



<b>Document ID #</b>	HR-POL6	<b>Revision:</b>	1	<b>Date:</b>	11/02/2023
<b>DOCUMENT NAME:</b> Reasonable Accommodation Policy					

**Control:** Internal

**Reference Documents:**

TVS SCS NA Employee Handbook  
ADA Accommodation Request & Determination Form  
Accommodation Request & Determination Form  
Harassment, Discrimination, and Retaliation Prevention Policy  
EEO Policy

**Purpose:**

TVS SCS NA is committed to providing equal opportunity and reasonable accommodations to employees. TVS SCS NA complies with the Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, and all other applicable federal, state, and local laws regarding disability discrimination and accommodation.

**Scope:**

This policy and procedure apply to TVS SCS NA as a whole, applying to all qualified employees and applicants.

**Responsibilities:**

HR Representatives; Act as the primary contact for accommodation requests, and serves as a resource to employees, managers, and supervisors regarding matters pertaining to reasonable accommodations. Maintains all records related to reasonable accommodation requests.

Management; is responsible for recognizing an accommodation request, understanding the importance of a prompt, effective response to accommodation requests, notifying human resources, and understanding the importance of keeping accommodations, disability requests, and associated medical information confidential, alerting only those who need to know this information.

**Definitions:**

*Essential Job Functions:* Fundamental job duties of the employment position the individual with a disability holds or desires. They do not include marginal functions of the position.



**Disability:** With respect to an individual: (i) a physical or mental impairment that substantially limits one or more major life activities of such individual; or (ii) a record of an impairment; or (iii) being regarded as having such an impairment.

**Episodic or In Remission:** The state of occurring intermittently or of being suspended. An impairment that is episodic or in remission is considered a disability if that impairment would substantially limit a major life activity when active. Thus, an impairment such as epilepsy or cancer may constitute a disability if it would substantially limit a major life activity while active. Episodic conditions that impose only minor limitations, even when they are active, would not meet the definition of disability.

**Major Life Activities:** Include, but are not limited to: 1. Caring for oneself; performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working; and 2. The operation of a major bodily function, including functions of the immune system, special sense organs, and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. In determining other examples of major life activities, the term “major” must not be interpreted strictly to create a demanding standard for disability. Whether an activity is a major life activity is not solely determined by whether it is of “central importance to daily life.”

**Physical or Mental Impairment:** (a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic and lymphatic, skin, and endocrine. (b) Any mental or psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, or specific learning disability.

**Qualified Individual with a Disability:** A person who meets the appropriate skill, experience, education, or other requirements of an employment position that he or she holds or seeks, and who can perform the essential functions of the position with or without reasonable accommodation.

**Reasonable Accommodation:** A modification or adjustment to a job or to the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Also includes adjustments to ensure that a qualified individual with a disability has rights and privileges in employment that are equal to those of nondisabled employees. When an employee makes it known they need an adjustment or change at work due to a medical condition, the deciding official should consider this as a request for a reasonable accommodation.



*Substantially Limits:* An impairment that limits the ability of an individual to perform a major life activity compared to most people in the general population.

*Targeted Disability:* A targeted disability is a subset of the larger disability category. These targeted disabilities include: developmental disabilities; traumatic brain injuries; deafness or serious difficulty hearing; blindness or serious difficulty seeing even when wearing glasses; missing extremities; significant mobility impairments; partial or complete paralysis; epilepsy or other seizure disorders; intellectual disabilities; significant psychiatric disorders; dwarfism; and significant disfigurement.

*Undue Hardship:* Occurs when the provision of an accommodation would cause significant difficulty or expense to an organization.

## **Policy:**

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### **Accommodating Employees with Disabilities**

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The Company complies with the Americans with Disabilities Act (ADA) and applicable state and local laws in ensuring equal employment opportunities for qualified persons with disabilities. Qualified individuals needing a reasonable accommodation to perform the essential functions of a job should contact Human Resources. A supervisor who receives a request for an accommodation is required to promptly notify Human Resources of the request. On receipt of an accommodation request, the Company will engage in an interactive process with the individual to discuss possible reasonable accommodations. An employee who requests an accommodation is responsible for participating in the interactive process with the Company, and promptly providing all requested medical and other documentation that supports the employee's request. If a reasonable accommodation exists that would enable the employee to perform the essential functions of the job, a reasonable accommodation will be granted, unless it would result in an undue hardship on the Company or create a direct threat or safety risk to the employee or other employees with whom they work. When more than one reasonable accommodation option exists, the Company has the right to choose which accommodation to grant, and may not grant the particular accommodation desired by the employee. All employment decisions are based on the merits of the situation in accordance with applicable job criteria, not an individual's disability.

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### **Accommodations due to Pregnancy, Childbirth, and Related Conditions**

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The Company complies with all federal, state, and local laws that provide legal protections to employees who are pregnant or who suffer from medical conditions associated with pregnancy, which may include the Pregnant Workers Fairness Act, Americans with Disabilities Act, and the Family and Medical Leave Act. Employees who require accommodation(s) for pregnancy, childbirth, or medical or common conditions related to pregnancy or childbirth should make the request to Human Resources, which will work with



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them to determine any effective reasonable accommodation(s) that do not pose an undue hardship on the Company. Employees may be required to provide medical documentation from their physician to support the need for the reasonable accommodation(s). Documentation may include the medical justification for the requested accommodation(s), a description of the reasonable accommodation(s) that is medically advisable, the date the reasonable accommodation(s) became medically advisable, and the probable duration of the reasonable accommodation(s).

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### **Lactation Breaks and Accommodations for Breast Feeding Mothers**

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The Company will provide a reasonable amount of break time to accommodate an employee's need to express breast milk for the employee's infant child up until 12 months of age or as required by applicable law. If possible, the break time should be taken concurrently with other break periods already provided. Non-exempt employees should clock out for any time taken that does not run concurrently with scheduled rest breaks, and such time generally will be unpaid, in accordance with state and/or local law. The Company also will provide the employee with the use of a room or other location, other than a bathroom, in close proximity to the employee's work area for the employee to express milk in private. Employees should notify their supervisor or Human Resources if they are requesting time to express breast milk under this policy.

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### **Religious Accommodations**

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The Company complies with Title VII of the Civil Rights Act of 1964 and applicable state and local laws that prohibit discrimination based on an employee's sincerely held religious beliefs. The Company will consider and evaluate requests for reasonable accommodations based on a sincerely held religious belief. The Company will engage in an interactive process with any employee who requests a reasonable accommodation for a sincerely-held religious belief, observance, and practice. A reasonable accommodation is one that eliminates the conflict between an employee's religious beliefs, observances, or practices and the employee's job requirements without causing undue hardship to the Company. Any employee who has a request for a religious accommodation should contact Human Resources.

### **Record Retention:**

Record Number	Record Name	Storage Location	Retention	Disposal

### **Training**

### **Document Revision History:**



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Date of Revision	Rev #	Description of Change	Reviewed by:	Approved by:
11/02/2023	1	Controlled and Uploaded to FastWorks	Hope Molyneaux	Paula Novak