

 <b>DW TOWER, INC.</b>	<b>HUMAN RESOURCES</b>		
	POLICIES AND PROCEDURES		
SUBJECT	ISSUED	REVISED	NO.
<b>Americans with Disabilities Act</b>	03/01/2007		A-102
APPROVED			
<i>Approved with Policy A-100</i>			
President			

**PURPOSE:** This policy is designed to ensure that D. W. Tower, Inc. complies with the American with Disabilities Act (ADA).

**POLICY:** The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of the Company to comply with all Federal and state laws concerning the employment of persons with disabilities. It is Company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

**SCOPE:** This policy applies to all applicants for employment and all employees at D. W. Tower, Inc.

**DEFINITIONS:** The following definitions will be used in the implementation and understanding of the ADA. As used in this policy, the following terms have the indicated meaning and will be adhered to in relation to the ADA policy.

- “Disability” refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment, has a record of such an impairment, or is regarded as having such an impairment is a “disabled individual.”
- “Direct threat to safety” means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.
- A “qualified individual with a disability” means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
- “Reasonable accommodation” means making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or

devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.

- “Undue hardship” means an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include: (1) the nature and cost of the accommodation; (2) the overall financial resources of the facility at which the reasonable accommodation is to be made; (3) the number of persons employed at that facility; (4) the effect on expenses and resources or other impact upon that facility; (5) the overall financial resources of the Company; (6) the overall number of employees and facilities; (7) the operations of the particular facility as well as the entire Company; and (8) the relationship of the particular facility to the Company. These are not all of the factors but merely examples.

- “Essential job functions” refers to those activities of a job that are the core to performing said job for which the job exists that cannot be modified.

**PROCEDURE:**

1. The Human Resources is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.
2. D. W. Tower, Inc. will reasonably accommodate qualified individuals with a temporary or long-term disability so that they can perform the essential functions of a job.
3. An individual who can be reasonably accommodated for a job, without undue hardship, will be given the same consideration for that position as any other applicant.
4. All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regard to the employee’s immediate employment situation.

Anyone found violating any portion of this policy may be subject to disciplinary procedures, up to and including termination.

No changes will be made to this policy or any deviations authorized without the express written permission of the President.