

Department of Public Health and Human Services	<b>SECTION:</b> PROGRAM DESCRIPTION
WoRC GUIDELINES MANUAL	<b>SUBJECT:</b> Accommodations

## ► ACCOMODATIONS, AUXILIARY AIDS AND SERVICES FOR PERSONS WITH DISABILITIES

### ► GENERAL RULE

All WoRC programs will take appropriate steps to ensure that persons with disabilities, including persons who are deaf, hard of hearing, or blind, or who have other sensory or manual impairments, have an equal opportunity to participate in our services, activities, programs and other benefits. The procedures outlined below are intended to ensure equal access to all WoRC program services and activities, including effective communication with participants, involving their medical conditions, treatment, services and benefits. The procedures also apply to, among other types of communication, communication of information contained in important documents, including waivers of rights, consent to treatment forms, financial and insurance benefits forms, etc. All necessary auxiliary aids and services shall be provided without cost to the person being served.

All staff will be provided written notice of this policy and procedure, and staff that may have direct contact with individuals with disabilities will be trained in providing accommodations and effective communication techniques. Ultimately WoRC Supervisors are responsible for providing training on accommodations and effective communication techniques. This includes a list of services or aides within your local community that may assist you in achieving effective communication with persons with disabilities.

### ► PROCEDURES:

#### Initial Screening

Upon enrollment, case managers will conduct an initial screening to identify possible disabilities. Case managers will begin the initial screening with the Barrier Reduction Screening Guide. If the participant indicates on the screening guide that a physical or mental health limitation is present the case manager must first visit the Job Accommodations Network, [www.askjan.org](http://www.askjan.org), to research and offer potential accommodations that could assist the participant in completing their employment and training activities.

The Job Accommodations Network is a useful resource for determining the appropriate types of accommodations for participants with physical and mental limitations. Staff must utilize [askjan.org](http://askjan.org) when determining the types of accommodations that might be needed beyond just reduced hours. A case note must be entered outlining the accommodation findings, see example on the following page.

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► **NOTE:** The HCS 206 and/or 207 does not need to be completed in order to begin the discussion on accommodations; however the HCS 206 and/or 207 **must** be completed prior to allowing a reduction of participation hours.

► **EXAMPLE:** Sally was in today for her enrollment. While completing the Barrier Reduction Screening Guide she self disclosed some mental health issues. We reviewed the JAN network and determined that Sally could participate full hours in a WEX placement with the following accommodations: private office, flexible work schedule, divide large assignments into smaller tasks, and providing a self-paced work load.

► **NOTE:** Remember that any disclosure of disability is voluntary. Applicants, beneficiaries, and participants need to be informed that although disclosure of a disability is not required, this information can help the contractors to make referrals to other community resources. The information may also assist the WoRC program in negotiating employment and training activities that the participant will be successful in completing.

#### **Accommodation Examples:**

Below is a list of accommodations that may be provided to individuals with disabilities. This list is not exhaustive as individualized assessments are necessary to determine what accommodations may be appropriate or necessary.

- Provide parking close to the work-site
- Provide an accessible entrance
- Modify the workstation to make it accessible
- Adjust desk height if wheelchair or scooter is used
- Make sure materials and equipment are within reach range
- Move workstation close to other work areas, break rooms, and restrooms
- Provide alternative computer and telephone access
- Divide large assignments into several small tasks
- Provide written instructions
- Allow additional training time for new tasks
- Allow frequent breaks
- Offer a quiet work space

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If the JAN network has been reviewed and the participant does not feel that the accommodations offered are sufficient to assist them in completing employment and training activities the Assessment Consent form must be completed.

#### **Assessment Consent Form and Assessment**

On the Assessment Consent form the participant can choose to have a formal assessment completed or they can choose to decline the formal assessment. If the participant signs the form and declines the formal assessment, they will be required to negotiate and complete full participation hours.

If the participant indicates they would like a formal assessment completed, it will be conducted by a trained professional, such as the participant's medical/mental health provider or other community professionals, using the HCS 206 and/or HCS 207 forms.

This assessment determines: whether the individual in fact has disabilities; the nature of any disability; the extent to which the individual is capable of employment or participation in employment-related (e.g. job training or education) activities and under what conditions; the implications of the disability on securing and maintaining employment; the appropriateness of a particular work assignment or plan for employment; the need for reasonable accommodations, reasonable modifications to policies, the provision of auxiliary aids and services and communication assistance; the need for training and education prior to employment; the applicability of work participation rules and time limits; and the appropriateness of applying sanctions.

