



## MEMORANDUM

TO: Agency HR Directors

FROM: Corey-Anne Gulkewicz, CMS Deputy Director, Bureau of Personnel

DATE: September 29, 2022

SUBJECT: Policy Regarding Reasonable Accommodation for Applicants with Intellectual and Developmental Disabilities

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In accordance with federal and state laws, it is the policy of the State of Illinois to provide reasonable accommodations to qualified individuals with disabilities unless doing so would cause undue hardship. Reasonable accommodations will be provided in all aspects of employment including but not limited to, hiring process steps (examining, screening, interview, etc.), employment transactions (hiring, transfer, promotion, etc.), performance of essential job functions, and equal enjoyment of employment benefits and privileges.

This policy memorandum specifically addresses reasonable accommodations in the context of State hiring for persons with intellectual and developmental disabilities, including when the State hiring process involves testing and/or interviews. Just as State policy requires reasonable accommodations for individuals with physical disabilities, it likewise requires reasonable accommodations for individuals with intellectual and developmental disabilities.

The determination of what accommodation is reasonable in a particular situation will be made on a case-by-case basis. There are a number of accommodations that may be reasonable when testing is involved during the selection process. Potential accommodations include:

- Providing the candidate with additional time for testing
- Creating and administering an alternative test that more closely resembles the duties of the job (a pre-employment exam that assesses the essential functions of the skills required), or foregoing the testing portion of the application process if the test does not assess the essential functions of the skills required
- Allowing the candidate to demonstrate the ability to perform the job by providing “work sample” evidence (through prior job evaluations, a video, or information provided by another person, such as a vocational support professional, with personal knowledge of an individual’s abilities) of prior success in performing similar duties

- Allowing the candidate to be accompanied by a reader, typist, vocational support professional, or other accommodation during the testing
- Providing testing materials in an alternative format and/or using easy-to-read language

There are a number of accommodations that may be reasonable when interviewing is involved during the selection process. Potential accommodations include:

- Creating and administering an alternative interview that more closely resembles the duties of the job, or foregoing the interviewing portion of the application process if the interview may measure expressive language skills rather than the ability to perform the essential job duties
- Allowing the candidate to demonstrate the ability to perform the job by providing “work sample” evidence (through prior job evaluations, a video, or information provided by another person, such as a vocational support professional, with personal knowledge of an individual’s abilities) of prior success in performing similar responsibilities
- Allowing the candidate to provide written answers to interview questions
- Allowing the candidate to be evaluated through a “hands on” interview where skills are demonstrated instead of explained
- Allowing the candidate to be accompanied by a reader, typist, vocational support professional, or other accommodation during the interview
- Allow candidate adequate time to respond to interviewer questions

When an applicant for State employment requests a reasonable accommodation relating to an intellectual or developmental disability, the hiring agency must consult with the following groups to determine which accommodations are reasonable during the application and selection process and whether granting an accommodation would cause undue hardship: CMS Bureau of Personnel; CMS Disabled Workers Program; and DHS Division of Developmental Disabilities. These groups, as well as others including the CMS EEO Officer, DHS Division of Rehabilitative Services, and the Illinois Counsel on Developmental Disabilities, should be consulted as questions arise regarding reasonable accommodations for specific circumstances. Reasonable accommodations for candidates with intellectual and developmental disabilities should be provided for any application for any State employment. Persons with intellectual and developmental disabilities may also qualify for consideration under the State’s Successful Disability Opportunities Program, 20 ILCS 405/405-122, or the Disabled Workers Trainee Program, 20 ILCS 415/17b.