

City of Brockton

Reasonable Accommodation Policy

The City of Brockton is committed to providing equal employment opportunity to all qualified individuals with disabilities in accordance with federal and state law.

Both the **Americans with Disability Act (ADA)** and **Chapter 151B of the Massachusetts General Laws (MGL Chapter 151B)** prohibit employment discrimination against qualified individuals with a disability. An “individual with a disability” is someone: (1) with a mental or physical impairment that limits one or more major life activities; or (2) has a history of such an impairment; or (3) is perceived (even if erroneously) as having such an impairment.

A “qualified individual with a disability” refers to individuals with a disability who: (1) Satisfy the general skill, experience, education and other job-related requirements, and (2) Can perform the essential functions of the job with or without reasonable accommodation.

“Reasonable accommodation” refers to an employment-related modification that an employer must make in order to ensure equal opportunity for an individual with a disability to (1) apply for and test for a job; (2) perform essential job functions; and (3) receive the same benefits and privileges as other employees. The City is only required to provide a reasonable accommodation to individuals with known disabilities (i.e., if the applicant or employee informs the employer of the disability, or if the disability is obvious). Moreover, the City is not required to provide a reasonable accommodation if that accommodation will cause “undue hardship” (e.g., financial or administrative) to the City.

An accommodation may prove to be an “undue hardship” when its implementation would result in “significant difficulty or expense to the City. Factors that the City will use in making this determination include: (1) the nature and cost of the accommodation itself; (2) the impact of the accommodation on the operation of the department(s) involved, taking into account the overall resources and the number of its employees; and (3) the manner in which the City’s services and programs operate, taking into account its size and financial resources.

The City cannot and will not inquire whether a job applicant has a disability or the extent to which s/he is disabled. The City may ask whether the applicant is able to perform job-related functions, but not questions intended to determine whether or not the person has a disability. In addition, the City cannot and will not ask an applicant to take a medical exam prior to making an offer of employment.

Any job applicant or current employee seeking a reasonable accommodation may contact the Human Resources Department to begin the process.