#### **Provision of Auxiliary Aids and Services:**

When an individual self-identifies as a person with a disability that affects the ability to communicate or to access or manipulate written materials or requests an auxiliary aid or service, staff will consult with the individual to determine what aids or services are necessary to provide effective communication in particular situations. WoRC will provide notice of the availability of and procedure for requesting auxiliary aids and services through case management meetings, brochures, handbooks, letters, etc and through notices posted in waiting rooms, lobbies, etc.

► **NOTE:** All handouts, brochures etc. must be approved through Central Office before distribution.

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WoRC shall provide the following services or aids to achieve effective communication with persons with disabilities:

**A. For Persons Who Are Deaf or Hard of Hearing**

For persons who are deaf/hard of hearing and who use sign language as their primary means of communication, WoRC is responsible for providing effective interpretation or arranging for a qualified interpreter when needed.

Each WoRC program is responsible for maintaining a list of available interpreters on staff and outside interpreter services, including the availability, service hours and contact information for the service provider. This information should be readily available to all WoRC case managers.

In the event that an interpreter is needed, the WoRC case manager is responsible for contacting the appropriate interpreter on staff to interpret, if one is available and qualified to interpret; or obtaining an outside interpreter if a qualified interpreter on staff is not available.

**B. Communicating by Telephone with Persons Who Are Deaf or Hard of Hearing**

WoRC may utilize relay services for external telephone with TTY users. The state relay service number is 1-800-253-4093. For more information on the Montana Telecommunications Access program visit <http://www.dphhs.mt.gov/programsservices/montanatelecommunicationsaccess.shtml> or call 1-800-833-8503.

Each WoRC program is responsible for maintaining a list of services providers for communicating by telephone with persons who are deaf or hard of hearing. If such services are needed, WoRC program staff will contact the appropriate service providers to offer aids and services in a timely manner. Aids and services offered are, including but not limited to, the following:

- Note-takers; computer-aided transcription services; telephone handset amplifiers; written copies of oral announcements; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning; telecommunications devices for deaf persons (TDDs); videotext displays; or other effective methods that help make orally delivered materials available to individuals who are deaf or hard of hearing.

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- Some persons who are deaf or hard of hearing may prefer or request to use a family member or friend as an interpreter. However, family members or friends of the person will not be used as interpreters unless specifically requested by that individual and *after* an offer of an interpreter at no charge to the person has been made by the facility. Such an offer and the response will be documented in the person's file. If the person chooses to use a family member or friend as an interpreter, issues of competency of interpretation, confidentiality, privacy and conflict of interest will be considered.

### C. For Persons Who are Blind or Who Have Low Vision

WoRC staff will communicate information contained in written materials concerning treatment, benefits, services, waivers of rights, and consent to treatment forms by reading out loud and explaining these forms to persons who are blind or who have low vision. In addition, staffs are available to assist persons who are blind or who have low vision in filling out forms and in otherwise providing information in a written format.

For additional auxiliary aids and services WoRC staff may contact the nearest Blind and Low Vision services team:

- **Blind and Low Vision Services – Central Office Staff**  
111 N Last Chance Gulch, Suite 4C  
PO Box 4210  
Helena, MT 59604-4210  
1-877-296-1197 (toll-free consumer line)  
(406) 444-2590 (voice/TTY) (406) 444-3632 (fax)
- **Billings Blind and Low Vision Services Team**  
2121 Rosebud Dr Suite C-1  
Billings, MT 59102  
1-888-279-7532 (toll-free consumer line)  
(406) 248-4801 (voice)  
(406) 652-6046 (TTY) (406) 652-1781 (fax)

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- **Butte Blind and Low Vision Services Team**  
700 Casey Street, Suite B  
Butte, MT 59701  
1-888-279-7531 (toll-free consumer line)  
(406) 496-4925 (voice/TTY) (406) 782-8728 (fax)
- **Great Falls Blind and Low Vision Services Team**  
201 1<sup>st</sup> Street So, Suite 2  
Great Falls, MT 59405  
1-888-279-7527 (toll-free consumer line)  
(406) 454-6060 (voice)  
(406) 454-6080 (TTY) (406) 464-6084 (fax)
- **Missoula Blind and Low Vision Services Team**  
2675 Palmer, Suite A  
Missoula, MT 59801  
1-888-279-7528 (toll-free consumer line)  
(406) 329-5400 (voice/TTY) (406) 329-5420 (fax)

