


Montefiore

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Non-Discrimination Against and Accommodation of Individuals with Disabilities (including Pregnancy)
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VI-8
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	DATE ISSUED: 07/01/92
	DATE REVIEWED/REVISED: 3-7-2022

GENERAL POLICY:

Montefiore Medical Center complies with the Americans with Disabilities Act (“ADA”) and applicable state and local laws (including the New York City Human Rights Law) providing for nondiscrimination in employment against qualified individuals with disabilities (including pregnancy, childbirth or a related medical condition). In accordance with these laws, it is Montefiore’s policy to:

1. Ensure that qualified individuals with disabilities (including pregnancy, childbirth or a related medical condition) are treated in a nondiscriminatory manner in the pre-employment process and that Associates with disabilities (including pregnancy, childbirth or a related medical condition) are treated in a non-discriminatory manner in all terms, conditions, and privileges of employment.
2. Keep all medical-related information confidential in accordance with the requirements of the ADA and the New York City Human Rights Law and retain such information in separate confidential files.
3. To make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability (including pregnancy, childbirth or a related medical condition), who is an applicant or an Associate, provided the accommodation does not constitute an undue hardship or pose a threat to the health and safety of the individual or others in the workplace.
4. Prohibit retaliation against any individual who requests an accommodation under this policy. Montefiore will discipline any person who engages in retaliation.


POLICY APPLICABLE TO:

All Associates (including, but not limited to, employed physicians, attending physicians, house staff, students, volunteers) and vendors, independent contractors, and agency workers. This policy also applies to applicants.

PROCEDURE FOR REQUESTING AN ACCOMMODATION AND RESPONDING IN WRITING TO ASSOCIATE

Identifying the necessary accommodations for a qualified individual with a disability (including pregnancy, childbirth or a related medical condition) is an interactive process (the New York City Human Rights Law calls this process the “cooperative dialogue”) to evaluate the Associate’s needs and consider possible accommodations for the Associate that would allow them to perform the essential requisites of the job, without creating an undue hardship for Montefiore. Accordingly, Montefiore encourages qualified individuals with a disability who need an accommodation to come forward and request a reasonable accommodation in accordance with the following guidelines:

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1. Any applicant or Associate who requires an accommodation in order to perform the essential functions of the job should contact the recruiter, Employee and Labor Relations, Occupational Health Services (OHS) or a Supervisor and request an accommodation. Montefiore may require the Associate to provide medical documentation to OHS substantiating the need for the reasonable accommodation requested.
2. Montefiore will engage in a written or oral dialogue with an Associate who has requested an accommodation, as well as with any Associate who Montefiore has notice may require a reasonable accommodation for a disability, concerning the Associate’s accommodation needs; potential accommodations that may address the Associate’s accommodation needs, including alternatives to a requested accommodation; and the difficulties that such potential accommodations may pose for Montefiore.
3. Associates are expected to participate and cooperate in the accommodation process. The duty to cooperate includes engaging in interactive/cooperative discussions regarding possible accommodations and providing documentation substantiating the need for an accommodation. Montefiore, however, may not require an Associate to provide medical confirmation of pregnancy, childbirth, or related medical condition.
4. If the accommodation requested by the Associate: is related to the Associate’s disability; the need for the accommodation is documented, where appropriate; the accommodation meets the requested need; the accommodation does not require the elimination of an essential function of the Associate’s job; the accommodation enables the Associate to perform the essential functions of the job; the accommodation does not pose a direct threat to the Associate or others; and the accommodation does not cause an undue hardship on the conduct of Montefiore’s business, Montefiore will grant the requested accommodation or an alternative accommodation that enables the Associate to perform the essential functions of the Associate’s job.
5. Employee and Labor Relations must approve any denial of a request for accommodation.
6. At the conclusion of the cooperative dialogue process, Associates will be notified in writing in a Grant or Denial of Reasonable Accommodation Request Form whether the request for an accommodation has been granted, denied, or an alternative accommodation will be provided. Human Resources or the Associate’s Manager will complete the Grant or Denial of Reasonable Accommodation Request Form. The Associate is to sign the form to indicate receipt of the form and a copy kept in the Associate’s departmental file. The template Grant or Denial of Reasonable Accommodation Request Form is available on the Montefiore Intranet.

All Medical Center Human Resources policies and practices are guidelines and may be changed, modified or discontinued any time by the Medical Center’s Senior Vice President of Human Resources, or designee, with or without notice. Exceptions do not invalidate the basic policy.