

MUNICIPALITY OF SKAGWAY, ALASKA
RESOLUTION NO. 09-17R

A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING THE PERSONNEL POLICY REGARDING THE AMERICAN'S WITH DISABILITIES ACT.

WHEREAS, the Municipality needs to address issues regarding the American's with Disabilities Act (ADA); and

WHEREAS, the personnel policy is amended by resolution; and

WHEREAS, the personnel policy committee is working on an update of the personnel policy which will include a comprehensive review of necessary changes; and

WHEREAS, ~~strike through~~ indicates text deleted and **underline** indicates text added to current regulations;

NOW THEREFORE BE IT RESOLVED, that Chapter 1, Administration, Section 1.7 American's with Disabilities Act and Chapter 4, Section 4.3 Position Requirements are hereby added to the Personnel Policy

Chapter 1 Administration

1.7 American's with Disabilities Act

The Municipality of Skagway shall not discriminate against a qualified individual on the basis of disability in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.

Chapter 4 **Employment** Positions Descriptions

4.3 Position Requirements

(a) Reasonable accommodations; the Municipality of Skagway shall not limit, segregate, or classify a job applicant or employee in a way that adversely affects the opportunities or status of such applicant or employee because of the disability of such applicant or employee.

(b) The Municipality is required to make a reasonable accommodation to the known disability of a qualified applicant or employee if it would not impose an "undue hardship". Undue hardship is defined in the American's with Disabilities Act as an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation. An employer is not required to lower quality or production standards to make an accommodation; nor is an employer obligated to provide personal use items such as glasses or hearing aids.

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(c) The Municipality shall cover the initial cost of devices that would provide any employee reasonable accommodations to enable them to perform their job duties.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 7th day of May, 2009.



Thomas D. Cochran, Mayor

ATTEST:



Marjorie D. Harris, Municipal Clerk

(SEAL)

