


<p style="text-align: center;"><b>MISSOURI DEPARTMENT OF TRANSPORTATION</b></p>  <p style="text-align: center;"><b>PERSONNEL POLICY MANUAL</b></p>	<b>Chapter Title</b> Employment		
	<b>Policy Title</b> Physical or Mental Disability		
	<b>Policy Number</b> 0506	<b>Page</b> 1 of 2	<b>Effective Date</b> June 1, 2021
<b>Approved By</b> Steve Meystrik, Human Resources Director Signature on File	<b>Supersedes Policy Number</b> 0506	<b>Page</b> 1 of 3	<b>Prior Effective Date</b> April 1, 2018

### **POLICY STATEMENT**

The department is committed to equal opportunity, including employment of individuals with disabilities as defined in the Americans with Disabilities Act and Missouri Human Rights Act. It is the department's intent to provide applicants and employees who have disabilities and are able to safely perform the essential functions of a particular position, with or without reasonable accommodation, employment opportunities, when possible.

### **PROVISIONS / REQUIREMENTS**

1. The department will make individual assessments of employees' or applicants' abilities to determine if requested reasonable accommodation(s) can be provided to applicants and employees with disabilities without creating an undue hardship upon the department. However, the department will not eliminate essential job functions or create unneeded positions to accommodate such applicants and employees.
2. Full-time and permanent part-time employees who experience an injury, illness, or condition, either on or off the job, which results in a disability that makes them unable to perform the essential functions of their current job may be considered for other job vacancies provided that:
  - A. They meet the minimum education and experience requirements of the vacant position.
  - B. They meet performance expectations in the position held at the time they incurred the injury, illness, or condition.

- C. They are physically and mentally capable of performing the essential functions of the vacant position, with or without reasonable accommodation.

The department will seek to hire the best person who is qualified for every job.

3. When an employee with a disability is unable to perform the essential functions of their position and accepts another position, the employee's salary will be determined by the employee's education, relevant experience, and department service. Salary relativity of other employees may be a consideration in determining the proposed rate of pay.
4. An employee with a disability who is unable to perform the essential functions of their position may be able to use accrued sick leave, annual leave, and compensatory time. The employee may also be eligible for Family and Medical Leave Act (FMLA) leave, ShareLeave, and/or extended sick leave. Refer to Personnel Policies 3500, "Sick Leave," 3001, "Annual Leave," 3512, "Family and Medical Leave," 3511, "ShareLeave Program," and 3501, "Extended Sick Leave." If the employee has not obtained another position within MoDOT, has exhausted all available leave options, and is still unable to return to their previous position, the employee will be released from employment.

### **CROSS REFERENCES**

[Personnel Policy 3001, "Annual Leave"](#)

[Personnel Policy 3500, "Sick Leave"](#)

[Personnel Policy 3501, "Extended Sick Leave"](#)

[Personnel Policy 3511, "ShareLeave Program"](#)

[Personnel Policy 3512, "Family and Medical Leave"](#)