



Agenda Date: 6/27/2006
Agenda Placement: 6LL

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Mark Gregersen - Director
Human Resources
REPORT BY: Charla Freckmann, Assistant Human Resources Director, 259-8720
SUBJECT: Revised Disability Discrimination Policy

RECOMMENDATION

Human Resources Director requests adoption of a resolution revising the County's Disability Discrimination Policy, effective June 27, 2006.

EXECUTIVE SUMMARY

The County's personnel policies are periodically reviewed in order to maintain compliance and consistency with ongoing changes in the law. The County's Disability Discrimination Policy was originally adopted by the Board of Supervisors on April 28, 1992, and no further revisions have been made to this policy. In addition, subsequent to the Board of Supervisor's adoption of this policy, statutory interpretations of the Americans with Disabilities Act and the California Fair and Employment and Housing Act addressing disability discrimination in the workplace have created an emphasis on certain aspects of an employer's obligation to provide reasonable accommodation. The recommended revisions to the County's Disability Discrimination Policy include changes emphasizing these statutory developments, enhancements to the policy's reference to the duty to provide reasonable accommodation and incorporate certain updates in wording, titles and text for purposes of clarification.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The County's Disability Discrimination Policy was originally adopted by the Board of Supervisors on April 28, 1992. Since then there have been no revisions or updates made to this policy. Over the years statutory interpretations of the Americans with Disabilities Act and the California Fair and Employment and Housing Act addressing disability discrimination in the workplace have created an emphasis on certain aspects of an employer's obligation to provide reasonable accommodation. The current recommended revisions amend the County's Disability Discrimination Policy to:

1. Emphasize the County's duty to provide reasonable accommodation;
2. Update the policy's language for consistency with more recent statutory interpretation;
3. Add and clarify certain definitions of words and phrases commonly used in reference to disability discrimination and the duty to provide reasonable accommodation; and
4. Change references to departments and titles to their current description.

The attached tracked version represents the recommended changes to the policy. The proposed changes to this policy have been shared with representatives from NAPE-SEIU Local 614 and the Deputy Sheriffs' Association and they have agreed to the recommended amendments.

SUPPORTING DOCUMENTS

- A . Resolution Amending Disability Discrimination Policy
- B . Tracked Revised Disability Discrimination Policy
- C . Clean Revised Disability Discrimination Policy

CEO Recommendation: Approve

Reviewed By: Karen Gratton