



Last Approved 11/19/2025  
 Effective 11/19/2025  
 Next Review 11/18/2028

Owner Bilal Dabaja  
 Area Human Resources  
 Applicability Henry Ford Health Enterprise Wide +HAP  
 Document Type Enterprise, Policy

## Americans with Disabilities Act (ADA), as Amended by the American with Disabilities Amendment Act (ADAAA), Collectively Referred to as ADA

### Applicability

Henry Ford Health Enterprise Wide + HAP

### Scope

This policy applies to all team members at all operating units and corporate offices of Henry Ford Health. The policy and procedures enumerated below shall apply unless such policy or procedures are otherwise specified in a contract to which Henry Ford Health, or a covered operating unit, is a signatory. In such cases, the terms of the contract shall govern for team members covered by that contract, and such terms will take precedence over this policy.

The implementation, administration and management of this policy shall be the responsibility of Henry Ford Health Human Resources and operational leadership.

### Background

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with fifteen (15) or more team members to not discriminate against applicants/team members with disabilities. It also requires the employer to interactively discuss reasonable accommodations to applicants/ team members who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

This policy also incorporates the Michigan's Persons with Disabilities Civil Rights Act (MPDCRA), which prohibits discrimination on the basis of disability and requires employers to reasonably accommodate all qualified individuals with disabilities.

This policy is designed to provide Henry Ford Health operational leadership with a framework for ADA and MPDCRA compliance.

### Definitions

**Disability** : An individual has a disability if he or she has:

1. a physical or mental impairment that substantially limits one or more major life activities;
2. a record of a substantially limiting impairment; or
3. is regarded (i.e. treated) as having a substantially limiting impairment.

**Major Life Activities:** Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

**Qualified Individual with a Disability:** An individual with a disability is qualified if he or she: (1) has the requisite skills, education and training (i.e., meets the basic "qualification standards"); and (2) can perform the essential (or fundamental) functions of a position held or desired (meaning the current position or one to which they could be reassigned) with or without reasonable accommodation and without posing a serious health or safety risk to the individual or others.

### Policy

Henry Ford Health complies with all federal and state laws concerning the employment of persons with disabilities. Henry Ford Health prohibits discrimination, harassment and retaliation on the basis of disability. Henry Ford Health complies with all applicable provisions of the ADA and MPDCRA by providing full and equal employment opportunities to all disabled applicants/team members consistent with the law.

### Employment Application

Henry Ford Health will not publish an employment application or advertisement indicating a preference, limitation or specification based on a disability, and will not make or use an inquiry form that elicits information concerning a disability, except as required by the regulations of the Office of Federal Contract Compliance Program (OFCCP), or workers' disability compensation history of any applicant. Henry Ford Health may condition job offers on the results of pre-placement drug testing and medical examinations that are required for all team members entering similar positions.

### Posting

Henry Ford Health will post, in conspicuous places on its premises, ADA/MPDCRA notices setting forth the pertinent provisions of both acts and information pertinent to the filing of a complaint.

### Requests for Reasonable Accommodation

When an applicant/team member requests an accommodation due to a disability (or in cases when Henry Ford Health knows or should have known of a need for accommodation due to applicant's/team member's disability), Henry Ford Health must make a determination of the applicability of the ADA and if it can reasonably accommodate the applicant/team member. An accommodation is something the applicant/team member needs related to their disability in order to perform the essential functions of their job. Under the ADA, an employer must reasonably accommodate applicants/team members with a disability. An accommodation is considered reasonable if it does not cause undue hardship to the employer or safety risks to the team member or others.

If a team member requests an accommodation under the ADA or Henry Ford Health advises the team member they may need an accommodation, the team member must contact NEW YORK LIFE GROUP BENEFIT SOLUTIONS at 1-888-842-4462 regarding a request for accommodation. All completed requests for accommodations sent to NEW YORK LIFE GROUP BENEFIT SOLUTIONS will be reviewed by Henry Ford Health and, after engaging the team member in an interactive process, a determination will be made as to whether the request can be reasonably accommodated. The team member and manager/supervisor will receive ongoing communications from NEW YORK LIFE GROUP BENEFIT SOLUTIONS and Henry Ford Health regarding the status of the team members' accommodation request.

