

## **Interactive Process**

The purpose of the interactive process (IAP) is to determine whether an employee is able to perform the essential functions of his or her position, and if so, whether the employee can be reasonably accommodated in that position.

The interactive process is a flexible, informal process that involves the agency or department, the employee, the employee's representative and the ADA Coordinator. The interactive process requires good faith participation from both the employee and the agency or department.

The Interactive Process is managed by the ADA Coordinator for the City and County of Denver in collaboration with HR Services and the agency or department.

### **The Interactive Process consists of five components:**

1. Notification
2. IAP Meeting
3. Reasonable Accommodation Questionnaire
4. Disability Determination
5. Final Action

### **Notification**

Once notification is received the interactive process is initiated. HR Services is notified that an employee:

- Is unable to perform the essential functions of their job, or
- Has requested an accommodation, or
- Has exhausted FML and is returned to work with restrictions, or
- Has exhausted FML and is unable to return to work, or
- Has exhausted FML and is unable to return to work and is requesting extended leave, or
- Has reached MMI through Worker's Compensation and has permanent restrictions and is unable to perform the essential functions of their job

Notification can be made by the employee, supervisor/manager, Risk Management or Health Care Provider (HCP).

### **IAP Meeting**

- HR Services coordinates the IAP meeting with the ADA Coordinator, supervisor/manager and employee
- IAP letter and documents are mailed to employee and include:
  - IAP letter
  - Authorization for release of medical information
  - Clarification letter to the provider
  - Reasonable Accommodation Questionnaire
  - PEP (Performance Enhancement Plan)
  - Job Specification (including physical requirements of the position, if available)

The IAP meeting is a fact finding meeting to gather medical information from the employee and their HCP which supports their medical condition, their ability or inability to work and/or their need for an accommodation. The ADA Coordinator facilitates the meeting.

## **ADA Determination**

The ADA Coordinator makes a determination as to a disability based on the guidelines of the ADA of 1990, as amended 1/1/2009, and from medical information from the employee's HCP.

- Is the employee capable of performing the essential functions of their job with or without Reasonable Accommodation?
- Is the employee disabled?
- Is the employee not disabled?
- Is Reasonable Accommodation appropriate?
- If the employee is not disabled but unable to work; and/or the employee is unable to work in any capacity the matter is referred back to the agency for their further determination of extending leave or disqualification.

The ADA Coordinator is not involved in the disqualification process.

## **Final Action**

The following are the types of final action that can result from the interactive process:

- Reasonable Accommodation in their present position
- Job reassignment to an open/vacant requisitioned position within the agency and/or City
  - To an open/vacant (requisitioned) position in the agency and/or City for which the employee meets the minimum qualifications and it is within their physical restrictions
  - Search for a position for a period of 90 days
  - Results of the job search is put in writing to the Employee and HRS
  - If no position is found the matter is referred back to the agency for their further determination of the personnel matter.
- Refer the matter back to the agency if the employee is not disabled for consideration of extending leave and or disqualification.
- Refer the matter back to the agency if the employee is unable to work in any capacity.

For more information, see [CSA Rule 5-84.e](#) which is intended to comply with and be interpreted consistently with the Americans with Disabilities Act of 1990, as amended 1/1/2009.