Definition
The University will ensure that reasonable accommodation which enables a qualified individual with a disability to engage in an equal employment opportunity will be provided whenever practicable.

Reasonable accommodation is any effective modification or adjustment to a job, the work environment, and/or an employment practice, that accommodates a qualified individual with a disability to perform a job or apply for a job, without causing undue financial hardship on the institution. This includes requests for reasonable accommodation during the recruitment/selection process as well as during the period of employment.

Authority

Scope
This procedure and related policy apply to all areas of the University in all aspects of employment.

Alexander Gonzalez, President
Approval Date 1/24/00
AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE ACCOMMODATION REQUEST PROCEDURE

GUIDELINES:

Examples of reasonable accommodations include, but are not limited to:

1. making existing facilities readily accessible to an individual with a disability
2. job restructuring
3. acquiring or modifying equipment or devices
4. adjusting or modifying the administration of examinations, training materials and policies
5. providing qualified readers or interpreters
6. modifying work schedules
7. as a last resort, reassignment to a vacant position.

PROCEDURE:

1. Individuals who wish to request a reasonable accommodation must obtain a Request for Accommodation form from Human Resources Management. Individuals may contact the department directly or access the form from the HRM website at http://ww2.csusm.edu/HR/formspage.dl.html.

2. The individual must submit the completed Request for Accommodation form to his/her supervisor or program director for consideration and timely action.

3. Whenever possible the department or division is responsible for honoring the reasonable accommodation request in a timely manner. If the supervisor or program director has a valid reason to believe that additional information and/or documentation is needed to establish the employee’s eligibility for a reasonable accommodation, or the accommodation is beyond the ability of the department/division to provide, the request should be forwarded to the Disabled Employee Program (DEP) Coordinator in Human Resources Management, who is responsible for processing the request.

4. The DEP Coordinator will determine if additional documentation is necessary to establish the employee’s eligibility for a reasonable accommodation. If additional documentation is needed, the DEP Coordinator will initiate the process to acquire additional information or documents as needed. This process will be initiated in order to substantiate the employee’s condition as being a qualified disability that affects the ability of the employee to perform the essential functions of his/her job. Inquiries may be made to the employee’s health care provider. The employee will be asked to complete a Release of Medical Information form if one is not already on file.
5. Further medical documentation is necessary only if the existing documentation is insufficient to determine whether the individual is a “qualified worker with a disability” and/or to determine which of the essential functions requires an accommodation.

6. Should the results of the inquiry indicate that the employee does not meet the established definition of a “qualified worker with a disability”, the employee will be notified in writing by the DEP Coordinator. The DEP Coordinator will be available to discuss other options with the employee.

7. Upon receipt of the request form or the requested information and/or documentation, a review will be conducted by the DEP Coordinator to determine if the employee is a “qualified worker with a disability”. If the employee is determined to be a “qualified worker with a disability”, the DEP Coordinator, supervisor or program director, and the employee shall identify and implement the accommodation. An effective reasonable accommodation permits the employee to perform the essential functions of the position without endangering him/herself or others. However, the reasonable accommodation need not be the best accommodation or the one requested by the employee or recommended by the employee’s health care provider.

8. All approved reasonable accommodation requests shall be in writing and signed by the employee, the supervisor, and the DEP Coordinator. This document and any supporting documents will be kept in a separate confidential file by the DEP Coordinator and will not be part of the employee’s official personnel file.

9. If the employee meets the ADA criteria yet cannot be accommodated in his/her own department or division due to undue hardship, or is determined to be a direct threat, other options must be considered. This will be done pursuant to relevant provisions contained in Title I of the ADA and/or Section 504 of the Rehabilitation Act.

10. Interim reasonable accommodations may be provided to the employee by the department or work unit during the period in which inquiries are being made to determine an employee’s eligibility for an accommodation. This should be done when the employee cannot perform the essential functions of his/her job. The interim accommodations shall remain in effect until the feasibility of a reasonable accommodation or an alternative has been determined pursuant to existing policy and procedures. The employee shall be advised by the DEP Coordinator that the accommodation is temporary and may be in effect through the time required to evaluate the reasonable accommodation request. The employee may be further advised that the interim accommodation may not be the best accommodation or the accommodation that the employee is seeking. However, the temporary interim accommodation must permit the employee to perform the essential functions of the job. An employee that receives an interim accommodation shall be advised in writing by the DEP Coordinator that the provision of the interim accommodation cannot be used as evidence that the department or work unit has assumed responsibility for the provision of a permanent accommodation.
11. The DEP Coordinator shall receive copies of all correspondence between the employee and the department or work unit regarding reasonable accommodation.

APPEALS AND GRIEVANCE PROCEDURES

Employees who believe an accommodation has not been provided pursuant to the existing policy and procedures or in a timely manner, may seek reconsideration and/or redress through established university policies and procedures, existing collective bargaining agreements and appropriate State of California or federal enforcement agencies.

DESIGNATION OF RESPONSIBILITIES

The ultimate determination to provide reasonable accommodation is the responsibility of the university.

The Director, Human Resources Management, or a designee, will advise and assist the university in complying with all local, state and federal non-discrimination provisions as they relate to persons with disabilities. However, Disabled Student Services is responsible for handling all student requests for reasonable accommodation and to answer questions from faculty regarding student accommodations. Appeals from students shall be directed to the DEP Coordinator.

The Director, Human Resources Management, or a designee shall be responsible for preparing requests for supplemental funding for reasonable accommodations to the Executive Vice President. Employees are responsible for initiating requests for reasonable accommodations in a timely manner and for providing any required supporting documentation.

DISABLED EMPLOYEE PROGRAM (DEP) COORDINATOR RESPONSIBILITIES include:

1. Processing all requests for reasonable accommodations for all employees,

2. Providing advice and information about appropriate and effective reasonable accommodations to all interested parties,

3. Providing assistance with locating and procuring accessible equipment and auxiliary aides and/or services.

4. Hearing appeals from students in the reasonable accommodation process.

5. Requesting supplemental funding, if practicable, from the Executive Vice President.