

**Commission for Accessibility
Meeting Minutes
Monday, November 7, 2022**

Special Meeting Via Zoom

In Attendance: Christine Santori, , Maureen Culhane, Dave Choplinski, Michael Londrigan, Don Ciota

Call to Order: 5:08 PM

Note: There were no propositions or votes by the commission at this meeting.

Public Comment

During this time a discussion was held about the possibility of having in-person meetings as of January 2023. An informal poll of those present found no objections to this possibility. Don will inquire as to the availability of our last meeting space, the large conference room on the lower level of town hall.

Title I Employment - Americans with Disabilities Act

The Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities. It also protects the rights of both employees and job-seekers.

While the U.S. Department of Labor (DOL) Office of Disability Employment Policy (ODEP) does not enforce the ADA, it does offer publications and other technical assistance on the basic requirements of the law, including covered employers' obligation to provide reasonable

accommodations to qualified job applicants and employees with disabilities.

In addition to the DOL, several other federal agencies have a role in enforcing, or investigating claims involving the ADA:

The U.S. Employment Opportunity Commission (EEOC) enforces Title I of the ADA. Title I prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in applying for jobs, hiring, firing and job training.

It is important for members of this commission, the public, and employers to be aware of the scope of resources available to persons with disabilities in retaining and seeking employment. It is very possible persons who are protected by these laws are unaware of the powerful effect they may have in ensuring their rights to employment and likewise, employers may not realize their responsibilities. This problem may be compounded by the fact the ADA is a compliant-based law. How does one know to make a complaint, or in the case of an employer, how to insure compliance if unaware of them?

Fortunately, this commission has not had any complaints of discrimination under ADA Title I, but it is essential for members to have such knowledge in our advisory role to the Board of Selectmen. But as members of the community, we can also be ambassadors of information to persons we encounter who may benefit from the help of these laws, but for whatever reason are reluctant to seek assistance.

The following attachments are helpful in understanding the resources and issues related to this discussion:

U.S. Employment Opportunity Commission (EEOC)

Overview

The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy and related conditions, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.

Most employers with at least 15 employees are covered by EEOC laws (20 employees in age discrimination cases). Most labor unions and employment agencies are also covered.

The laws apply to all types of work situations, including hiring, firing, promotions, harassment, training, wages, and benefits.

Authority & Role

The EEOC has the authority to investigate charges of discrimination against employers who are covered by the law. Our role in an investigation is to fairly and accurately assess the allegations in the charge and then make a finding. If we find that discrimination has occurred, we will try to settle the charge. If we aren't successful, we have the authority to file a lawsuit to protect the rights of individuals and the interests of the public and litigate a small percentage of these cases. When deciding to file a lawsuit, the EEOC considers several factors such as the strength of the evidence, the issues in the case, and the wider impact the lawsuit could have on the EEOC's efforts to combat workplace discrimination.

We also work to prevent discrimination before it occurs through outreach, education, and technical assistance programs.

The EEOC provides leadership and guidance to federal agencies on all aspects of the federal government's equal employment opportunity program. EEOC assures federal agency and department compliance with EEOC regulations, provides technical assistance to federal agencies concerning EEO complaint

adjudication, monitors and evaluates federal agencies' affirmative employment programs, develops and distributes federal sector educational materials and conducts training for stakeholders, provides guidance and assistance to our Administrative Judges who conduct hearings on EEO complaints, and adjudicates appeals from administrative decisions made by federal agencies on EEO complaints.

- [Americans with Disabilities Act](#)
- [Employee Rights](#)
- [Employers' Responsibilities](#)
- [Hiring People with Disabilities](#)
- [Job Accommodations](#)
- [Job Search](#)
- [Laws and Regulations](#)
- [Small Business and Self-Employment](#)
- [Social Security](#)
- [Statistics](#)

A [job accommodation](#) is an adjustment to a job or work environment that makes it possible for an individual with a disability to perform their job duties.

Accommodations may include specialized equipment, modifications to the work environment or adjustments to work schedules or responsibilities. Not all people with disabilities (or even all people with the same disability) need the same accommodation. For example, a job applicant who is deaf may need a sign language interpreter during the job interview; an employee who is blind or who has low vision may need someone to read information posted on a bulletin board; and an employee with diabetes may need regularly scheduled breaks during the workday to monitor blood sugar and insulin levels.

The [Job Accommodation Network](#) (JAN), a service of the U.S. Department of Labor's [Office of Disability Employment Policy](#) (ODEP) is the leading source of expert, confidential guidance on workplace accommodations and provides one-on-one consultation to employers and employees, as well as service providers and others, free of charge.

