210

HR REVIEW

NEWS & INFORMATION FROM THE HUMAN RESOURCES DEPARTMENT

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ADA UPDATE

The Americans with Disabilities Act (ADA) was signed into law 7-26-90. Title I of the Act governs employment issues and became effective on July 26, 1992. The purpose of Title 1 of this act is to ensure that qualified individuals with disabilities are protected from discrimination on the basis of their disability. The ADA provides equal opportunities for qualified individuals with disabilities who can perform the "essential functions" of a position with or without reasonable accommodation. According to the June 22, 1994, issue of The Chronicle of Higher Education, the U.S. Department of Education's Office of Civil Rights (OCR) reports that one of the major ways college and university personnel violate the Ada guidelines is that they make prohibited inquiries regarding disabilities on the employment applications or during the interview process.

The ADA makes explicit distinctions between pre-offer and post-offer inquiries. The rationale for these requirements is to prevent discrimination against individuals with "hidden" disabilities by focusing the employer's attention on an applicant's abilities to perform actual job functions rather than judging the person by his or her disabilities. The EEOC has tried to clarify the permissible from the impermissible inquiries by publishing a "do's and don't's" supplemental Technical Assistance Manual. We've reprinted some of the suggestions. Please note, this is not a complete list, it provides a sampling that should illustrate the intent of the ADA (to judge applicants on the basis of their abilities.

MAY ASK (DO'S)

- You may give the individual a copy of the job description that identifies all essential functions and ask whether the individual is able to perform all of those essential functions with or without a reasonable accommodation.
- You May state the Institution's standards and expectations and ask if the individual can meet those standards. For example: +You may state the University's drug policy; +You may state the institution's standards for on-the-job alcohol consumption; +You May state the University's smoking policies.
- You May ask about the individual's attendance at prior jobs, if the question is limited to days off or number of days late for any reason, and is not limited to days missed due to illness.
- You May ask about an individual's accident record, especially accidents involving injury to property (such as traffic accident history for persons who will do driving) if you avoid questions about the individual's own injuries.

DO NOT ASK (DON'T'S)

- Do Not ask questions about whether the individual has a current disability or a past disability.
- Do Not ask whether the individual has any serious illness (such as AIDS), back problems, a history of mental illness or any other physical or mental condition.
- Do Not ask questions about the applicant's past on-the-job injuries.
- Do Not ask about the applicant's medical problems by requesting the applicant to identify if he or she has or has ever suffered from a list of ailments, such as: Diabetes, Hepatitis, Heart Conditions, Arthritis, Back Problems, Migraines, Ulcers, Visual Problems, Hearing Problems.
- Do Not inquire about an applicant's past or current need for or receipt of medical or disability benefits.
- Do Not ask whether the individual has ever filed a worker's compensation claim.
- Do Not ask whether the applicant has ever been treated for drug addiction or alcoholism.
- Do Not ask how many days the applicant was absent from work last year because of illness.
- Do Not ask whether applicants are taking or have been taking any prescribed drugs.
- Do Not ask whether the applicant has a sexually transmitted disease, such as the HIV virus.
- If an applicant has a known or obvious disability that would NOT interfere with or prevent performance of the job, you CANNOT ask or require the applicant to demonstrate performance of a job function, unless all applicants for those positions are required to do so.

WELCOME

√ Jesus Blanco - Recruiter, Teacher Education/HEP
√ Steven Ridder - Custodian, Physical Plant

TRANFERS/PROMOTIONS

√ Victor Pearsall - Grounds Foreman, Student Residential Life

DEPARTURES

√ Kristina House - Library

INFORMATION, PLEASE?

Classified Employees Recognition Luncheon

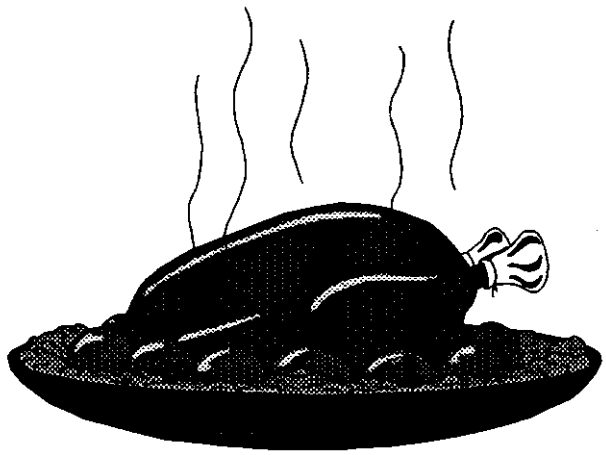
The annual Classified Employee Recognition Luncheon has been scheduled for December 15, 1994, in the Student Union Building, Grace Jordan Grand Ballroom. We will be recognizing 85 employees this year. If you would like to attend, the cost is $8.00. Please RSVP to x1616 by December 9, 1994.

TRAINING

Call 4419 to register or for additional information.

Eldercare Support Group	11/22
Ins and Outs of the Financial System	TBA
Performance Management Step III: Conducting a Win/Win Performance Appraisal Interview	12/8

FROM ALL OF US IN HUMAN RESOURCES– HAPPY THANKSGIVING!!



VACANCIES

Contact Viola Boman at 1617 for additional information on the following classified positions:

- Clerical Unit Supervisor - Survey Research Center
- Custodian - Physical Plant, Student Residential Life, Student Union Building
- DP Personal Computer Network Specialist - Registrar's
- General Book Manager - Bookstore
- Grounds Maintenance Worker - Physical Plant
- HVAC Specialist - Student Residential Life
- Maintenance Craftsman - Physical Plant
- Maintenance Craftsman, Senior (Plumber Apprentice) Physical Plant
- Radio Operations Manager - BSU Radio
- Secretary (Halftime) - Provost's Office
- Secretary, Senior (10-months) - Modern Languages

Contact Trudy Leininger at 3648 for additional information on the following positions:

- Assistant/Associate Professor - Athletic Training, Psychology (3 positions); Health Policy
- Assistant Professor - Dep't. of Social Work; Macroeconomics; Mathematics (2); MA Program in School Counseling; Spanish/Applied Linguistics; Freshwater Ecologist; Sociology (Mexican/American Studies); Graphic Design (Art Department).
- Curriculum Coordinator/ESL Instructor - Asia University America Program
- Dean - Social Sciences and Public Affairs
- Department Chair - Art Department
- Director of Corporate Underwriting - BSU Radio
- Instructional Software Developer - SMITC
- Senior Faculty Position - Social Work

BENEFITS

Employee Assistance Program

Your EAP is offering Interpersonal Educational Group sessions on Tuesday evenings from 5:30-7:00 at 323 N. Allumbaugh. The topic of these sessions will be of benefit to those interested in learning how to develop and maintain healthy relationships through self-awareness and esteem building. For more information, call 323-1700.

Areas of focus will be as follows:

"Personal Growth, Awareness and Defining Your Self Concept"
"Boundary Setting"
"Communication Enhancement"
"Dispelling Irrational Beliefs"
"Developing Trust"
"Personal Goal Setting"
"Gender Differences (i.e. Men are from Mars, Women are Venus)"