

<b>HUMAN RESOURCES MEMORANDUM 24-016</b>		DATE ISSUED: 10/24/2024
SUBJECT: Reasonable Accommodation Process		REFERENCE: Government Code 12926(f)
TO: All DGS Employees and Client Service Agencies.		SUPERCEDES: NA

## Purpose

Employees of the Department of General Services have the right to seek reasonable accommodation. The request must be supported by adequate medical documentation that shows you are a qualified individual with a disability, provided the limitations/restrictions do not interfere with the performance of the employee's essential functions. Accommodations may include assistive equipment, flexible work schedules, increased telework, etc.

To be considered qualified, an individual must meet the following criteria:

- Have the required skills, experience, education, and other job-related requirements
- Be able to perform the essential functions of the job, with or without reasonable accommodation

The Americans with Disabilities Act (ADA) defines a person with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activity.

For the purposes of reasonable accommodation, "essential functions" is used in accordance with [California Government Code Section 12926 subdivision \(f\)](#) which states:

*"Essential functions" means the fundamental job duties of the employment position the individual with a disability holds or desires. "Essential functions" does not include the marginal functions of the position.*

*(1) A job function may be considered essential for any of several reasons, including, but not limited to, any one or more of the following:*

*(A) The function may be essential because the reason the position exists is to perform that function.*

*(B) The function may be essential because of the limited number of employees available among whom the performance of that job function can be distributed*

*(C) The function may be highly specialized, so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function.*

*(2) Evidence of whether a particular function is essential includes, but is not limited to, the following:*

*(A) The employer's judgment as to which functions are essential.*

*(B) Written job descriptions prepared before advertising or interviewing applicants for the job.*

*(C) The amount of time spent on the job performing the function.*

*(D) The consequences of not requiring the incumbent to perform the function.*

*(E) The terms of a collective bargaining agreement.*

*(F) The work experiences of past incumbents in the job.*

*(G) The current work experience of incumbents in similar jobs.*

## **Questions**

For more information related to the reasonable accommodation process or to apply for reasonable accommodation, you may visit the [DGS Reasonable Accommodation webpage](#).