

NDTC Disability Accommodation Policy

NDTC is committed to complying with all applicable provisions of the Americans with Disabilities Act (“ADA”) and with the provision regarding disability discrimination of the North Dakota Human Rights Act. It is the Company’s policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual’s disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the Company will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Company aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Company or pose a direct threat to the safety of the employee or any other individual that cannot be eliminated or reduced to an acceptable level with reasonable accommodation.

Scope of Policy:

The Company’s policy of reasonable accommodation extends to all reasonable accommodations necessary to allow an individual with disabilities to enjoy equal employment opportunities. This includes the obligation to make reasonable accommodation to allow individuals with disabilities to participate in the application and hiring process and to enjoy equal benefits and privileges of employment as are enjoyed by employees without disabilities. Employees who receive requests for such accommodations should consult with the Human Resources Administrator before rejecting an accommodation request.

Employees or applicants with disabilities, who believe they need a reasonable accommodation to perform the essential functions of their job, participate in the application and hiring process, or to enjoy equal benefits and privileges of employment should contact the Human Resources Administrator. NDTC encourages individuals with disabilities to come forward and request reasonable accommodation.

Procedure for Requesting an Accommodation:

Employees and applicants requiring accommodation are encouraged to submit a written request outlining the need for accommodation as soon as the need for accommodation becomes apparent to them. Upon receipt of an accommodation request from an employee, the Human Resources Administrator and the employee’s direct supervisor should meet with the employee to discuss and identify the precise limitations resulting from the disability and the potential accommodation that NDTC might make to help overcome those limitations. Applicants requiring accommodation should inform the Human Resources Administrator of the need for accommodation as early in the application process as is possible.

The Company may ask for additional medical information from the employee or applicant (post-offer) to verify the need for accommodation. In such instances, the Company may seek authorization from the employee or applicant to contact the individual’s health care providers, may ask the individual to provide the requested information from the health care provider or, infrequently, may ask the individual to undergo a medical examination at the Company’s expense to verify the need for accommodation or identify the appropriate accommodation.

NDTC will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, NDTC’s overall financial resources and organization, and the accommodation’s impact on the operation of the Company, including its impact on the ability of other employees to perform their duties and on NDTC’s ability to conduct business.

NDTC will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

The Company will attempt to provide the accommodation requested. The ADA does not, however, require NDTC to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (e.g., eyeglasses, hearing aids, wheelchairs, etc.).

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Human Resources Administrator. All such inquiries or complaints will be treated as confidential to the extent permissible by law.