

Equity, Inclusion, and Affordability Committee

Focus on Disability Inclusion

Item 6d September 24, 2024



Metropolitan Water District

ADA/FEHA Disability Compliance : *The Revised and Realigned Disability Interactive Process at Met*

Presented by Rachel Shaw

09.24.24



Today's Topics

- Introduction
- Key Goals of MWD's Realigned ADA/FEHA Programming
- The Disability Interactive Process Hallway®
- Q&A





Programming Highlights

Realigned Disability Compliance Program includes:

- Defined and Communicated Process for All Disabled Applicants and Employees
- Consistent Programming
- Updated and Realigned Written Communication & Documentation
 - Letters
 - Medical Questionnaires
 - Meeting Notes
- Enhanced Communication Strategies to Ensure Discussions to Improve Understanding, Collaboration and Outcomes
- Shaw HRC will Collaborate and Mentor Team to Ensure Programming Changes and Improvements are Implemented Successfully



FEHA & ADA

Mandates:

Where employees are eligible, including having a disability under the law:

- 1. Employers must engage in a Timely Good Faith Interactive Process, and
- 2. Employers must provide Reasonable Accommodation

Each is a stand-alone statutory obligation

Code Reference: 2 CCR § 11069(c)

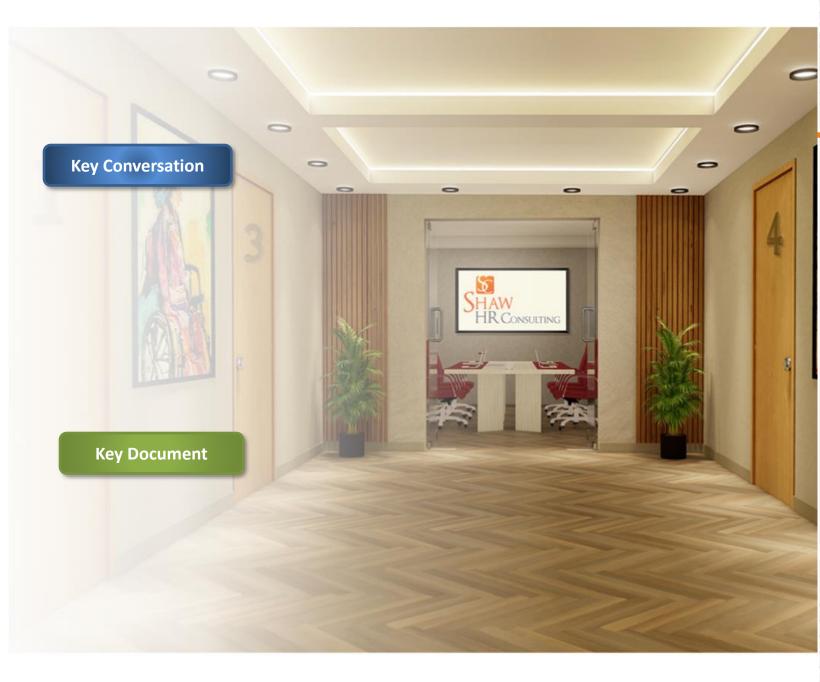


HR Consulting

Foyer

Discuss with Employee:

- What was the trigger?
- What can they expect?
- What do they need to do?
- What will HR do?
- Introductory Letter
- Move down the Hallway





Disability Interactive Process Hallway®

Conducted by Human Resources

Door #1

Gather Data: Obtain Clear Medical Work Restrictions; May determine an Essential Functions Position Analysis[®] (EFPA[®]) document needs to be created

Door #2

Research Accommodations: Call/email/discuss with employee and supervisor the restrictions and begin exploring accommodation ideas



Schedule Meeting & Prepare: Schedule meeting and invite the right people to attend; confirm attendance in advance; prepare notes for meeting; meet and make decisions



Do What You Said You Would Do: After meeting, implement decisions; do what was said would be done



The Hallway: Door #1

What happens at Door #1?

Obtain Necessary Documentation/Information

- Medical Questionnaire with:
 - Serious medical condition impacting work
 - Yes/No answer
 - Clear work restrictions & duration
 - Leave needs & duration
- Essential Functions Position Analysis[®] (EFPA[®])
 - Understand and document the Essential Functions of the job description/classification and the particular assignment

Key Document



Key Document



The Hallway: Door #2

Engage, Interact and Explore Together

• Share information received back at Door # 1



- Ensure that employee and employer understand how the clarification at Door # 1 is being interpreted so that additional clarification can be obtained if there is a substantive difference
- Seek employee ideas on accommodations to overcome/accommodate restrictions clarified at Door # 1
 - Research ideas of employee, department or organization before interactive process meeting
- Consult with professionals in the field for assistance to identify reasonable accommodation options
- No Decisions, but research ideas and options of all parties

Door #2



Scheduling & Holding the IPM



Schedule, Prepare for and Hold an Interactive Process Meeting (IPM) When Long-Term Accommodations are being Explored

- Schedule IPM and Send Meeting Notice
 - Have the Right People Involved in Decisions
 - Prepare and send the meeting notice to all parties
 - Call employee to confirm attendance
- Hold Interactive Process Meeting and Obtain Notes
 - Clearly documented decisions for all parties
 - Communicate and document next steps to ensure actions agreed to are done timely. This may include implementation of accommodations, the alternative work search process, and retirement exploration.

Key Document

Key Document



The Hallway: Door #4



Post-Meeting Activities / Close Process Correctly

- Place all documents in the accommodations file to ensure complete record is available.
- Implement Decisions and Agreements made at the interactive process meeting
- Identify Next Steps of the Interactive Process, if any.



Questions

For additional questions contact: Mark Brower Mbrower@mwdh2o.com

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13