

Sample Options Letter for Resolving Medical/Employment Issues

Existing law requires an appointing power to make a reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or employee who is an individual with a disability, unless the appointing power can demonstrate that the accommodation would impose an undue hardship on the operation of its program. Effective January 1, 2001, the California Fair Employment and Housing Act was modified to require an appointing power to engage in a flexible, interactive process with an employee who may need an accommodation in order to determine whether the employee is entitled to an accommodation and, if so, what sort of reasonable accommodation would be appropriate.

The State Personnel Board is participating on a Disability Task Force, which consists of representatives of various departments, including the California Public Employees' Retirement System (PERS), Department of Corrections (CDC), Department of Industrial Relations (DIR), Department of Mental Health (DMH), Department of Fair Employment and Housing (DFEH), Department of Personnel Administration (DPA), and State Compensation Insurance Fund (SCIF), and various employee organizations, including the California Association of Highway Patrolmen (CAHP), California Correctional Peace Officers Association (CCPOA), California State Employees Association (CSEA), and California Union of Safety Employees (CAUSE). The Task Force is reviewing a number of issues relating to employees who have medical conditions that may affect their ability to perform their job duties.