



# Americans With Disabilities Act

Section: 1.422  
Effective Date: March 30, 2010  
Amended Date: December 8, 2020

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## **1.422 AMERICANS WITH DISABILITIES ACT (ADA)**

### **1.422.02 Agency Responsibilities**

- A. The UB Police Department works closely with the Office of Disability and Access Services, assisting them in their efforts and by receiving information and training on the recognition of various disabilities to better provide appropriate police services to such persons.
- B. The Office of Disability and Access Services maintains, on their web page a roster of organizations, support agencies, services, and individuals who may be contacted to provide guidance, support, and direct assistance in situations involving persons with disabilities.
- C. The agency will afford people with disabilities the same access to programs, services, and employment provided all citizens.
- D. The agency will make information available to its employees through training and other sources on various disabilities.
- E. Comprehensive directives cannot be written that address agency responses to all people with disabilities. Agency directives and training will guide employees in responding to and assisting those people with disabilities most commonly contacted.

### **1.422.04 Employee Responsibilities**

- A. Employees of the Office of Disability and Access Services will take all steps reasonably necessary to assist people with disabilities in accessing the full range of services provided by the agency. This includes, but is not limited to:
  - 1. Communications accessibility for both emergency and routine situations;
  - 2. Access to programs;
- B. Agency's officers will:
  - 3. Respond to routine calls for service;
  - 4. Respond to emergency calls for service; and
  - 5. Respond to criminal and disruptive behavior
- C. Officers will access appropriate support systems necessary to secure the rights of disabled individuals arrested by the agency.
- D. Employees will not jeopardize their own safety or the safety of others in attempting to accommodate disabled persons.
  - 1. Officers will follow all applicable directives and standard techniques for arresting or detaining persons with disabilities.
  - 2. Persons whose disabilities effect muscular or skeletal systems may not be able to be restrained using handcuffs or other standard techniques.
  - 3. Some persons with disabilities require physical aids, e.g., canes, wheel chairs, leg braces, to maintain their mobility. Once immediate presence of danger has diminished and suspects are safely detained, every effort is to be made to return the devices. If mobility aids must be withheld, prisoners must be closely monitored to ensure that their needs are met.
  - 4. Prescribed medication may be required at regular intervals by persons with disabilities. UB Police Officers with a prisoner at the booking facility will ensure CBIF Booking Officers are advised immediately to determine the importance of administering medications, potential for overdose, safety and security implications, etc.
  - 5. Some people with disabilities may not have achieved communications comprehension levels sufficient to understand their individual rights in arrest situations. Officers are to take necessary steps to ensure the rights of accused persons are protected.

**1.422.06 Employment Issues**

- A. Qualified persons with disabilities will not be discriminated against because of their disabilities in regard to job application procedures, hiring, advancement, compensation, training, and other terms of employment.
- B. The agency will not:
  - 1. Limit, segregate, or classify job applicants in such ways that adversely affects their opportunities because of disabilities;
  - 2. Use standards, criteria, or methods of administration that discriminate; or that perpetuated discrimination of others who are subject to common administrative control;
  - 3. Exclude or otherwise deny equal jobs or benefits to qualified individuals because of known disabilities of individuals with whom applicants are known to have relationships or associations;
  - 4. Fail to provide reasonable accommodation to known disabilities of otherwise qualified applicants or employees, unless accommodations impose undue hardships;
  - 5. Use qualification standards, employment tests, or other selection criteria that tend to screen out individuals with disabilities unless such tests have been shown to be job-related and consistent with business necessary for the position in question; and
  - 6. Select and administer tests that measure person's impaired sensory, manual, or speaking skills resulting from disabilities rather than skills, knowledge, and abilities required by specific positions.
- C. The agency may make inquiries about abilities of applicants or employees to perform job-related functions during pre-employment inquiries prior to offers of employment or promotion.
- D. The agency will not conduct medical examinations prior to making offers of employment or make any specific inquiries regarding disabilities applicants may have.
- E. Applicants may be required to undergo medical examinations and related inquiries, if such examinations and inquiries are required for all employees entering same job categories, after conditional offers of employment have been made. These examinations and inquiries may include questions about applicants or employees abilities to perform job-related functions.