

Policy: Disability Accommodation	Policy No: I-4.5
Policy Owner(s): Human Resources	Original Date: 12/8/2017
Last Revised Date: 12/8/2017	Approved Date: 12/8/2017

- I. **POLICY:** John Carroll University (“the University”) is committed to non-discrimination and providing Reasonable Accommodation to qualified individuals with Disabilities. This policy sets out procedures and guidelines for Reasonable Accommodation requests by employees and applicants in compliance with the Americans with Disabilities Act as amended (“ADAA”).
- II. **PURPOSE:** The purpose of this policy is to establish a process to ensure that each Reasonable Accommodation request is considered and processed by the University in a timely and interactive manner to assist the individual in performing essential functions of the position.
- III. **SCOPE:** All employees and job applicants of John Carroll University.
- IV. **DEFINITIONS:**

Accommodation Official: A member of the Human Resources Department, in consultation with the Office of Risk Management and Regulatory Affairs, is the Accommodation Official who engages in an interactive process with an individual seeking an accommodation.

Americans with Disabilities Act As Amended (ADAA): The federal law that prohibits discrimination against individuals with disabilities and provides for a process for employers to consider and provide Reasonable Accommodations to individuals with disabilities to participate in the job application process and/or to perform the essential functions of the job.

Disability: Under the ADAA, a person is considered to have a Disability if the individual:

- A. Has a physical or mental impairment that substantially limits one or more major life activities such as, but not limited to, hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning, or major bodily functions;
- B. Has a record of having such an impairment; and/or
- C. Is regarded as having such an impairment.

Medical Documentation: Documentation needed to establish that an individual has a Disability and that the Disability necessitates a Reasonable Accommodation. The Medical Documentation must be from a qualified health care provider able to document the specific disability for which the individual is requesting a Reasonable Accommodation. The documentation may include recommendations for Reasonable Accommodation, but the University may choose alternative Reasonable Accommodations.

Reasonable Accommodation: Any change or adjustment to a job or work environment that enables an individual with a Disability to participate in the job application process, to perform the essential functions of a job, or to enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities. For an accommodation to be reasonable, it must not constitute an undue hardship to the University. Additionally, an employee must perform the essential functions of their job and meet all job-related requirements, with or without a Reasonable Accommodation. Examples of a Reasonable Accommodation may include modifying work schedules, methods or workspaces; altering how job duties are performed; providing assistive aids or equipment to permit the performance of job duties; making changes in workplace policies; providing effective access to electronic materials; and extending medical leaves of absence.

Undue Hardship: A request for accommodation that would entail significant difficulty or expense consistent with applicable law. Factors considered include the nature and cost of the accommodation in relation to the size, resources, nature and structure of the University.

V. PROCEDURES:

A. Requesting a Reasonable Accommodation:

1. An employee may request a Reasonable Accommodation by completing the Reasonable Accommodation Request Form (attached to this policy) and submitting it to the Accommodation Official. Students who seek accommodations for student employment positions or for academic accommodations should request accommodations from the Student Accessibility Services Office.
2. A Reasonable Accommodation request may be made verbally to the individual's supervisor. If a request is made verbally, the Accommodation Official will request that the individual then completes the Reasonable Accommodation Request Form.
3. A Reasonable Accommodation request may be made by someone other than the employee on the employee's behalf when the employee is incapable of submitting the request directly.

4. An applicant seeking a Reasonable Accommodation to participate in the application process may contact Human Resources for assistance. The University will not discriminate against or disqualify an applicant based on this request.
 5. An individual seeking a Reasonable Accommodation will be asked to submit appropriate Medical Documentation to identify the disability and the need for a Reasonable Accommodation.
- B. Interactive Process: Once a Reasonable Accommodation request is made and required documentation submitted, the individual requesting the accommodation and the Accommodation Official will engage in a collaborative, interactive process in order to identify the individual's workplace accommodation needs. The Accommodation Official will:
1. Discuss the needs with the individual who made the request, including any preferences the individual has as to what type of Reasonable Accommodation they receive;
 2. Review the individual's job description and identify the essential functions of the job;
 3. Contact the individual's supervisor, when necessary, for questions regarding the job duties and any requested or proposed Reasonable Accommodations; and
 4. Determine an appropriate Reasonable Accommodation, and communicate that determination to the individual and to the supervisor.
- C. Medical Documentation Requests: The Accommodation Official will request Reasonable Medical Documentation to document the Disability and provide information regarding the need for a Reasonable Accommodation.
1. Prior documentation on record with the University may be used to establish an individual's Disability or need for a Reasonable Accommodation.
 2. If an individual's Disability or need for a Reasonable Accommodation is not obvious and they refuse to provide Medical Documentation requested by the Accommodation Official, the individual is not eligible to receive a Reasonable Accommodation.
 3. The Accommodation Official may request additional Medical Documentation from the individual, their health care provider, and any other health care provider.
- D. Reasonable Accommodation Selection: If there is more than one adjustment or modification that constitutes a Reasonable Accommodation, the University will take the individual's preference into

account, but ultimately the University will make the final decision as to which accommodation to provide.

1. Individuals who request a Reasonable Accommodation are not entitled to receive their preferred accommodation.
 2. A Reasonable Accommodation may not alter the essential functions of the position.
- E. Confidentiality of Records: The Accommodation Official and any other office involved in the Reasonable Accommodation process will keep disability-related information, including Medical Documentation, in a confidential file, separate from the employee's personnel file. These offices will discuss disability-related information only with the appropriate University personnel and others with a need to know the information and/or those involved in the Reasonable Accommodation implementation process.
- F. Resources for Issues or Concerns: Issues or concerns about accommodations or physical or electronic accessibility issues can be directed to the Human Resources Department or the Office of Risk Management.

VI. CROSS REFERENCES:

Family and Medical Leave Act

General Leaves

Sick Leaves

Student Accessibility Services - <http://sites.jcu.edu/accessibility/>

Accessibility webpage

VII. ATTACHMENTS:

[Reasonable Accommodation Request Form](#)