Under Title I of the [Americans with Disabilities Act](#), there are three areas in which [reasonable accommodations](#) may be needed:

- Adjustments to the job application process so a qualified applicant with a disability can be considered for a position;
- Modifications to the physical work environment, or to the way a job is usually performed, so an individual with a disability can perform the essential functions of that position; and
- Changes that enable an employee with a disability to enjoy equal benefits and privileges of employment like those that are enjoyed by other employees without disabilities. This may include access to cafeterias, lounges, auditoriums and company-provided transportation.

The only legal limitation on an employer's obligation to provide reasonable accommodation is that the changes or modifications may not cause "undue hardship" to the employer. "Undue hardship" means significant difficulty, including accommodations that are overly extensive or disruptive, or which could impact the actual running of a business.

U.S. Department of Labor Resources on Job Accommodations

- [ODEP Accommodations Topic Page](#)
- [Reasonable Accommodation for Employees and Applicants with Disabilities](#)
- [Maximizing Productivity: Accommodations for Employees with Psychiatric Disabilities](#)

Other Resources on Job Accommodations

- [Job Accommodation Network](#)
 - [Employees' Practical Guide to Negotiating and Requesting Reasonable Accommodations Under the Americans with Disabilities Act](#)
 - [Employers' Practical Guide to Negotiating and Requesting Reasonable Accommodations Under the Americans with Disabilities Act](#)
 - [Accommodation Ideas Based on Disability Type](#)
 - [JAN's Searchable Online Accommodation Resource](#)
- [What are Reasonable Accommodations?](#)
- [Technology and Job Accommodations Bring Many Jobs Within Reach](#)
- [Computer/Electronic Accommodations Program \(Federal\)](#)

U.S. DEPARTMENT OF LABOR

- [Disability Resources](#)
- Hiring People with Disabilities

Hiring People with Disabilities

- Americans with Disabilities Act
- Employee Rights
- Employers' Responsibilities
- **Hiring People with Disabilities**
- Job Accommodations
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- Social Security
- Statistics

The U.S. Department of Labor's [Office of Disability Employment Policy](#) (ODEP) supports several initiatives that help employers interested in hiring individuals with disabilities, including:

- The [Employer Assistance and Resource Network on Disability Inclusion](#) (EARN) is a free, nationwide service that educates employers about effective strategies for recruiting, hiring, retaining and advancing people with disabilities. EARN also maintains a list of [job posting websites](#) geared toward

job seekers with disabilities and a collection of [success stories](#) about employers that have made a commitment to disability inclusion.

- The [Workforce Recruitment Program for College Students with Disabilities](#) (WRP) is a free resource that connects private businesses and federal agencies nationwide with qualified job candidates for temporary or permanent positions in a variety of fields. Applicants are highly motivated postsecondary students and recent graduates with disabilities who are eager to prove their abilities in the workforce. Through [WRP.jobs](#), private employers interested in gaining access to these individuals can post permanent and temporary positions. WRP participants can then search and apply for these positions using an employer's standard application processes.
- The [Job Accommodation Network](#) (JAN) provides free, expert advice on workplace accommodations that may be necessary to assist qualified individuals with disabilities apply for a job and maximize their productivity once onboard.
- Although not a resource for hiring per se, the [Campaign for Disability Employment](#) offers a variety of media assets, including video public service announcements, all designed to encourage employers and others to recognize the value and talent people with disabilities add to America's workplaces and economy. Employers can use these resources in the workplace to help spark conversations about disability issues.

ODEP also offers several fact sheets and other resources to educate employers about effective [recruitment and hiring strategies](#), as well as laws such as [Title I of the Americans with Disabilities Act](#) (ADA), which protects the employment rights of people with disabilities. The [U.S. Equal Employment Opportunity Commission](#) enforces the employment provisions of the ADA under Title I.

U.S. Department of Labor Resources on Hiring People with Disabilities

- [Tax Incentives for Employers](#)
- [Inclusive Internship Programs: A How-to Guide for Employers](#)

Other Resources on Hiring People with Disabilities

- [Disability:IN](#) - Tools and programs to bridge inclusive companies with people and organizations within the disability community.
- [Employer Incentives for Hiring People with Disabilities: Federal Tax Incentives At-A-Glance](#)
- [Where Can I Find Qualified Applicants with Disabilities?](#)
- [Interviewing Job Candidates with Disabilities](#)
- [Information for Employers from the Job Accommodation Network](#)
- [Hiring Veterans with Service-Connected Disabilities](#)
- [Steps Small Businesses Can Take to Recruit and Retain Qualified People with Disabilities](#)

Adjourn: 6:11 PM

2022 Meeting Dates:

All dates are on a **Monday at 5:00PM** and will be held via Zoom until further notice.

Next Meetings: December 12, 2022

Minutes prepared by Don Ciota, Chairman