

Reference:	Title:
Americans with Disabilities Act of 1990 ADA Amendments Act Temporary Modified Work Assignment for Non-Duty Related Injuries Policy Prior HRPB ADA Reasonable Accommodation Policy	Americans with Disabilities Act Reasonable Accommodation Policy

I. PURPOSE

- A. The City of Lincoln is committed to providing reasonable accommodation to employees with disabilities in accordance with applicable federal and state law. This policy establishes a consistent framework for evaluating and providing reasonable accommodation to enable employees to perform the essential functions of their position while maintaining effective City operations.
- B. Reasonable accommodation supports continued employment and job performance. Temporary modified work assignments may be used as a transitional measure when employees are recovering from a medical condition or injury and are temporarily unable to perform full duties.

II. DEFINITIONS

- A. **Direct Threat:** A significant risk of substantial harm to the health or safety of the employee or others that cannot be eliminated or reduced by reasonable accommodation. Determinations of direct threat are based on an individualized assessment using reasonable medical judgment and objective evidence.
- B. **Disability:** A physical or mental impairment that substantially limits one or more major life activities as defined by law.
- C. **Essential Functions:** The fundamental job duties of a position. Essential functions do not include marginal or incidental tasks.
- D. **Interactive Process:** A collaborative discussion between the employee and Human Resources to identify potential reasonable accommodation.
- E. **Qualified Individual:** An individual who meets the job-related requirements of the position and can perform the essential functions with or without reasonable accommodation.
- F. **Reasonable Accommodation:** A modification or adjustment to the work environment or to how a position is performed that enables a qualified individual to perform essential functions.

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- G. Temporary Modified Work Assignment:** A temporary work assignment that allows an employee to perform duties within documented medical restrictions when the employee is temporarily unable to perform full duties. These assignments are transitional in nature and do not permanently modify a position, remove essential functions, or create a new position.
- H. Undue Hardship:** An accommodation that would require a fundamental alteration in the City's goods, services, or operations or significant difficulty or expense when considering the nature and cost of the accommodation, the overall financial resources of the City the impact on operations and the effect on the ability of other employees to perform their duties.

III. ELIGIBILITY

- A.** All employees, full-time, part-time, or temporary.

IV. PROVISIONS

- A.** Reasonable accommodation is intended to enable a qualified individual with a disability to perform the essential functions of their position.
- B.** A reasonable accommodation does not require the City to:
- remove, eliminate, or permanently reassign essential job functions; or
 - create a new position, or;
 - create temporary modified work; or
 - permanently redistribute essential duties to other employees.
- C.** The City is not required to provide the employee's preferred accommodation and may select among effective alternatives.
- D.** Temporary adjustments to essential functions may be considered as part of a transitional accommodation or temporary modified work assignment when operationally feasible. Temporary adjustments do not establish that any job duty is nonessential, nor do they create an ongoing obligation to permanently modify the position.
- E.** Employees must be able to perform the essential functions of the position, with or without reasonable accommodation, in order to remain qualified for the position.

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V. TYPES OF ACCOMMODATIONS

A. Reasonable accommodation falls into the following categories:

- i. **One Time Accommodations:** Purchases or actions that fully satisfy the accommodation request. Examples may include ergonomic equipment, assistive technology, specialized software or noise-reducing devices. Once implemented the accommodation is complete unless a new request is submitted.
- ii. **Temporary Accommodations and Modified Work Assignments:**
 1. Temporary modified work assignments are transitional and may include adjusted duties, schedules, or work locations consistent with documented medical restrictions.
 2. Assignments are based on available work that meets operational needs and medical limitations.
 3. Departments, in consultation with Human Resources, determine availability, duties, and duration.
 4. Employees must provide medical documentation outlining restrictions and ability to perform assigned duties.
 5. For work-related injuries, temporary modified work will be coordinated with workers' compensation processes.
 6. Assignments are approved for a defined period and generally do not exceed six (6) months.
 7. Temporary modified work does not permanently change the position or remove essential job functions.
- iii. **Ongoing Accommodations with Periodic Review:**
 1. Applies when an employee has an ongoing or chronic condition but can still perform the essential functions of the position with accommodation.
 2. May include long-term schedule adjustments, recurring flexibility, or other ongoing support.
 3. Will be reviewed periodically, generally annually, to confirm the accommodation remains effective and operationally feasible. The accommodation may be adjusted or discontinued based on operational needs, effectiveness, or changed circumstances.

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iv. Extended Absence from Work:

1. Requests that involve an employee being completely relieved of all job duties due to a medical condition are considered a distinct type of accommodation and are addressed separately from workplace adjustments that support continued work.
- B.** An accommodation that removes essential functions or results in prolonged absence may not be reasonable on an indefinite basis.

IV. PROCEDURES

- A.** An employee may request reasonable accommodation by contacting Human Resources.
- B.** A supervisor who becomes aware of a potential need for accommodation are required to notify Human Resources.
- C.** Human Resources will initiate and facilitate the interactive process and may request appropriate medical documentation necessary to evaluate the request.
- D.** Human Resources will evaluate the request and provide a written determination regarding the accommodation.
- E.** Approved accommodations will be implemented as appropriate and may be reviewed periodically.
- F.** Employees will notify Human Resources if an accommodation is no longer needed, no longer effective, or if circumstances change.

IV. CONFIDENTIALITY

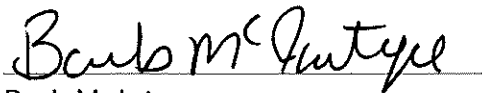
- A.** All medical information and documentation will be maintained confidentially in accordance with applicable laws and records retention requirements by Human Resources.

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IV. NON-RETALIATION

- A. Employees may not retaliate, discipline, or take adverse action against an employee for requesting, participating in, or using a reasonable accommodation.
- B. Employees remain responsible for following applicable request procedures, workplace rules, and performance expectations.

The City reserves the exclusive right to interpret this policy.



Barb McIntyre
Human Resources Director

7-1-2026
Date



Leirion Gaylor Baird
Mayor

7-1-2026
Date