NEW YORK LIFE GROUP BENEFIT SOLUTIONS will send a letter specifying the appropriate documentation required of the team member in order to assist Henry Ford Health in making a determination as to whether the team member is eligible for accommodation under the ADA. The team member has ten (10) business days from the date of the letter to return the completed ADA certification. The team member may contact NEW YORK LIFE GROUP BENEFIT SOLUTIONS to request a good faith extension of the deadline to return the completed certification. Failure to follow the policies and procedures of NEW YORK LIFE GROUP BENEFIT SOLUTIONS and Henry Ford Health may result in denial of the accommodation request and/or disciplinary action up to and including termination.

### Interactive Process

Disability Management in partnership with Human Resources and the manager will seek to engage the applicant/team member in an interactive discussion as it pertains to the Request for Accommodation under the ADA. Disability Management, in consultation with other relevant parties, will determine whether the applicant/team member is a qualified individual with a disability. Disability Management may inquire into the nature and extent of the impairment, and may require medical documentation of such impairment.

If medical documentation is required, the applicant/team member must sign a Henry Ford Health ADA Authorization to Release Medical Information which will allow the applicant/team member's provider to release medical information to Disability Management. The interactive process will include assessing the essential functions of the applicant/team member's position, applicant/team member's disability and any reasonable accommodation(s) that permit applicant/team member to apply for and/or perform the essential functions of the job.

### Determination of Reasonable Accommodation

After an individualized assessment based on facts and circumstances, Disability Management, in consultation with the relevant parties, will determine if and how a qualified individual with a disability can be reasonably accommodated.

Accommodations will be determined on a case by case basis. If an individual can be reasonably accommodated, the accommodation chosen, need not be the "best" one or the one preferred by the applicant/team member; it need only be reasonable and enable the individual to perform the essential functions of their position.

Efforts will be made to maintain a team member in their current position with reasonable accommodation(s) which will allow them to continue to perform the essential functions of their position. If this is not possible and the team member's disability and need for accommodation is permanent, the team member may be reassigned to another position consistent with the ADA. If the team member's need for accommodation is not permanent, the team member may be offered leave as a reasonable accommodation (either extension of an existing leave of absence or initiation of a new leave).

### Workplace Accommodation

Workplace Accommodation includes any changes to the work environment and may include making existing facilities readily accessible to and usable by applicants/team members with disabilities, job restructuring, modified work schedules, telecommuting, reassignment to a vacant position, leave, or other similar accommodations for individuals with disabilities.

### Leave as a Reasonable Accommodation – Job Protection

Depending on the facts and circumstances of a team member's position, the team member's department leadership, with support from Disability Management, will evaluate if granting or extending leave and job protection under the ADA creates an undue hardship on the department. If an undue hardship does not exist and granting or extending leave and job protection under the ADA is approved, the team member will be notified of the determination. Leave as a reasonable accommodation is not indefinite, however. Based upon the facts and circumstances of each case, upon a determination that a leave has become indefinite, an team member may not be granted or no longer qualify for leave as a reasonable accommodation and job protection under ADA.

If granting or extending leave and job protection under the ADA is denied because it creates an undue hardship, the team member will be notified they do not qualify for leave as a reasonable accommodation under the ADA. This denial does not impact whether an team member qualifies for another type of leave under Henry Ford Health [Leave of Absence](#) policy (e.g. company medical leave).

For team members denied leave as a reasonable accommodation under the ADA as a result of undue hardship, if the team member is able to return to work at the end of any other approved leave and their department has an open comparable position for which the team member is qualified and can perform the essential functions, with or without reasonable accommodation, as a general practice, the team member will be offered and placed into the comparable position within their department. However, what is considered an open position shall be determined on a facts and circumstance basis of the current status of the selection process as reviewed by Disability Management, HR and the Manager.

If no comparable position is open within the team member's department, Talent Selection, with assistance from Disability Management and HR, will work to assist the team member in finding a new position for which they are qualified within Henry Ford Health. If a position is identified, the team member is required to apply on-line for such position consistent with Henry Ford Health customary practices.

### Henry Ford Health and Reassignment under the ADA

Team members with a disability returning from an approved leave with permanent restrictions or who, while working, are placed on permanent restrictions, must contact NEW YORK LIFE GROUP BENEFIT SOLUTIONS to request a Workplace Accommodation. A reasonable accommodation within a team member's existing position will first be evaluated. If it is determined that a team member can no longer perform the essential functions of their job, with or without reasonable accommodation, reassignment to another open position will be considered as an accommodation under the ADA.

