified individuals with disabilities that do not result in undue hardship on its business operations. Examples of some of the factors to be considered in determining whether a proposed accommodation creates an undue hardship are:

- The nature and cost of the accommodation;
- The overall financial resources of the facility and the Agency at which the reasonable accommodation is necessary;
- The number of persons employed at that facility;
- The overall financial resources of BFP of Brevard. Other factors also can have bearing on whether an accommodation would create an undue hardship.

3. The Chief Executive Officer, the Chief Operations Officer, the Chief Financial Officer, the Chief Personnel & Administrative Officer and the Chief Compliance and Utilization Officer will make the determination of whether an accommodation creates an undue hardship.

4. Every BFP job description is determined by its essential job functions which are listed on the document. Each year, the Chief Personnel & Administrative Officer and the Division Directors review job descriptions to ensure that essential functions of a position are kept up-to-date and accessible.

5. All employees shall comply with safety rules at all times. BFP makes every effort to place applicants and employees in positions for which they are qualified. However, employees and job applicants are not placed in positions where, with or without a reasonable accommodation, they would create a direct threat to the safety or health of themselves or others. The determination that an individual poses a direct safety or health threat must be confirmed by an opinion in writing from a physician or other appropriate professional.

6. Any applicant or employee who believes that there has been a violation of Brevard Family Partnership's procedure or any applicable law relating to Section 504 of the Rehabilitative Act of 1973 and/or the Americans with Disabilities Act of 1990 should immediately contact the Chief Personnel & Administrative Officer at (321) 752-4650 who serves as the EEO Officer for the company. Complaints may be registered within 180 days of the incident. Your report may be made orally or in writing. Employees may use the Employee Grievance Process identified in [HR2805](#). A prompt, confidential (to the extent practicable) and impartial investigation of the alleged discriminatory conduct will be undertaken. If the Company finds that inappropriate conduct occurred, prompt, corrective action will be taken against all responsible individuals. This will be done at the sole discretion of the Company, including discipline up to and including termination.

7. No employee shall be retaliated against, harassed, intimidated, threatened, coerced or discriminated against for making a charge, testifying, assisting or participating in any manner in an investigation, proceeding or hearing for opposing alleged unlawful discriminatory practices prohibited by state and federal laws.

8. Additionally, any person who believes that he or she has been discriminated or retaliated against in violation of Section 504 of the Rehabilitative Act of 1973 and/or the Americans with

Disabilities Act of 1990 may file a complaint by writing or calling: The Department of Children & Families Office of Civil Rights, 1317 Winewood Blvd., Blds. 1, Room 101 Tallahassee, FL 32399-0700. The telephone number is (850) 487-1901. Contact may also be made with the Central Region's ADA/504 Coordinator at (407) 317-7552 located at 400 W. Robinson Street, Suite 936 D, Orlando, FL 32801-1782..

9. Complaints can also be filed with the United States Equal Employment Opportunity Commission (EEOC) at 2 South Biscayne Blvd, One Biscayne tower, Suit 2700, Miami FL 33131 or by calling (800) 696-4000

10. In addition, any person who believes that he or she has been discriminated or retaliated against in violation of this procedure, may contact the Department of Health and Human Services, Att: Office of Civil Rights within 180 days of the incident at Sam Nunn Atlantic Federal Center Suite 3B70, 61 Forsyth Street SW, Atlanta, Georgia 32303-8909 or by telephone at (404) 562-7886.

BY DIRECTION OF THE CHIEF EXECUTIVE
OFFICER:



DR. PATRICIA NELLIUS-GUTHRIE
Chief Executive Officer
Brevard Family Partnership

APPROVAL DATE: 1/31/11