



ADMINISTRATIVE RULES OF MONTANA



2.21.4107 RESPONDING TO REASONABLE ACCOMMODATION REQUESTS

- (1) Designated personnel who receive reasonable accommodation requests shall promptly notify their agency ADA coordinator of the request.
- (2) If the request comes from someone other than an agency manager, the ADA coordinator shall inform the appropriate manager and provide assistance throughout the reasonable accommodation process. With assistance from the ADA coordinator, the agency manager shall:
 - (a) participate in an informal dialogue (known as the interactive process) with the employee or applicant;
 - (b) periodically follow up with the employee or applicant on all reasonable accommodation requests; and
 - (c) approve or deny the request within 30 working days following the initial request, unless extenuating circumstances exist.
- (3) Designated personnel shall always consider an employee's or applicant's requested accommodation; however, they may elect another reasonable accommodation if it would effectively allow the employee to perform the essential functions of the job or allow an applicant to compete for a position.
- (4) Employees may refuse the elected accommodation; however, if the employee cannot perform the essential functions of the job, with or without the accommodation, the refusal may limit the employee's qualifications for the position.

Authorizing statute(s): 2-18-102, MCA

Implementing statute(s): 2-18-102, MCA

History: NEW, 2011 MAR p. 1668, Eff. 8/26/11.