#### **D. For Persons With Speech Impairments**

To ensure effective communication with persons with speech impairments, WoRC staff will offer aids and services or contact a local service provider to do so. Aids and services offered are, including but not limited to, the following:

- Writing materials; typewriters; TDDs; computers; flashcards; alphabet boards; communication boards; and other communication aids.

#### **E. For Persons With Manual Impairments**

WoRC staff will assist those who have difficulty in manipulating print materials by holding the materials and turning pages as needed, or by providing aids and services, including but not limited to the following:

- Note-takers; computer-aided transcription services; speaker phones; or other effective methods that help to ensure effective communication by individuals with manual impairments.

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**Provision of Other Accommodations:**

WoRC shall provide the following accommodations to ensure equal access and opportunity to all WoRC programs, services and activities for individuals with disabilities:

**A. Limited Work Hours**

If the WoRC Case Manager receives a statement from a qualified medical/mental health professional involved in the treatment of the individual an HCS 207-Physical Activity Assessment, or an HCS 206-Mental Health Activity Assessment form which indicates an individual has a limiting condition (either mental or physical) but is able to participate in activities with accommodations for fewer than the required hours, the following steps must be taken:

- ▶ 1. All efforts must be made to provide accommodations for the individual to allow participation to the best of his/her ability. A TEAMS case note must be entered which discusses the accommodation findings and what accommodations are being utilized.
- ▶ 2. The individual is required to participate for the number of hours specified by the qualified medical professional on the HCS 206 or HCS 207 form. The forms will request the professional to estimate the number of hours per day/week the participant can participate:
  - a. If the individual meets the daily/weekly hours as noted on the form, no sanction is recommended;

**Example:** WoRC received an HCS 207 form on which the medical professional indicated Beth could participate in activities 3-4 hours per day (approx 20 per week). Based on this information, Beth negotiated WEX activities for 4 hours per day for the month of November. On Monday, November 8<sup>th</sup>, Beth misses her WEX placement but does not have good cause. She is willing to work an additional 2 hours at the WEX placement on Tuesday and Wednesday of that week and the WEX placement is in agreement with this. Because Beth has not exceeded the weekly hours

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indicated appropriate by the medical professional, this is allowed. No sanction is recommended because Beth has fulfilled her weekly hours obligation.

- b. If the individual fails to participate for the number of daily/weekly hours specified and good cause is not established, a sanction can be recommended; and
- c. If the individual has participated to the extent they are capable, according to the qualified medical professional, but does not meet the federally required hours, a sanction will not be recommended.

► **NOTE:** If the individual would like to complete more weekly hours than the medical professional indicated on the HCS 206/20; a new HCS 206/207 is needed before the participant can negotiate additional hours.

3. The WoRC Monitor **may** be involved in establishing the Employability Plan for the individual;
4. The Employability Plan must have full hours scheduled to meet minimum hours edits and allow authorization, however the component description should read **“Due to accommodation needs, only XXX hours required”**; and
5. The Employability Plan must be reviewed on a monthly basis.

► **NOTE:** The HCS 206 & 207 must be completed in full and updated every 3 months if the doctor has indicated the anticipated length of improvement as “unknown” and every 6 months if the doctor has indicated the anticipated length of improvement as “lifetime”. The updated form is needed to assist with negotiating appropriate activities as a participant’s condition can change frequently and accommodations must be made accordingly. **These forms will be**

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**considered expired at the end of the 3 or 6 month timeframe if they are not updated.**

► **NOTE:** WoRC programs are not to coach the participant and/or medical providers as to what should be written on the HCS 206/207.

► **Community Resources**

In addition, WoRC programs will work with their local services providers (i.e. Vocational Rehab provider, Job Service Disability navigator, etc) to ensure that appropriate accommodations are offered to those individuals with disabilities.

**NOTE:** To find a Voc Rehab program in your county please visit <http://www.dphhs.mt.gov/contactus/vocationalrehabilitationprogram.shtml>