



WISCONSIN STATE FAIR PARK REASONABLE ACCOMMODATIONS POLICY

A. PURPOSE

Wisconsin State Fair Park (WSFP) is committed to providing reasonable accommodations for qualified persons with disabilities in order to ensure equal employment opportunity in accordance with applicable federal and state laws and regulations. Reasonable accommodations will be provided in a timely and cost-effective manner and employment opportunities will not be denied because of the need to make reasonable accommodations to an individual's disability.

B. DEFINITIONS

Reasonable Accommodation: Any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified person with a disability to enjoy an equal employment opportunity. A reasonable accommodation may include, but is not limited to:

- making facilities accessible
- modifying work schedules
- restructuring jobs
- acquiring or modifying equipment or devices
- providing qualified readers or interpreters

Undue Hardship: An action that requires "significant difficulty or expense" in relation to the size of the employer, the resources available, and the nature of the operation. Whether a particular accommodation will impose an undue hardship is determined on a case-by-case basis. An accommodation that poses an undue hardship for one employer at a particular time may not pose an undue hardship for another employer or even for the same employer at another time. It includes any action that is:

- excessively costly
- extensive
- substantial
- disruptive

Disability: Federal and State definitions of "disability" differ somewhat. The **State** Wisconsin Fair Employment Act (WFEA) defines a disability as "A physical or mental impairment that makes achievement unusually difficult or limits the capacity to work, or a record of such an impairment, or is perceived as having such an impairment." (s.111.32 (8) Wis. Stats.) The **Federal** Americans with Disabilities Act defines a disability as "A physical or mental impairment that substantially limits one or more major life activities of such individual, or a record of such impairment, or being regarded as having such an impairment." (42 U.S.C. 12102(1)) *In Wisconsin, the WFEA definition takes precedence.*

C. REQUESTING AN ACCOMMODATION

Employees are made aware of their right to request a reasonable accommodation via this policy, where posted, and through the Human Resources Department.

Applicants for employment are informed of WSFP's policy to provide reasonable accommodations for those with disabilities. Applicants may request accommodation for interviews by informing WSFP when arranging an interview.

Employees may initiate a request for accommodation verbally via their supervisor or AA Officer but must follow up with a request in writing using the [Disability Accommodation Request Form \(OSER-DAA-10\)](#) that can be accessed from WSFP's network folders, employee web portal or the Human Resources Department.

D. INTERACTIVE PROCESS

The following factors will be considered when determining the reasonableness of the accommodation requested:

- Does the accommodation accomplish the desired result of allowing the individual to adequately undertake the job-related responsibilities?
- Will the accommodation adversely affect the productivity or work environment of other employees and the work unit?
- Is the applicant or employee otherwise qualified to perform the job functions?

The supervisor will proceed with provision of reasonable accommodations when the accommodation can easily be provided and is within the unit's budget. The written request should then be routed to the Human Resources Department. While a supervisor can independently provide accommodations, the supervisor cannot deny a request for reasonable accommodations without further review.

When the first-line supervisor cannot provide the reasonable accommodations requested, the written request, accompanied by the supervisor's recommendation, is forwarded to the Human Resources Manager. The Human Resources Manager or designee will review the request and the recommendation and, at a minimum, consult with the requesting employee and employee's supervisor.

The supervisor will act upon the request within ten (10) working days or refer it to the Human Resources Manager. The Human Resources Manager or designee will reach a determination as quickly as possible, but the decision-making time shall not exceed 30 working days from receipt of the request from the supervisor.

The decision to approve or disapprove a request for accommodation will be in writing via the [Disability Accommodation Request Form](#).

The Human Resources Manager may request verification of the disability of the person requesting accommodation to assist with determining the ability of the person to adequately perform the job-related responsibilities with reasonable accommodation. The employee must bear the initial cost of verification; however, if WSFP requests additional verification, WSFP will bear the cost of the additional verification.

If it is determined there are no reasonable accommodations available or appropriate for the employee, the Human Resources Manager may look for an open position within WSFP for a possible transfer opportunity provided the employee is qualified for the position. However, this option is not a legal right of an applicant. (s. 230.37(2), Wis. Stats.)

The Human Resources Manager will monitor the effectiveness of any accommodation and as necessary, conduct interviews with the employee and supervisor regarding the adequacy of the accommodation to recommend any further adjustments that may be needed.

E. APPEAL PROCESS

If an employee disagrees with a decision regarding his/her request for reasonable accommodation, he/she may appeal that decision through use of WSFP's [Internal Discrimination & Harassment Complaint Process](#). Employees and applicants may also seek appeal through Wisconsin's Equal Rights Division of the Department of Workforce Development, or the federal Equal Employment Opportunity Commission.