



WORKPLACE ACCOMMODATIONS PROCEDURE AND PRACTICE GUIDE

The Office of Human Resources is charged with coordinating the University's compliance with the employment provisions of Sections 503 and 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act (ADA) of 1990, and ADA Amendments Act (ADAAA) of 2008, the Pregnancy Discrimination Act (PDA), PUMP for Nursing Mothers Act, and the Pregnant Workers Fairness Act.

Initiating the Accommodation Process

Employees can initiate the accommodation process by requesting a workplace accommodation from the Office of Human Resources via the Employee Accommodation Request Form.

Supervisors who receive a request for accommodation shall immediately advise the employee to submit the Employee Accommodation Request Form so that the official processing of the request can begin. Any supervisor who, in the course of job performance counseling, is informed by an employee that a physical or mental condition may be affecting the employee's work performance should refer the employee to the Office of Human Resources and notify the Office of Human Resources of such referral.

The Process

The accommodation process is a collaborative and interactive process between the University Workplace Accommodations Coordinator, the staff member, the supervisor/department head, and/or other appropriate personnel. When a staff member with a disability or impairment requests an accommodation to assist in the performance of a job, it is the staff member's responsibility to obtain and submit to the Office of Human Resources medical/psychological documentation from appropriate healthcare providers.

The documentation must establish that the staff member has a physical or mental impairment that substantially limits a major life activity, identifies functional limitations related to the job and may provide recommendations for potential reasonable accommodations. To assist healthcare providers in this regard, the staff member should contact Human Resources to obtain a copy of their job description and/or a list of the essential functions of the job and provide the information to their healthcare provider.

The University Workplace Accommodations Coordinator will review potential/suggested accommodations with the supervisor/department head, and other relevant personnel before a final offer of reasonable accommodations is made to the staff member.

Independent Medical Opinion

The Office of Human Resources has the authority to obtain, at departmental expense, an independent medical opinion concerning the impairment for which an employee seeks an accommodation. The failure of an employee to cooperate in obtaining such an opinion will result in the cancellation of the request for accommodation.

Reasonable Accommodation Determination

It is important to note that employees must perform the essential functions of their jobs and meet all job-related requirements, with or without reasonable accommodations. What is reasonable by way of accommodation typically is a fact-specific inquiry informed by job requirements. There may be instances where there is no reasonable accommodation that enables the employee to perform the essential functions of the job. Although there is a requirement to provide a reasonable accommodation to a person who is qualified under the law, there is no requirement to provide the exact accommodation requested by the individual or remove an essential function of the position.

Confidentiality

Any records or information obtained by the Office of Human Resources as a part of the accommodation process that reflect diagnosis, evaluation, or treatment of an employee's medical or mental health condition is confidential and shall be maintained by the Office of Human Resources. Such records shall be shared with only those University employees who have a need to know in order to implement the accommodation process; and shall not be released except as required by law.

Additional Questions

Additional questions from employees or supervisors regarding reasonable accommodations for employees should be directed to the Office of Human Resources at 903-566-7234.