Reassignment under the ADA is the relocation of a team member with a disability from one position or classification to another. Reassignment under the ADA to a comparable vacant position for which the team member is qualified will be made when a position is available. The team member will not be required to compete. If no comparable position for which the team member is qualified is readily available, leave may be offered while Henry Ford Health continues to look for reassignment opportunities. For a period of ninety (90) days thereafter, Talent Selection, with assistance from Disability Management and HR, will work to reassign the team member to an open comparable position for which the team member is qualified. If no comparable position is available for which the team member is qualified, the team member may be offered reassignment to an open position that is not comparable. If a position is identified, in any reassignment, the team member is required to apply on-line for such position consistent with Henry Ford Health customary practices. If a team member is offered reassignment and refuses the job, Henry Ford Health will have fulfilled its obligation under the ADA. After ninety (90) days, if no position has been identified, the team member may remain on a leave other than ADA; however, Henry Ford Health will have fulfilled its obligation under the ADA to consider reassignment as an accommodation for a reasonable period of time.

Team members who meet one or more of the following criteria will not be eligible for reassignment consideration under the ADA:

- Active "written warning with suspension" disciplinary action within the past twelve (12) months,
- Active Performance Improvement Plan (PIP) in progress.

### Refusal to Engage in Interactive Process or Accept Offered Accommodation

Henry Ford Health policy requires applicants/team members to participate in the interactive process as defined in the ADA. In order for accommodations to be considered, an applicant/team member must participate in the interactive process as initiated by Disability Management. Failure to engage in the interactive process or follow Henry Ford Health policies and procedures in connection with an ADA request for accommodation may result in denial of the request and/or the team member being placed on leave until the team member is in compliance. Please refer to Henry Ford Health [Leave of Absence](#) policy.

During the interactive process, team members may discuss their rationale for their preferred accommodation. However, Henry Ford Health may elect to offer a different reasonable accommodation. Under the ADA, the accommodation(s) offered by an employer need only enable the team member to perform the essential functions of their position and need not be the one chosen or preferred by the applicant/team member. No further obligation is owed by Henry Ford Health under the ADA to any team member who refuses the reasonable accommodation(s) offered. Additionally, if, at any time, Henry Ford Health offers a team member reassignment to another job consistent with the ADA and that offer is refused, Henry Ford Health will have fulfilled its obligation for reassignment under the ADA.

### Confidentiality

Henry Ford Health prohibits unlawful disclosure of ADA/MPDCRA related information except as authorized by the ADA/MPDCRA. Such information will only be released to the team member, persons with the written authorization of the team member, organizational leadership with a legitimate business need, or as otherwise required by state and/or federal laws. Henry Ford Health may disclose that an accommodation was made and the nature thereof but will not disclose the nature or extent of the disability except as provided above. All medical information will be maintained separately in confidential files and not in the team member's personnel file. See also [Record Retention](#) policy

### Complaint of Discrimination/Harassment and Investigation

Henry Ford Health will make decisions regarding employment, public accommodations and educational opportunities for legitimate, non-discriminatory business reasons only. When an individual notifies Henry Ford Health that he or she believes he or she has been discriminated against or harassed on the basis of a disability, the following procedure will be followed:

Henry Ford Health is committed to fully complying with all applicable laws, regulations and regulatory standards.

You are encouraged first to report any **compliance or ethics related concern** such as harassment or discrimination, by contacting one of the following resources available within Henry Ford Health.

- Discuss your concerns with your Supervisor, Manager or Director
- Utilize the Radica logic reporting system
- Escalate your concerns through the Chain of Command
- Your local Compliance Officer (CO) (assigned to your operating unit or facility)

### The Henry Ford Health Compliance Team

Compliance and ethics-related concerns may be reported directly to the Compliance Team through multiple channels: via email at [compliance@hfhs.org](mailto:compliance@hfhs.org), directly to any member of the Compliance Team, or through the Compliance Hotline by phone at 888-434-3044 or online at <http://www.henryfordhealth.ethicspoint.com/>. The Compliance Hotline is available 24 hours a day 7 days a week. You may choose to remain anonymous when reporting your concerns.

All complaints will be handled in a confidential manner. Any concerns made in good faith will in no way be held against a team member or have an adverse impact on the individual's employment status. Team members with any concerns should contact their local Human Resources office.

### Related Documents

[Equal Employment Opportunity](#)

[Harassment](#)

[Leave of Absence](#)

[Record Retention](#)

### References/ External Regulations

None