

ADA ACCOMMODATION PROCESS AMERICANS WITH DISABILITIES ACT

The accommodation starts when an applicant or employee makes a request. The person seeking an accommodation does not have to invoke the ADA, make a request in writing, or specifically use the phrase "reasonable accommodation" to initiate the process. The EEOC details that person making the request merely has to use "plain English," and provide enough information to put the employer on notice that the request is related to a claimed impairment or medical condition.

The process for requesting accommodation is as follows:

1. A person makes a request for an ADA accommodation.
2. Complete the Request form, and review with the employee and obtain the employee's signature.
3. Review the medical certification document. Reiterate the need to have the medical statement returned within 15 days, as noted in the request letter.

Additionally, the obligation to begin the interactive process may be triggered without the employee making the request, in situations where the employer has notice that the employee may need a reasonable accommodation related to a known disability.

1. When a qualified individual with a disability has requested an accommodation, the Human Resource Director shall, in consultation with the individual:
 - Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
 - Determine the precise job-related limitation.
 - Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
 - Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the Human Resources Director is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
 - The Benefits Coordinator designee will work with the employee to obtain technical assistance, as needed.
 - The Human Resources Director will provide a decision to the employee within a reasonable amount of time.
 - If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the Benefits Coordinator designee shall work together to determine whether reassignment may be an appropriate accommodation.

Procedure - Job applicants

1. The job applicant shall inform the Benefits Coordinator designee of the need for an accommodation. The Benefits Coordinator designee will discuss the needed accommodation and possible alternatives with the applicant.
2. The Human Resources Director will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

Policy for funding accommodations

Funding must be approved by the University/Human Resources Director for accommodations that do not cause an undue hardship.

Definition

Undue hardship. An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the Human Resources Director.

Procedure for determining undue hardship

1. The employee will meet with the Benefits Coordinator designee to discuss the requested accommodation.
2. The Human Resources Director will review undue hardships by considering:
 - The nature and cost of the accommodation in relation to the size, the financial resources, and the nature and structure of the operation; and
 - The impact of the accommodation on the nature or operation of the University.
 - The Benefits Coordinator designee will provide a decision to the employee.

Appeals

Employees or applicants who are dissatisfied with the decision(s) pertaining to his/her accommodation request may file an appeal with the Human Resources Director, within a reasonable period of time, for a final decision.

If the individual believes the decision is based on discriminatory reasons, then they may file a complaint internally through the University's complaint procedure as outlined in this plan.

Supported work

The Human Resources Director will review vacant positions and assess the current workload and needs of the office, to determine if job tasks might be performed by a supported employment

worker(s). The Human Resources Director will work with the State ADA/Disability Coordinator to recruit and hire individuals for supported employment if such a position is created.