



MARYLAND STATE POLICE PERSONNEL DIRECTIVE



Americans with Disabilities Act Compliance

Distribution: All Employees	Index: PER 02.03
DLI Reference: N/A	Rescinds: CHAPTER 4, SEC XXIV
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.01 Purpose

To establish procedures to ensure that the MSP complies with the Americans with Disabilities Act (ADA).

.02 Policy

The MSP will comply with all provisions of the ADA and prohibits discrimination against any qualified individual with a disability in any term, condition or privilege of employment, or access to public services, programs or activities within the MSP.¹

.03 CALEA Standards

LE: 26.1.3 TA: 4.6.2 CM: 3.6.4

.04 Definitions

REASONABLE ACCOMMODATION: (1) modifications or adjustments to a job application process that enables a qualified applicant with a disability to be considered for the position; (2) modifications, adjustments, or changes to a job or work environment or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position; or (3) modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees.

.05 References

[42 U.S.C. § 12101, AMERICANS WITH DISABILITIES ACT OF 1990.](#)

[MD. CODE ANN., STATE GOVT. §20–602.](#)

[EXECUTIVE ORDER 01.01.2007.16, CODE OF FAIR EMPLOYMENT PRACTICES.](#)

¹ LE: 26.1.3 TA: 4.6.2 CM: 3.6.4

.06 Procedures

A. ADA Compliance Committee

1. The ADA Compliance Committee (ADACC) will work to ensure that MSP complies with the ADA by:
 - a. monitoring and reviewing MSP procedures, policies and facilities;
 - b. ensuring that all provisions of the ADA are communicated to the appropriate personnel;
 - c. facilitating and verifying corrective action where non-compliance is identified; and
 - d. evaluating claims made to the MSP alleging violations of the ADA.
2. The members of the ADACC are the:
 - a. Chief, Support Services Bureau (Chair);
 - b. Director, Human Resources Division;
 - c. Commander, Office of Fair Practices;
 - d. MSP Medical Director;
 - e. ADA Coordinator;
 - f. a commissioned officer from the bureau where the affected employee is assigned
 - g. Director, Facilities Management Division (as needed);
 - h. Capital Projects Officer (as needed); and
 - i. ADA Alternate Coordinator (as needed).
3. Members of the ADACC will be familiar with the ADA and any regulations or guidelines issued by the Equal Employment Opportunity Commission (EEOC) and the Department of Justice, which are pertinent to MSP compliance with the ADA.
4. All matters presented to the ADACC will be confidential.

B. ADA Coordinator & Alternate Coordinator

1. The ADA Coordinator and the ADA Alternate Coordinator are appointed by the Chief, Support Services Bureau.
2. ADA Coordinator & Alternate Coordinator will:
 - a. be knowledgeable in the current law and policies relevant to the ADA;
 - b. disseminate information to all employees advising them of their rights under the ADA, including the right to request a reasonable accommodation;
 - c. promptly resolve requests or complaints alleging violations of the ADA by the MSP;
 - d. prepare cases for presentation to the ADACC;
 - e. develop and maintain an inventory of resources and procedures to obtain auxiliary aids (including interpreters, readers, special equipment, etc.)

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- f. develop and maintain an inventory of resources to assist in identifying, determining the cost (including possible funding sources) and providing reasonable accommodations for applicants and employees; and
- g. provide training to supervisors and employees on the rights of individuals with disabilities and the obligations of the MSP under the ADA.

C. Reporting Procedures

- 1. Employees and supervisors will immediately report all ADA-related issues or concerns to the ADA Coordinator or ADA Alternate Coordinator.
- 2. Employees requesting a reasonable accommodation should submit a State of Maryland Reasonable Accommodation Request Form (available on the PowerDMS), with medical certification confirming the existence of a qualifying disability, to the ADA Coordinator or Alternate Coordinator for appropriate action.
- 3. When an employee submits a request for reasonable accommodation to the ADA Coordinator, the employee will submit medical certification confirming the existence of a qualifying disability as well as a need for accommodation.
- 4. Employees claiming harassment or discrimination on the basis of a disability should also complete a Form 51, Discrimination-Harassment Incident Report, and submit it to the Office of Fair Practices.²
- 5. Upon receipt of the request, the Medical Services Unit will take the necessary action to facilitate a resolution.
- 6. Requests for reasonable accommodation which cannot be resolved by the ADA Coordinator within 30 days of the receipt of the appropriate documentation will be presented confidentially to the ADACC; all efforts will be made to protect the privacy of the individual making the request.
- 7. Upon completion of review by the Medical Services Unit or the ADACC, the Director of HRD, will issue a written decision, approving or denying the request, to the individual who initiated the request.
- 8. An employee whose request is denied may file an Equal Employment Opportunity Complaint directly with the Equal Employment Opportunity Commission.

D. Additional Information about reasonable accommodations in the State of Maryland may be found by clicking the following link: Reasonable Accommodations – Policy & Procedure.

Approved:

Colonel Marcus L. Brown
Superintendent 01/01/2014

² LE: 26.1.3 TA: 4.6.2 CM: 3.6.4